

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 188 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1499

4
5 By: Representative D. Evans
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For An Act To Be Entitled

9 AN ACT TO CHANGE THE MUNICIPAL POPULATION
10 REQUIREMENT TO GIVE MORE CITIES THE AUTHORITY TO
11 FILL VACANCIES IN CERTAIN ALDERMAN POSITIONS; AND
12 FOR OTHER PURPOSES.
13

Subtitle

14 TO CHANGE THE MUNICIPAL POPULATION
15 REQUIREMENT TO GIVE MORE CITIES THE
16 AUTHORITY TO FILL VACANCIES IN CERTAIN
17 ALDERMAN POSITIONS.
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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 § 14-42-104 is amended to read as follows:
24 14-42-104. Vacancies in certain alderman positions.

25 When a vacancy occurs in any position of alderman in a city having a
26 population of ~~fifty thousand (50,000)~~ twenty thousand (20,000) or more,
27 according to the most recent federal decennial census, and having a mayor-
28 council form of government in which the electors of each ward elect one (1)
29 or more aldermen, a new alderman shall be chosen in the following manner:

30 (1)(A) If the unexpired portion of the term of alderman exceeds
31 one (1) year, a successor shall be elected by a vote of the electors of the
32 ward. The city council shall order a special election to be held within sixty
33 (60) days of the date the vacancy occurs.

34 (B)(i) The special election shall occur on the second
35 Tuesday of any month, except as provided in subdivision (1)(B)(ii) of this



1 section.

2 (ii)(a)(1) Special elections held in months in which
3 a presidential preferential primary election, preferential primary election,
4 general primary election, or general election is scheduled to occur shall be
5 held on the date of the presidential preferential primary election,
6 preferential primary election, general primary election, or general election.

7 (2)(A)(i) If a special election is held
8 on the date of the presidential preferential primary election, preferential
9 primary election, or general primary election, the issue or issues to be
10 voted upon at the special election shall be included on the ballot of each
11 political party.

12 (ii) However, separate
13 ballots containing only the issue or issues to be voted upon at the special
14 election shall be prepared and made available to voters requesting a separate
15 ballot.

16 (B) No voter shall be required to
17 vote in a political party's presidential preferential primary, preferential
18 primary, or general primary in order to be able to vote in the special
19 election.

20 (b) Special elections scheduled to occur in a
21 month in which the second Tuesday is a legal holiday shall be held on the
22 third Tuesday of the month; and

23 (2) If the unexpired portion of the term of alderman is one (1)
24 year or less, a successor shall be chosen by a majority vote of the members
25 of the city council.

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27 **APPROVED: 3/1/2007**
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