

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1372

4
5 By: Representative Simon
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For An Act To Be Entitled

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9 "AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 14, ON
10 LOCAL GOVERNMENT, TO PRESCRIBE THE TERM OF OFFICE FOR
11 MAYORS IN ALL MUNICIPALITIES IN ARKANSAS TO BE TWO (2)
12 YEARS; AND FOR OTHER PURPOSES."

Subtitle

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15 "TO PRESCRIBE THE TERM OF OFFICE FOR
16 MAYORS IN ALL MUNICIPALITIES IN ARKANSAS
17 TO BE TWO (2) YEARS."
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-43-303 is amended to read as follows:

23 "14-43-303. Officials in mayor-council cities of 50,000 or more.

24 (a)(1)(A) In the general election in the year 1960, and every four (4)
25 years thereafter, cities of the first class which have a population of fifty
26 thousand (50,000) persons or more, according to the latest decennial federal
27 census or special federal census, and which also have the mayor-council form
28 of government shall elect the following officials:

29 (i) One (1) mayor;

30 (ii) One (1) city clerk; and

31 (iii) One (1) alderman from each ward of the city.

32 (B)(i) All of these officials, except for the office of
33 mayor beginning four (4) years after the 1996 general election, shall hold
34 office for a term of four (4) years and until their successors are elected and
35 qualified.

36 (ii) Beginning with the 2000 general election and

1 each two (2) years thereafter, the mayor of all mayor-council cities of the
 2 first class with populations of fifty thousand (50,000) or more shall be
 3 elected to a two-year term of office.

4 (2)(A) At the general election in the year 1960, the city shall
 5 also elect:

6 (i) One (1) city attorney;

7 (ii) One (1) city treasurer; and

8 (iii) One (1) alderman from each ward of the city.

9 (B) All of these officials shall hold office for a term of
 10 two (2) years and until their successors are elected and qualified.

11 (3)(A) At the general election in the year 1962, and every four
 12 (4) years thereafter, the city shall elect:

13 (i) One (1) city attorney;

14 (ii) One (1) city treasurer;

15 (iii) One (1) municipal judge; and

16 (iv) One (1) alderman from each ward of the city.

17 (B) All of these officials shall hold office for a term of
 18 four (4) years and until their successors are elected and qualified.

19 (b) In all primaries or general elections, the candidates for the
 20 office of alderman shall reside in their respective wards. However, all
 21 qualified electors residing in these cities and entitled to vote in the
 22 elections shall have the right to vote at their several voting precincts for
 23 each and every candidate so to be nominated or elected.

24 (c) All odd-year elections for municipal officials in the cities of the
 25 first class which have a population of fifty thousand (50,000) or more
 26 persons, according to the latest federal census, and which also have the
 27 mayor-council form of government are abolished.

28 (d) If a city first attains a population of fifty thousand (50,000) as
 29 shown in a decennial federal census or special federal census completed after
 30 January 1, 1997, and the mayor or other elected official of such city last
 31 elected before the census was elected to a four-year term and such term will
 32 expire two (2) years before the quadrennial general election year at which
 33 city officials are elected as provided in subsection (a) of this section, the
 34 terms of such officials shall be extended for a period of two (2) years in
 35 order that the terms will coincide with the next quadrennial general election
 36 year. At that quadrennial general election and at each quadrennial general

1 election thereafter, the ~~mayor and such other~~ municipal officials other than
 2 the mayor shall be elected to terms of four (4) years as provided in this
 3 section. Beginning with the 2000 general election and each two (2) years
 4 thereafter, the mayor of all mayor-council cities of the first class with
 5 populations of fifty thousand (50,000) or more shall be elected to a two-year
 6 term of office. The provisions of this subsection shall not affect in any way
 7 the provisions of this section which provide for staggering the terms of
 8 office of aldermen so that one (1) alderman will be elected from each ward
 9 every two (2) years."

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 11 SECTION 2. Arkansas Code § 14-43-305 is amended to read as follows:

12 "14-43-305. Mayors in mayor-council cities of less than 50,000.

13 (a) The qualified voters of cities of the first class having a
 14 population of less than fifty thousand (50,000) and having the mayor-council
 15 form of government, on the Tuesday following the first Monday in November of
 16 1970 and every four (4) years thereafter until the general election of 1994,
 17 shall elect a mayor for four (4) years. Beginning at the general election in
 18 1998 and every two (2) years thereafter, the qualified voters of mayor-council
 19 cities of the first class having populations of less than fifty thousand
 20 (50,000) shall elect a mayor for a term of two (2) years.

21 (b) Incumbent mayors shall continue in office until their successors
 22 are elected and qualified."
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24 SECTION 3. Arkansas Code § 14-44-105 is amended to read as follows:

25 "14-44-105. Election of mayor.

26 The qualified voters of cities of the second class shall, on the Tuesday
 27 following the first Monday in November 1966, and every four (4) years
 28 thereafter until the general election of 1994, elect a mayor for a term of
 29 four (4) years. Beginning at the general election in 1998 and every two (2)
 30 years thereafter, the qualified voters of cities of the second class shall
 31 elect a mayor for a term of two (2) years."
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33 SECTION 4. Arkansas Code § 14-45-104 is amended to read as follows:

34 "14-45-104. Election of mayor.

35 The qualified electors in incorporated towns shall, on the Tuesday
 36 following the first Monday in November 1966, and every four (4) years

1 thereafter until the general election of 1994, elect a mayor for a term of
 2 four (4) years. Beginning at the general election in 1998 and every two (2)
 3 years thereafter, the qualified electors in incorporated towns shall elect a
 4 mayor for a term of two (2) years."

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 6 SECTION 5. Arkansas Code § 14-48-110(g), regarding the election of the
 7 board members and the mayor in city administrator cities, is amended to read
 8 as follows:

9 "(g) When a city is reorganized under this chapter, the mayor until
 10 after the general election of 1996 and board will be divided into two (2)
 11 classes, and the tenure of office of those in each class shall be as follows:

12 (1) Director positions one, two, three, and four shall be Class
 13 Number One. Class 1 directors shall serve until and including December 31
 14 following the first general election held after their term of office commences
 15 and until their successors have been elected and qualified. Thereafter, those
 16 in Class 1 shall serve four-year terms.

17 (2) The mayor until after the general election of 1996 and
 18 director positions five, six, and seven shall be Class Number Two. Class 2
 19 directors shall serve until and including December 31 following the second
 20 general election held after their term of office commences, and until their
 21 successors have been elected and qualified. Thereafter, those in Class 2 shall
 22 serve four-year terms. Beginning at the general election in 1998 and every two
 23 (2) years thereafter, the mayor in city administrator cities shall be elected
 24 for a term of two (2) years."

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 26 SECTION 6. Arkansas Code § 14-61-111(b)(1), regarding the option of
 27 selecting a mayor by direct election in city-manager cities, is amended to
 28 read as follows:

29 "(b)(1)(A) If a majority of the qualified electors of the city voting
 30 on the issue vote to do so, the mayor shall be directly elected by the
 31 qualified electors of the city.

32 (B)(i) Any person so elected shall serve as mayor for a
 33 term of four (4) years until after the general election of 1996.

34 (ii) Beginning at the general election in 1998 and
 35 every two (2) years thereafter, the mayor in city-manager cities where the
 36 mayor is elected directly shall be elected for a term of two (2) years."

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SECTION 7. 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 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 9. All laws and parts of laws in conflict with this act are hereby repealed.