

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 234 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 287

5 By: Senator Madison
6 By: Representative Edwards
7

For An Act To Be Entitled

10 AN ACT TO CLARIFY THE CALLING OF SPECIAL
11 ELECTIONS FOR MAYOR OR DIRECTOR VACANCIES IN
12 MUNICIPALITIES WITH A CITY ADMINISTRATOR FORM OF
13 GOVERNMENT; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO CLARIFY THE CALLING OF SPECIAL
16 ELECTIONS FOR MAYOR OR DIRECTOR
17 VACANCIES IN MUNICIPALITIES WITH A CITY
18 ADMINISTRATOR FORM OF GOVERNMENT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 14-48-108 is amended to read as follows:
25 14-48-108. Calling of elections for directors and mayor.

26 (a)(1) Within ten (10) days after the designation of the four (4)
27 wards, the Secretary of State by proclamation shall call special primary and
28 general elections to be held in the municipality for the purpose of electing
29 seven (7) directors and a mayor.

30 (2)(A)(i) The primary election shall be held not less than
31 thirty (30) days nor more than seventy-five (75) days from the date of the
32 proclamation.

33 (ii) The primary election shall occur on the second
34 Tuesday of any month, except as provided in ~~subdivision~~ subdivisions
35 (a)(2)(A)(iii)-(vi) of this section.



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

7 (iv) If a primary election is held on the date of
 8 the presidential preferential primary election, preferential primary
 9 election, or general primary election, the issue or issues to be voted upon
 10 at the special election shall be included on the ballot of each political
 11 party. However, separate ballots containing only the issue or issues to be
 12 voted upon at the primary election shall be prepared and made available to
 13 voters requesting a separate ballot.

14 (v) No voter shall be required to vote in a
 15 political party's presidential preferential primary, preferential primary, or
 16 general primary in order to be able to vote in the primary election.

17 (vi) ~~Primary elections~~ A primary election scheduled
 18 to occur in a month in which the second Tuesday is a legal holiday shall be
 19 held on the third Tuesday of the month.

20 (B) The general election shall be held on ~~a Tuesday not~~
 21 ~~less than seven (7) days nor more than fifteen (15) days after the primary~~
 22 ~~election~~ the second Tuesday of the month following the primary election,
 23 except as provided in subdivisions (a)(2)(A)(iii)-(vi) of this section.

24 (b) These elections shall be called and conducted, and the results
 25 shall be determined and certified, as provided in § 14-48-109.

26
 27 SECTION 2. Arkansas Code § 14-48-115 is amended to read as follows:
 28 14-48-115. Mayor or director vacancy.

29 (a) In the case of a vacancy in the office of mayor or in the office
 30 of a member of the board of directors as a result of death, resignation, a
 31 recall election as provided for in § 14-48-114, or for any other reason, the
 32 board, by majority vote, shall appoint a person to fill the vacancy if the
 33 vacancy occurs less than six (6) months before the next general municipal
 34 election at which the remainder of the unexpired term shall be filled.

35 (b)(1)(A) If the vacancy occurs more than (6) months prior to the next
 36 general municipal election, a special election shall be called to fill the

1 vacancy.

2 (B)(i) A primary election may be conducted to determine
3 candidates for the special election.

4 (ii)(a) The primary election shall be held not less
5 than thirty (30) days nor more than seventy-five (75) days from the calling
6 of the special election and shall occur pursuant to subdivision (b)(2) of
7 this section.

8 (b) The special election shall occur on the
9 second Tuesday of the month following the primary election, except as
10 provided in subdivisions (b)(2)(B)-(E) of this section.

11 (iii) If a primary election is not conducted, the
12 special election shall be held not less than thirty (30) days nor more than
13 seventy-five (75) days from the calling of the special election.

14 (2)(A) The special election and any primary election to
15 determine candidates for the special election shall occur on the second
16 Tuesday of any month, except as provided in subdivisions (b)(2)(B)-(E) of
17 this section.

18 (B) ~~Special elections~~ A special election or a primary
19 election held in ~~months~~ a month in which a presidential preferential primary
20 election, preferential primary election, general primary election, or general
21 election is scheduled to occur shall be held on the date of the presidential
22 preferential primary election, preferential primary election, general primary
23 election, or general election.

24 (C)(i) If a special election or primary election is held
25 on the date of the presidential preferential primary election, preferential
26 primary election, or general primary election, the issue or issues to be
27 voted upon at the special election shall be included on the ballot of each
28 political party.

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

32 (D) No voter shall be required to vote in a political
33 party's presidential preferential primary, preferential primary, or general
34 primary in order to be able to vote in the special election or primary
35 election.

36 (E) ~~Special elections~~ A special election or a primary

1 election scheduled to occur in a month in which the second Tuesday is a legal
2 holiday shall be held on the third Tuesday of the month.

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