

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H4/6/99

A Bill

Act 1574 of 1999
SENATE BILL 891

5 By: Senator Mahony
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 16-17-120 TO REQUIRE
10 MUNICIPAL JUDGES TO BE ELECTED BY A COUNTYWIDE VOTE;
11 AND FOR OTHER PURPOSES."
12

Subtitle

13 "TO AMEND ARKANSAS CODE § 16-17-120 TO
14 REQUIRE MUNICIPAL JUDGES TO BE ELECTED
15 BY A COUNTYWIDE VOTE."
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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 16-17-120 is amended to read as follows:

22 "16-17-120. Method of electing judges - Candidate requirements.

23 (a) ~~The governing body of any city in which a~~ The judge of any
24 municipal court which has been created or is hereafter created under the
25 provisions of subchapter 2 of this chapter, or any other general law
26 authorizing or providing for the establishment of a municipal court, ~~may by~~
27 ~~ordinance provide that the judge of that court shall thereafter~~ be elected by
28 the electors of the entire county or, in the event the county is divided into
29 two (2) judicial districts, by the electors of the judicial district in which
30 the municipality creating the court is located.

31 ~~(b) A governing body of any city changing the method of election of the~~
32 ~~judge under the provisions of this section shall thereafter be powerless to~~
33 ~~select a method of election which would be by electors of the municipality~~
34 ~~only.~~

35 ~~(c)(b)(1) When the governing body of any municipality enacts an~~
36 ~~ordinance changing the method of electing the judge of the municipal court of~~

1 ~~the municipality, the ordinance~~ The provisions of this section shall be
2 applicable with respect to the election of the judge of the municipal court
3 next following the expiration of the current term of the judge of the
4 municipal court.

5 (2) Any candidate for municipal court judge shall meet all
6 requirements now set by law, but residency in the municipality shall no longer
7 be a requirement.

8 (c) However, the provisions of this section shall not be applicable in
9 counties with a population of more than one hundred thousand (100,000) persons
10 according to the most recent federal decennial or special census.

11 (d) Provided, however, the county quorum court of any county electing
12 municipal judges countywide under the provisions of this section may provide,
13 by ordinance, that the judge of the municipal court may be elected by
14 townships rather than by the entire county. This subsection and any
15 ordinances passed under its authority shall not make the affected municipal
16 judgeships a township office for any purpose other than for the election to
17 the office of municipal judge."

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19 SECTION 2. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 3. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 4. All laws and parts of laws in conflict with this act are
30 hereby repealed.

31 /s/ Mahony

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34 APPROVED: 4/15/1999