

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 420

5 By: Senator J. Key
6 By: Representative Baltz
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE FILLING OF
10 VACANCIES IN COUNTY ELECTIVE OFFICES; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 TO AMEND THE LAW CONCERNING THE FILLING
15 OF VACANCIES IN COUNTY ELECTIVE OFFICES.
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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 § 14-14-1310(a)(2), concerning filling
22 vacancies in county elective offices, is amended to read as follows:

23 (2) Eligibility Requirements and Term of Office.

24 (A) Qualifications. All officers appointed to fill a
25 vacant county elective office shall meet all of the requirements for election
26 to that office.

27 (B) Requirements. All officers appointed by a quorum
28 court shall subscribe to the oath of office, be commissioned, and be bonded
29 as prescribed by law.

30 (C)(i) Persons Ineligible for Appointment. Any member of
31 the quorum court shall be ineligible for appointment to fill any vacancy
32 occurring in any county office, and resignation shall not remove such
33 ineligibility. Husbands and wives of justices of the peace, and relatives of
34 such justices or their husbands and wives within the fourth degree of
35 consanguinity or affinity, shall likewise be ineligible.

36 (ii) Any county elected officer who resigns during a



1 term of office shall be ineligible for appointment to any county elective
2 office during the term for which he or she resigned.

3 (D) Term of Office. All officers so appointed shall serve
4 until their successor is elected and qualified.

5 (E) Successive Terms of Appointed Officer Prohibited. ~~No~~
6 A person appointed to fulfill a vacant or unexpired term of an elective
7 county office shall not be eligible for appointment or election to succeed
8 himself or herself.

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10 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly of the State of Arkansas that sometimes county officers
12 resign from office during their term, often unavoidably; that some of these
13 resignations and subsequent appointments to county office during the same
14 term can conflict with certain retirement laws; and that this act is
15 immediately necessary because it will ensure these conflicts do not occur and
16 will preserve the integrity of county government. Therefore, an emergency is
17 declared to exist, and this act being immediately necessary for the
18 preservation of the public peace, health, and safety shall become effective
19 on:

20 (1) The date of its approval by the Governor;

21 (2) If the bill is neither approved nor vetoed by the Governor,
22 the expiration of the period of time during which the Governor may veto the
23 bill; or

24 (3) If the bill is vetoed by the Governor and the veto is
25 overridden, the date the last house overrides the veto.

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28 **APPROVED: 03/14/2013**