

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 46 of the Regular Session

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

# A Bill

HOUSE BILL 1083

5 By: Representative Overbey  
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## For An Act To Be Entitled

9 AN ACT TO PROVIDE INCORPORATED TOWNS WITH THE  
10 OPTION OF ELECTING ALDERMEN TO STAGGERED FOUR-  
11 YEAR TERMS; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 AN ACT TO PROVIDE INCORPORATED TOWNS  
14 WITH THE OPTION OF ELECTING ALDERMEN TO  
15 STAGGERED FOUR-YEAR TERMS.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 14-45-102 is amended to read as follows:  
22 14-45-102. Election of aldermen.

23 (a)(1) The Except as provided in subdivision (a)(2) of this section,  
24 the qualified voters of incorporated towns shall, on the Tuesday following  
25 the first Monday in November 1982, and every two (2) years thereafter, elect  
26 five (5) aldermen.

27 (2)(A) The town council of an incorporated town may refer to  
28 voters an ordinance on the question of electing the five (5) aldermen to  
29 four-year terms.

30 (B)(i) The voters shall vote on the ordinance at a general  
31 election or at a special election called for that purpose.

32 (ii) The election to approve the four-year election  
33 procedure shall be held no later than February 1 of the year of the general  
34 election in which the procedure is proposed to be effective.

35 (C)(i) If this procedure is adopted by ordinance, referred



1 to and approved by the voters of the town, the initial terms for aldermen  
2 representing positions numbered 1, 3, and 5 shall be a four-year term at the  
3 next general election.

4 (ii) The initial terms for aldermen representing  
5 positions numbered 2 and 4 shall be a two-year term at the next general  
6 election and thereafter shall be a four-year term, resulting in staggered  
7 terms.

8 (D)(i) The town council may refer to voters an ordinance  
9 on the question of returning the town to electing aldermen to two-year terms  
10 using the procedures of subdivision (a)(2) of this section.

11 (ii) If the voters approve returning a town to two-  
12 year terms, all aldermen shall be elected to two-year terms at the next  
13 general election and thereafter.

14 (E) The town council may not refer to voters another  
15 question on electing aldermen to four-year terms or on returning the town to  
16 electing aldermen to two-year terms unless at least four (4) years have  
17 passed since the last election on changing the aldermanic terms.

18 (b)(1) A candidate shall designate which of five (5) aldermanic  
19 positions he or she is running for by noting it on the petition filed  
20 pursuant to § 14-42-206 or by declaring to the county board of election  
21 commissioners the position currently held, subject to subdivision (a)(2) of  
22 this section.

23 (2) The county board of election commissioners shall accept  
24 those designations.

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27 **APPROVED: 2/1/2005**  
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