

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 362 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 432

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5 By: Senator Luker
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For An Act To Be Entitled

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9 AN ACT TO ESTABLISH A PROCEDURE FOR THE RECALL OF
10 ELECTED MUNICIPAL OFFICIALS ELECTED TO SERVE A
11 TERM OF FOUR (4) YEARS; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO ESTABLISH A PROCEDURE FOR THE RECALL
15 OF ELECTED MUNICIPAL OFFICIALS ELECTED
16 TO SERVE A TERM OF FOUR (4) YEARS.
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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 Title 14, Chapter 42, Subchapter 1 is amended
22 to add an additional section to read as follows:

23 14-42-119. Removal of certain elected municipal officials.

24 (a) A person who holds an elected office in a municipality for a term
25 of four (4) years in a mayor-council form of government is subject to removal
26 from the office by the electors qualified to vote for a successor of the
27 incumbent.

28 (b) The procedure for the removal of a person holding the office is as
29 follows:

30 (1)(A) When a petition requesting the removal of an officer
31 under this section, signed by a number of qualified electors equal to twenty-
32 five percent (25%), is filed with the city clerk, the city clerk shall
33 determine the sufficiency of the petition within ten (10) days from the date
34 of the filing.

35 (B) A petition shall be filed by 12:00 noon not more than



ninety (90) days nor less than seventy (70) days before the next general election following the election at which the officer was elected;

(2) If the petition is deemed sufficient, the city clerk shall certify it to the county board of election commissioners;

(3) At the election, the question shall be submitted to the qualified electors in substantially the following form:

“FOR the removal of (name of officer) from the office of (name of office). []

AGAINST the removal of (name of officer) from the office of (name of office). []”; and

(4)(A) If a majority of the qualified electors voting on the question at the election vote for the removal of the officer, a vacancy shall exist in the office.

(B) If a majority of the qualified electors voting on the question at the election vote against the removal of the officer, the officer shall continue to serve during the term for which he or she was elected.

APPROVED: 3/10/2009

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