

2 State of Arkansas  
3 88th General Assembly  
4 Regular Session, 2011

*As Engrossed: S3/29/11*

# A Bill

SENATE BILL 984

5  
6 By: Senator Irvin

7 Filed with: Interim Senate Committee on City, County and Local Affairs  
8 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE  
10 NONPARTISAN ELECTION OF SHERIFFS; AND FOR OTHER  
11 PURPOSES.  
12

### Subtitle

13  
14  
15 TO AMEND ARKANSAS LAW CONCERNING THE  
16 NONPARTISAN ELECTION OF SHERIFFS.  
17  
18  
19

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

21  
22 *SECTION 1. Arkansas Code Title 14, Chapter 15, Subchapter 1 is amended*  
23 *to add an additional section to read as follows:*

24 *14-15-103. Nonpartisan election of sheriffs.*

25 *(a) The office of sheriff is declared to be a nonpartisan office.*

26 *(b) A candidate for sheriff may pay a filing fee as provided for in*  
27 *this section, file a petition in the manner provided for in this section, or*  
28 *file as a write-in candidate in the manner as provided for in this section.*

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

31 *(d)(1) The filing fee for a candidate for sheriff is five hundred*  
32 *dollars (\$500).*

33 *(2) The filing fee for sheriff shall be paid to the county clerk*  
34 *at the same time that the candidate files his or her political practices*  
35 *pledge, affidavit of eligibility, and notice of candidacy.*

1           (3) The period for paying filing fees, political practices  
2 pledges, affidavits of eligibility, and notices of candidacy shall be the  
3 same as the party filing period.

4           (e)(1)(A) Any person desiring to have his or her name place on the  
5 ballot for sheriff without paying a filing fee may do so by filing a petition  
6 with the county clerk signed by at least one percent (1%) of the qualified  
7 electors residing within the county for which the candidate seeks office, but  
8 in no event shall more than two thousand (2,000) signatures be required.

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

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

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

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

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

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

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

28           (ii) A candidate may only use as the prefix the  
29 title of sheriff in an election for sheriff if the candidate is currently  
30 serving as sheriff.

31           (C) A nickname shall not include a professional or  
32 honorary title.

33           (g)(1) No votes for a write-in candidate in an election for sheriff  
34 shall be counted or tabulated unless the candidate or his or her agent gives  
35 notice in writing of his or her intention to be a write-in candidate for  
36 sheriff to the county board of election commissioners and the county clerk.

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

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

5               (h)(1) If no candidate for sheriff receives a majority of the votes  
6 cast in the general election, the two (2) candidates receiving the highest  
7 number of votes cast for the office to be filled shall be the nominees for  
8 the respective offices, to be voted upon in a runoff election under § 7-5-  
9 106.

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

13  
14   /s/ Irvin

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33 Referred by the Arkansas Senate

34 Prepared by: MBM/VJF