

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: S2/5/19 S2/11/19 S4/4/19 H4/9/19
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 179

4
5 By: Senator M. Johnson
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING CERTAIN TERMS OF
9 OFFICE AND THE REORGANIZATION OF MUNICIPAL
10 GOVERNMENT; AND FOR OTHER PURPOSES.
11

Subtitle

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14 TO AMEND THE LAW CONCERNING CERTAIN TERMS
15 OF OFFICE AND THE REORGANIZATION OF
16 MUNICIPAL GOVERNMENT.
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18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 14-43-303(a), concerning officials in*
22 *mayor-council cities of 50,000 or more, is amended to add an additional*
23 *subdivision to read as follows:*

24 *(3) The governing body of a city in transition to the mayor-*
25 *council form of government may provide by ordinance that the mayor, city*
26 *clerk, city attorney, and city treasurer shall be elected on the same date*
27 *and every four (4) years thereafter.*
28

29 *SECTION 2 Arkansas Code § 14-47-107(a), concerning a subsequent*
30 *election in a city manager form of government on changing to a mayor-council*
31 *form of government, is amended to read as follows:*

32 *(a)(1)(A) After the expiration of six (6) years ~~after~~ from the date on*
33 *which the first board of directors takes office in a city organized under*
34 *this chapter, a petition may be presented to the mayor by the board of*
35 *directors by ordinance, ~~It shall be, or by petition~~ signed by electors equal*
36 *in number to fifteen percent (15%) of the aggregate number of ballots casts*



1 for the position of mayor in the immediately preceding mayoral general
2 election.

3 (B) Whereupon Upon the receipt of a petition under this
4 subdivision (a)(1), the mayor by proclamation shall submit the question of
5 organization of the city under the mayor-council form of government at a
6 special election to be held in accordance with § 7-11-201 et seq.

7 (2)(A) The proclamation shall be published at length one (1)
8 time in ~~some~~ a newspaper published in the city.

9 (B)(i) Notice of the election shall be published in ~~some~~ a
10 newspaper published in the city one (1) time a week for two (2) weeks, the
11 first publication to be not less than fifteen (15) days before the date set
12 for the election.

13 (ii) No other notice of the election ~~shall be~~ is
14 necessary.

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16 SECTION 3. Arkansas Code § 14-47-107(e), concerning a subsequent
17 election in a city manager form of government on changing to a mayor-council
18 form of government, is amended to read as follows:

19 (e)(1) If Except as provided in subdivision (e)(2) of this section, if
20 the majority of the votes cast on the issue are in favor thereof of
21 organization of the city under the mayor-council form of government, the city
22 shall ~~thereupon~~ proceed to the election of all of the city officials who were
23 subject to election in the city immediately ~~prior to~~ before the date on which
24 the city was organized under the management form of city government.

25 (2) At the time the reorganization is effective under this chapter:

26 (A) The mayor shall continue in office until the remainder
27 of his or her term of office; and

28 (B) A member of the city board of directors shall become a
29 member of the city council and shall continue in office until the remainder
30 of his or her term of office.

31 (3) In a city that has a population of more than one hundred
32 thousand (100,000) persons according to the most recent federal decennial
33 census:

34 (A) A person who is on the ballot in 2020 to become a
35 member of the city council shall serve a term of two (2) years if elected;
36 and

1 (B) At the 2022 General Election, the newly elected
2 city council members shall draw initial two-year or four-year terms to result
3 in staggered four-year terms.

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5 SECTION 4. Arkansas Code § 14-48-105(b), concerning the procedure of
6 changing to another form of government in a city administrator form of
7 government, is amended to read as follows:

8 (b)(1)(A)(i) After the expiration of four (4) years from the date on
9 which the first board of directors and mayor take office in a city organized
10 under this chapter, a petition signed by electors equal in number to fifteen
11 percent (15%) of the aggregate number of ballots cast for all candidates for
12 mayor in the preceding general election may be presented to the mayor,
13 calling for an election to consider any other form of municipal government
14 authorized by the laws of this state.

15 (ii) As an alternative to the petition presented to
16 the mayor by electors under subdivision (b)(1)(A)(i) of this section, a
17 petition may be presented to the mayor by the board of directors by
18 ordinance.

19 (B) At the time the reorganization is effective under this
20 chapter:

21 (i) The mayor shall continue in office until the
22 remainder of his or her term of office; and

23 (ii) The member of the city board of directors shall
24 become a member of the governing body and shall continue in office until the
25 remainder of his or her term of office.

26 (2)(A)(i) ~~Thereupon~~ Upon the receipt of a petition under subdivision
27 (b)(1)(A) of this section, the mayor by proclamation in accordance with § 7-
28 11-201 et seq. shall submit the question of organization of the city under
29 the form of government stated in the petition at a special election to be
30 held at a time specified therein.

31 (ii) The proclamation shall be published one (1) time at
32 length in ~~some~~ a newspaper having a general circulation in the city.

33 (B)(i) Notice of the election shall be published one (1) time a
34 week for two (2) weeks in ~~some~~ a newspaper having a general circulation in
35 the city, the first publication to be not less than fifteen (15) days before
36 the date set for the election.

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(ii) No other notice of the election ~~shall be~~ is
necessary.

/s/M. Johnson