1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

4 **By: Representative Flanagin**

A Bill

ACT 857 OF 1993

HOUSE BILL   1995

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7 ## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 14-43-307 TO

9 AUTHORIZE CITIES IN TRANSITION TO MAYOR-COUNCIL FORM OF

10 GOVERNMENT TO PROVIDE BY ORDINANCE THAT ALL ALDERMEN BE

11 ELECTED BY WARD; AND FOR OTHER PURPOSES."

12

13 ## Subtitle

14 "TO AUTHORIZE CITIES IN TRANSITION TO MAYOR-COUNCIL FORM

15 OF GOVERNMENT TO PROVIDE BY ORDINANCE THAT ALL ALDERMEN BE

16 ELECTED BY WARD."

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code Annotated §14-43-307 is amended to read as

21 follows:

22 "§14-43-307. Election of aldermen at large or by ward.

23 (a)(1) Candidates for the office of alderman in cities of the first

24 class shall reside in the ward from which they seek to be elected and shall

25 run at large.

26 (2)(A) All of the qualified electors of these cities shall be

27 entitled to vote in the election.

28 (B)(i) Provisions shall be made by the election

29 commissioners in these cities so that the qualified electors of each ward

30 shall have at least one (1) voting precinct in each ward where the resident

31 electors thereof may cast their ballot.

32 (ii) Cities of the second class that elect their

33 aldermen citywide may have one (1) public place only for holding elections.

34 (b)(1)(A) The city council of any such city or the governing body of

35 any city in transition to the mayor-council form of government is empowered

36 and authorized to provide, by ordinance, that all aldermen be elected by ward,

1 in which event each alderman shall be voted upon by the qualified electors of

2 the ward from which the person is a candidate.

3   (B)(i) When so provided by city ordinance, the name of the

4 candidate shall appear upon the ballot only in the ward in which he is a

5 candidate.

6   (ii) The city council of these cities may provide for

7 the election of one (1) alderman from each ward citywide and the other

8 aldermen from each ward by the voters of the ward only.

9   (2) All such cities choosing to elect all aldermen by wards or

10 part by wards shall provide, in the manner provided by law, for the

11 establishment of wards of substantially equal population in order that each

12 alderman elected from each ward shall represent substantially the same number

13 of people in the city."

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15   SECTION 2. All provisions of this act of a general and permanent nature

16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

17 Revision Commission shall incorporate the same in the Code.

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19   SECTION 3. If any provision of this act or the application thereof to

20 any person or circumstance is held invalid, such invalidity shall not affect

21 other provisions or applications of the act which can be given effect without

22 the invalid provision or application, and to this end the provisions of this

23 act are declared to be severable.

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25   SECTION 4. All laws and parts of laws in conflict with this act are

26 hereby repealed.

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28   *SECTION 5. EMERGENCY. It is hereby found and determined by the General*

29 *Assembly that this act empowers cities in transition to the mayor-council form*

30 *of government to provide that all aldermen be elected by ward; that some*

31 *elections for aldermen are to be held in the near future; and that this act*

32 *should become effective as soon as possible in order to conduct elections in*

33 *accordance with this act. Therefore, an emergency is hereby declared to*

34 *exist, and this act being immediately necessary for the preservation of the*

35 *public peace, health, and safety shall be in full force and effect from and*

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1 *after its passage and approval.*

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6   */s/Pat Flanagin*

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