

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

HJR 1020

4
5 By: Representative Thyer
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8 **HOUSE JOINT RESOLUTION**

9 PROPOSING AN AMENDMENT TO THE ARKANSAS
10 CONSTITUTION CONCERNING INCREASING THE LENGTH OF
11 TERMS OF CIRCUIT CLERKS, COUNTY CLERKS, COUNTY
12 JUDGES, COUNTY SHERIFFS, COUNTY ASSESSORS, COUNTY
13 CORONERS, COUNTY TREASURERS, COUNTY SURVEYORS,
14 AND JUSTICES OF THE PEACE FROM TWO (2) YEARS TO
15 FOUR (4) YEARS; AMENDING AMENDMENT 55 OF THE
16 ARKANSAS CONSTITUTION CONCERNING THE
17 QUALIFICATIONS TO SERVE AS A JUSTICE OF THE PEACE
18 AND THE COMMISSION RECEIVED BY A JUSTICE OF THE
19 PEACE; INCREASING THE TERM LIMITS OF MEMBERS OF
20 THE GENERAL ASSEMBLY; AND REPEALING OBSOLETE
21 LANGUAGE.

22
23 **Subtitle**

24 PROPOSING AN AMENDMENT TO THE ARKANSAS
25 CONSTITUTION TO INCREASE THE TERMS OF
26 COUNTY OFFICIALS FROM TWO (2) TO FOUR
27 (4) YEARS AND TERM LIMITS OF GENERAL
28 ASSEMBLY MEMBERS AND AMEND PROVISIONS
29 CONCERNING JUSTICES OF THE PEACE.
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31
32 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL
33 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL
34 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
35

36 That the following is proposed as an amendment to the Constitution of



1 the State of Arkansas, and upon being submitted to the electors of the state
 2 for approval or rejection at the next general election for Representatives
 3 and Senators, if a majority of the electors voting thereon at the election
 4 adopt the amendment, the amendment shall become a part of the Constitution of
 5 the State of Arkansas, to wit:

6
 7 SECTION 1. Section 19 of Article 7 of the Arkansas Constitution is
 8 amended to read as follows:

9 § 19. Circuit clerks - Election - Term of office - Ex-officio duties -
 10 County clerks elected in certain counties.

11 The clerks of the circuit courts shall be elected by the qualified
 12 electors of the several counties for the term of ~~two~~ four (4) years, and
 13 shall be ex-officio clerks of the county and probate courts and recorder;
 14 provided, that ~~in any county having a population exceeding fifteen thousand~~
 15 ~~inhabitants, as shown by the last Federal census, there shall be elected~~ may
 16 elect a county clerk, in like manner as the clerk of the circuit court, for
 17 the term of four (4) years, and in such case the county clerk shall be ex-
 18 officio ~~clerk of the probate court~~ Clerk of the Probate Court of such county
 19 until otherwise provided by the General Assembly.

20
 21 SECTION 2. Section 29 of Article 7 of the Arkansas Constitution is
 22 amended to read as follows:

23 § 29. County judge - Election - Term - Qualifications.

24 The Judge of the County Court shall be elected by the qualified
 25 electors of the county for the term of ~~two~~ four (4) years. He shall be at
 26 least twenty-five years of age, a citizen of the United States, a man of
 27 upright character, of good business education, and a resident of the State
 28 for two years before his election; and a resident of the county at the time
 29 of his election, and during his continuance in office.

30
 31 SECTION 3. Section 38 of Article 7 of the Arkansas Constitution is
 32 repealed.

33 ~~Justices of the peace - Election - Term - Oath.~~

34 ~~The qualified electors of each township shall elect the Justices of the~~
 35 ~~Peace for the term of two years; who shall be commissioned by the Governor,~~
 36 ~~and their official oath shall be indorsed on the commission."~~

1
2 SECTION 4. Section 41 of Article 7 of the Arkansas Constitution is
3 repealed.

4 ~~Qualifications of justice of peace.~~

5 ~~A Justice of the Peace shall be a qualified elector and a resident of~~
6 ~~the township for which he is elected.~~

7
8 SECTION 5. Section 46 of Article 7 of the Arkansas Constitution is
9 amended to read as follows:

10 § 46. County executive officers - Compensation of county assessor. The
11 qualified electors of each county shall elect one Sheriff, who shall be ex-
12 officio collector of taxes, unless otherwise provided by law; one Assessor,
13 one Coroner, one Treasurer, who shall be ex-officio treasurer of the common
14 school fund of the county, and one County Surveyor; for the term of ~~two~~ four
15 (4) years, with such duties as are now or may be prescribed by law: Provided,
16 that no per centum shall ever be paid to assessors upon the valuation or
17 assessment of property by them.

18
19 SECTION 6. Amendment 41 of the Arkansas Constitution is amended to
20 read as follows:

21 Election of county clerk.

22 The provisions for the election of a County Clerk upon a population
23 basis are hereby abolished and there may be elected a County Clerk in like
24 manner as a Circuit Clerk, for the term of four (4) years, and in such cases,
25 the County Clerk may be ex officio Clerk of the Probate Court of such county
26 until otherwise provided by the General Assembly.

27
28 SECTION 7. Section 2 of Amendment 55 of the Arkansas Constitution is
29 amended to read as follows:

30 § 2. Composition of quorum court - Power over elective offices.

31 (a)(1) No county's Quorum Court shall be comprised of fewer than nine
32 (9) justices of the peace, nor comprised of more than fifteen (15) justices
33 of the peace.

34 (2) A justice of the peace shall be elected for a term of four
35 (4) years, except that the term prior to an apportionment shall be a two-year
36 term.

1 (3) A justice of the peace shall be a qualified elector and a
2 resident of the district for which he or she is elected.

3 (4) A justice of the peace shall be commissioned by the Governor,
4 and his or her official oath shall be indorsed on the commission.

5 (5) The number of justices of the peace that comprise a county's
6 Quorum Court shall be determined by law.

7 (6) The county's Election Commission shall, after each decennial
8 census, divide the county into convenient and single member districts so that
9 the Quorum Court shall be based upon the inhabitants of the county with each
10 member representing, as nearly as practicable, an equal number thereof.

11 (b) The Quorum Court may create, consolidate, separate, revise, or
12 abandon any elective county office or offices except during the term thereof;
13 provided, however, that a majority of those voting on the question at a
14 general election have approved said action.

15
16 SECTION 8. Section 2 of Amendment 73 to the Constitution of the State
17 of Arkansas is amended to read as follows:

18 § 2. Legislative Branch.

19 (a)(1) The Arkansas House of Representatives shall consist of members
20 to be chosen every second year by the qualified electors of the several
21 counties.

22 (2) No member of the Arkansas House of Representatives may serve
23 more than ~~three~~ six such two year terms.

24 (3) For purposes of this section, terms served in the House of
25 Representatives prior to January 1, 1993, the effective date of Amendment 73,
26 shall not be counted in calculating the number of terms served.

27 (b)(1) The Arkansas Senate shall consist of members to be chosen every
28 four years by the qualified electors of the several districts.

29 (2) No member of the Arkansas Senate may serve more than ~~two~~
30 three such four year terms.

31 (3) For purposes of this section, terms served in the Arkansas
32 Senate prior to January 1, 1993, the effective date of Amendment 73, shall
33 not be counted in calculating the number of terms served.

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