

State of Arkansas

77th General Assembly                      A Bill

HOUSE BILL

Third Extraordinary Session, 1989

CALL ITEM

1079

By: Representatives Dietz and Roberts

For An Act To Be Entitled

"AN ACT TO AUTHORIZE FIRST CLASS CITIES WITH THE MAYOR  
COUNCIL FORM OF GOVERNMENT TO PROVIDE BY ORDINANCE  
THAT THE OFFICE OF CITY ATTORNEY MAY BE FILLED BY  
APPOINTMENT INSTEAD OF ELECTION; AND FOR OTHER PURPOSES."

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

SECTION 1. Notwithstanding Arkansas Code 14-43-303, Arkansas Code 14-43-314, or any other law to the contrary, the city council of first class cities which have the mayor-council form of government may by ordinance provide that the office of city attorney may be filled by appointment by the mayor, instead of election, and subject to confirmation by the city council.

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. Emergency. It is hereby found and determined by the General Assembly that cities with a mayor-council form of government should have the discretion to decide whether the position of city attorney should be an elected position or appointed position; that this Act grants those cities that authority; and that this Act should go into effect immediately in order to authorize the city councils to adopt an ordinance changing from elected city attorneys to appointed city attorneys as soon as possible and thereby give adequate notice to persons who may be interested in the position. Therefore, an emergency is hereby declared to exist and this Act being immediately

necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.