

1 INTERIM STUDY PROPOSAL 2013-101

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

As Engrossed: H3/21/13 H3/25/13

A Bill

HOUSE 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.

For An Act To Be Entitled

9
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.
14

Subtitle

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17 *TO BE KNOWN AS THE NONPARTISAN LAW*
18 *ENFORCEMENT ACT OF 2013.*
19

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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)(1)(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 *election.*

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 seq.*

1 (c)(1)(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 petition within thirty (30) days of filing.

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 seq.

30 (3)(A) Votes for a write-in nonpartisan candidate for sheriff in
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 county clerk.

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

