## 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 229 of the Regular Session**

1	State of Arkansas	As Engrossed: S2/16/09	
2	87th General Assembly	A Bill	
3	Regular Session, 2009		HOUSE BILL 1263
4			
5	By: Representatives Hoyt, Reynolds		
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7			
8	For An Act To Be Entitled		
9	AN ACT TO PROVIDE FOR THE INTERIM FILLING OF		
10	VACANCIES FOR THE OFFICE OF COUNTY JUDGE AND		
11	SHERIFF DURING TIMES OF EMERGENCY; AND FOR OTHER		
12	PURPOSES.		
13			
14	Subtitle		
15	TO PROVIDE FOR THE INTERIM FILLING OF		
16	VACANCIES FOR THE OFFICE OF COUNTY JUDGE		
17	AND SHE	RIFF DURING TIMES OF EMERGENCY	Υ.
18			
19			
20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:		
21			
22	SECTION 1. Arkansas Code § 14-14-1310, concerning filling vacancies in		
23	elective offices, is amended to add an additional subsection to read as		
24	follows:		
25	(c)(1)(A) Emergence	cy <b>Vacancies.</b> During a declar	cation of an emergency
26	or circumstances that was	rrant a declaration of an emer	gency under § 12-75-107
27	or § 12-75-108, a vacancy	y in the office of county judg	ge due to death or
28	disability to the degree of inability to perform the duties of office shall		
29	be temporarily filled by executive order of the county judge issued prior to		
30	the incapacity of the county judge, designating three (3) persons in		
31	succession to fill the vacancy of the office of county judge on an interim		
32	basis until such time as the vacancy is filled by the quorum court as		
33	provided by this chapter or the disability of the county judge is abated.		
34	(B) Persons so designated shall be listed in succession		
35	and may be identified by title or position.		

1	(C) The death or disability of a person in the line of		
2	succession shall result in disqualification of the person and appointment of		
3	the next successive person.		
4	(2)(A) During a declaration of an emergency or circumstances		
5	that warrant a declaration of emergency under § 12-75-107 or § 12-75-108, a		
6	vacancy in the office of sheriff due to death or disability to the degree of		
7	inability to perform the duties of office shall be temporarily filled by $\underline{a}$		
8	policy statement of the sheriff issued prior to the incapacity of the sheriff		
9	and adopted by resolution of the quorum court, designating three (3) persons		
10	in succession to fill the vacancy in the office of sheriff on an interim		
11	basis until such time as the vacancy is filled by the quorum court as		
12	provided by this chapter or the disability of the sheriff is abated.		
13	(B) Persons so designated by the sheriff shall be listed		
14	in succession and may be identified by title or position.		
15	(C) The death or disability of a person in the line of		
16	succession shall result in disqualification of the person and appointment of		
17	the next successive person.		
18	(D) The sheriff shall affix his or her signature to the		
19	policy statement and to the resolution of the quorum court to signify that		
20	the line of succession for the office of sheriff is in accordance with his or		
21	her authority.		
22	(3)(A) The county judge and the sheriff shall file the executive		
23	order and the resolution with policy statement under subdivisions (c)(l) and		
24	(c)(2) of this subsection with the county clerk, and a file-marked copy shall		
25	be provided to the Director of the Arkansas Department of Emergency		
26	Management no later than sixty (60) days from the beginning of the elected		
27	term of office.		
28	(B) Members of the quorum court are not eligible to fill		
29	the vacancy in the office of county judge or sheriff under this section.		
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31	/s/ Hoyt		
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33	APPROVED: 2/25/2009		
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