1	INTERIM STUDY PROPOSAL 2013-101
2	State of Arkansas As Engrossed: H3/21/13 H3/25/13
3	89th General Assembly A Bill
4	Regular Session, 2013HOUSE BILL 2017
5	
6	By: Representative Bell
7	Filed with: Interim House Committee on State Agencies and Governmental Affairs
8	pursuant to A.C.A. §10-3-217.
9	For An Act To Be Entitled
10	AN ACT TO ALLOW COUNTIES TO ELECT TO HOLD NONPARTISAN
11	ELECTIONS FOR SHERIFF; TO PROVIDE A PROCEDURE FOR
12	NONPARTISAN ELECTION OF SHERIFFS; AND FOR OTHER
13	PURPOSES.
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16	Subtitle
17	TO BE KNOWN AS THE NONPARTISAN LAW
18	ENFORCEMENT ACT OF 2013.
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21	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23	SECTION 1. Arkansas Code Title 14, Chapter 15, Subchapter 5, is
24	amended to add an additional section to read as follows:
25	14-15-506. Nonpartisan election of sheriffs.
26	(a)(l)(A) Except as provided under subdivision (a)(2) of this section,
27	the office of sheriff is a partisan office.
28	(B) The general election for sheriffs shall be held on the
29	same dates and at the same times and places as provided by law for a general
30	<u>election.</u>
31	(2) A county may adopt a resolution to hold nonpartisan
32	elections for the office of sheriff.
33	(b) A county adopting a resolution under subdivision (a)(2) of this
34	section shall hold the election to adopt the resolution as provided under §
35	7-11-201 et sea.

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1	(c)(l)(A) A nonpartisan candidate for sheriff shall file his or her
2	political practices pledge, affidavit of eligibility, and filing fee with the
3	county clerk during a one-week period ending at 12:00 noon on the first day
4	in March of the year in which the election is to be held.
5	(B) The filing fee for a nonpartisan candidate for sheriff
6	is equal to three percent (3%) of the annual salary of the office which the
7	candidate is filing for, and shall be paid to the county clerk to be
8	deposited into a cash fund in the State Treasury, and disbursed by the
9	Treasurer of State to the Arkansas Sheriffs' Association for grants to
10	Arkansas Sheriffs' Youth Ranches.
11	(2)(A)(i) A person desiring to have his or her name placed on
12	the ballot as a nonpartisan candidate for sheriff without paying a filing fee
13	may do so by filing a petition with the county clerk signed by at least three
14	percent (3%) of the qualified electors residing within the county for which
15	the candidate seeks office.
16	(ii) In determining the number of qualified electors
17	in the county under subdivision (c)(2)(A)(i) of this section, the total
18	number of all votes cast in the county for Governor in the immediately
19	preceding general gubernatorial election shall be conclusive of the number of
20	qualified electors residing within the county.
21	(B) The petition, the political practices pledge, and the
22	affidavit of eligibility shall be filed during a one-week period ending at
23	12:00 noon on the first day in March of the year in which the election is to
24	be held.
25	(C) The county clerk shall verify the sufficiency of the
26	<u>petition within thirty (30) days of filing.</u>
27	(D) The sufficiency of a petition filed under this section
28	may be challenged in the same manner as election contests under § 7-5-801 et
29	<u>seq.</u>
30	<u>(3)(A) Votes for a write-in nonpartisan candidate for sheriff in</u>
31	an election shall not be counted or tabulated unless the candidate or his or
32	her agent files notice in writing of his or her intention to be a write-in
33	candidate for sheriff to the county board of election commissioners and the
34	<u>county clerk.</u>
35	(B) The written notice shall be filed not later than
36	ninety (90) days before the election.

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1	(C) A write-in candidates shall file a political practices
2	pledge at the same time as filing a notice of intention.
3	(d)(l) A nonpartisan candidate for sheriff may not use more than three
4	(3) given names, one (1) of which may be a nickname or any other word used to
5	identify the candidate to the voters.
6	(2)(A) A nonpartisan candidate for sheriff may add as a prefix
7	to his or her name the title or an abbreviation of an elective public office
8	the candidate currently holds.
9	(B) A nonpartisan candidate may use as the prefix
10	only the title of sheriff in an election for sheriff if the candidate is
11	currently serving as sheriff.
12	(3) A nickname shall not include a professional or honorary
13	<u>title.</u>
14	<u>(e)(l) If one (l) nonpartisan candidate for sheriff does not receive a</u>
15	majority of the votes cast in the general election, the two (2) candidates
16	receiving the highest number of votes cast for the office to be filled shall
17	be the nominees for the respective offices, to be voted on in a runoff
18	<u>election under § 7-5-106.</u>
19	(2) If the nonpartisan office of sheriff is unopposed, the
20	single candidate for sheriff shall be printed on the general election ballot
21	and the votes for sheriff shall be tabulated as in all contested races.
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25	/s/Bell
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28	Referred by the Arkansas House of Representatives
29	Prepared by: JAW/VJF
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