

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 133 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S1/31/05

A Bill

HOUSE BILL 1082

5 By: Representative Overbey
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE TERM OF OFFICE FOR A
10 MUNICIPAL ATTORNEY OF A CITY OF THE SECOND CLASS
11 AND OF AN INCORPORATED TOWN; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO CLARIFY THE TERM OF OFFICE FOR
15 A MUNICIPAL ATTORNEY OF A CITY OF THE
16 SECOND CLASS AND OF AN INCORPORATED
17 TOWN.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-42-112 is amended to read as follows:
24 14-42-112. Municipal attorneys for cities of the second class or
25 towns.

26 (a)(1) All cities of the second class and incorporated towns within
27 the State of Arkansas may elect a municipal attorney at the time of the
28 election of other officers of these cities of the second class and
29 incorporated towns, if it is not established by ordinance that the office of
30 the city attorney will be appointed.

31 (2) All municipal attorneys elected under the provisions of this
32 section shall be regularly licensed attorneys of this state. When no attorney
33 resides within the limits of the city or town or when no resident attorney
34 has been elected as municipal attorney, the mayor and city or town council
35 may appoint any regularly licensed attorney of this state to serve as the



1 municipal attorney.

2 (b) Any municipal attorney elected or appointed under the provisions
3 of this section shall subscribe to the oath of office as all other officers
4 of these cities or towns.

5 (c) All municipal attorneys are authorized to file information for the
6 arrest of any person for the violation of any ordinance of the city or town
7 or of the laws of this state which are violated within the limits of the city
8 or town.

9 (d)(1) The duties of the municipal attorney shall be to represent the
10 city or town in all actions, both civil and criminal.

11 (2)(A) It shall be the duty of the municipal attorney to:

12 (i) Advise with all city or town officials at any
13 time needed;

14 (ii) Prepare all legal papers, blank forms, etc.;

15 (iii) File a complete report of his work with the
16 city or town council at the end of each year; and

17 (iv) If requested to do so, furnish all information
18 in his possession to the state courts for the prosecution of cases in the
19 state courts.

20 (B) Nothing in this section shall prohibit the city or
21 town council from prescribing other duties, and they are authorized to
22 prescribe such other duties as they desire which shall be done by proper
23 ordinance by the council.

24 (e) The term of office for an elected municipal attorney shall be four
25 (4) years.

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27 /s/ Overbey

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APPROVED: 2/11/2005

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