

Hall of the House of Representatives
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 2017

TO ALLOW CERTAIN COUNTIES TO ELECT TO HOLD NONPARTISAN ELECTIONS FOR SHERIFF; AND
TO PROVIDE A PROCEDURE FOR NONPARTISAN ELECTION OF SHERIFFS.

Amendment No. 3 to House Bill No. 2017

Amend House Bill No. 2017 as originally introduced:

Delete the subtitle in its entirety and substitute:

"TO BE KNOWN AS THE NONPARTISAN LAW
ENFORCEMENT ACT OF 2013."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 15, Subchapter 5, is amended to add an additional section to read as follows:
14-15-506. Nonpartisan election of sheriffs in Class 1, 2, 3, or 4 counties.

(a)(1)(A) Except as provided under subdivision (a)(2) of this section, the office of sheriff is a partisan office.

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

(2) A Class 1, 2, 3 or 4 county may adopt a resolution to hold nonpartisan elections for the office of sheriff.

(b) A county adopting a resolution under subdivision (a)(2) of this section shall hold the election to adopt the resolution as provided under § 7-11-201 et seq.

(c)(1)(A) A nonpartisan candidate for sheriff shall file his or her political practices pledge, affidavit of eligibility, and filing fee with the county clerk during a one-week period ending at 12:00 noon on the first day in March of the year in which the election is to be held.

(B) The filing fee for a nonpartisan candidate for sheriff is equal to three percent (3%) of the annual salary of the office which the candidate is filing for, and shall be paid to the county clerk to be deposited into a cash fund in the State Treasury, and disbursed by the Treasurer of State to the Arkansas Sheriffs' Association for grants to Arkansas Sheriffs' Youth Ranches.



(2)(A)(i) A person desiring to have his or her name placed on the ballot as a nonpartisan candidate for sheriff without paying a filing fee may do so by filing a petition with the county clerk signed by at least three percent (3%) of the qualified electors residing within the county for which the candidate seeks office.

(ii) In determining the number of qualified electors in the county under subdivision (c)(2)(A)(i) of this section, the total number of all votes cast in the county for Governor in the immediately preceding general gubernatorial election shall be conclusive of the number of qualified electors residing within the county.

(B) The petition, the political practices pledge, and the affidavit of eligibility shall be filed during a one-week period ending at 12:00 noon on the first day in March of the year in which the election is to be held.

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

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

(3)(A) Votes for a write-in nonpartisan candidate for sheriff in an election shall not be counted or tabulated unless the candidate or his or her agent files notice in writing of his or her intention to be a write-in candidate for sheriff to the county board of election commissioners and the county clerk.

(B) The written notice shall be filed not later than ninety (90) days before the election.

(C) A write-in candidates shall file a political practices pledge at the same time as filing a notice of intention.

(d)(1) A nonpartisan candidate for sheriff may not use more than three (3) given names, one (1) of which may be a nickname or any other word used to identify the candidate to the voters.

(2)(A) A nonpartisan candidate for sheriff may add as a prefix to his or her name the title or an abbreviation of an elective public office the candidate currently holds.

(B) A nonpartisan candidate may use as the prefix only the title of sheriff in an election for sheriff if the candidate is currently serving as sheriff.

(3) A nickname shall not include a professional or honorary title.

(e)(1) If one (1) nonpartisan candidate for sheriff does not receive a majority of the votes cast in the general election, the two (2) candidates receiving the highest number of votes cast for the office to be filled shall be the nominees for the respective offices, to be voted on in a runoff election under § 7-5-106.

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

The Amendment was read _____
By: Representative Bell

