

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

# A Bill

SENATE BILL 216

4  
5 By: Senator Irvin

## For An Act To Be Entitled

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8 AN ACT CONCERNING THE NONPARTISAN ELECTION OF  
9 SHERIFFS; AND FOR OTHER PURPOSES.

### Subtitle

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12 CONCERNING THE NONPARTISAN ELECTION OF  
13 SHERIFFS.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Title 14, Chapter 15, Subchapter 1, is  
20 amended to add an additional section to read as follows:

21 14-15-103. Nonpartisan election of sheriffs.

22 (a) The office of sheriff is a nonpartisan office.

23 (b) A candidate for sheriff may pay a filing fee as provided for in  
24 this section, file a petition in the manner provided for in this section, or  
25 file as a write-in candidate in the manner provided for in this section.

26 (c) The general election for sheriffs shall be held on the same dates  
27 and at the same times and places as provided by law for a general election.

28 (d)(1) The filing fee for a candidate for sheriff is five hundred  
29 dollars (\$500).

30 (2) The filing fee for sheriff is to be paid to the county clerk  
31 at the same time that the candidate files his or her political practices  
32 pledge, affidavit of eligibility, and notice of candidacy.

33 (3) The period for paying filing fees, political practices  
34 pledges, affidavits of eligibility, and notices of candidacy is the same as  
35 the party filing period.

36 (e)(1)(A) A person desiring to have his or her name placed on the



1 ballot for sheriff without paying a filing fee may do so by filing a petition  
2 with the county clerk signed by at least one percent (1%) of the qualified  
3 electors residing within the county for which the candidate seeks office, but  
4 more than two thousand (2,000) signatures shall not be required.

5 (B) In determining the number of qualified electors in the  
6 county under subdivision (e)(1)(A) of this section, the total number of all  
7 votes cast in the county for Governor in the immediately preceding general  
8 gubernatorial election shall be conclusive of the number of qualified  
9 electors residing within the county.

10 (2) The petition shall be filed during the party filing period.

11 (3) The county clerk shall verify the sufficiency of the  
12 petition within thirty (30) days of filing.

13 (4) A candidate for sheriff shall file a political practices  
14 pledge, an affidavit of eligibility, and a notice of candidacy at the time of  
15 filing the petition.

16 (5) The sufficiency of a petition filed under this section may  
17 be challenged in the same manner as election contests under § 7-5-801 et seq.

18 (f)(1)(A) A candidate for sheriff may not use more than three (3)  
19 given names, one (1) of which may be a nickname or any other word used for  
20 the purpose of identifying the candidate to the voters.

21 (B)(i) A candidate for sheriff may add as a prefix to his  
22 or her name the title or an abbreviation of an elective public office the  
23 candidate currently holds.

24 (ii) A candidate may only use as the prefix the  
25 title of sheriff in an election for sheriff if the candidate is currently  
26 servicing as sheriff.

27 (C) A nickname shall not include a professional or  
28 honorary title.

29 (g)(1) Votes for a write-in candidate in an election for sheriff shall  
30 not be counted or tabulated unless the candidate or his or her agent gives  
31 notice in writing of his or her intention to be a write-in candidate for  
32 sheriff to the county board of election commissioners and the county clerk.

33 (2) The written notice shall be given not later than ninety (90)  
34 days before the general election.

35 (3) Write-in candidates shall file a political practices pledge  
36 at the same time as filing a notice of intention.

1       (h)(1) If no candidate for sheriff receives a majority of the votes  
2 cast in the general election, the two (2) candidates receiving the highest  
3 number of votes cast for the office to be filled shall be the nominees for  
4 the respective offices, to be voted upon in a runoff election under § 7-5-  
5 106.

6       (2) If the office of sheriff is unopposed, then the single  
7 candidate for sheriff shall be printed on the general election ballot and the  
8 votes for sheriff shall be tabulated as in all contested races.

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