

1 State of Arkansas

2 82nd General Assembly

3 Regular Session, 1999

# A Bill

HOUSE BILL 1762

4  
5 By: Representatives Harris, Shoffner, T. Thomas, Elliott, King, Haak, Bush, R. Smith, Womack, J.  
6 Lewellen, Cleveland, Booker, White, Broadway, L. Thomas, W. Walker, Agee, C. Johnson  
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## For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE 14-42-106 TO CLARIFY  
11 THE SWEARING IN OF MUNICIPAL OFFICIALS; AND FOR OTHER  
12 PURPOSES. "

## Subtitle

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15 "TO AMEND ARKANSAS CODE 14-42-106 TO  
16 CLARIFY THE SWEARING IN OF MUNICIPAL  
17 OFFICIALS. "

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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 14-42-106 is amended to read as follows:

23 "14-42-106. Oath and bond required.

24 (a) All officers elected or appointed in any municipal corporation  
25 shall take the oath or affirmation prescribed by the Arkansas Constitution for  
26 officers.

27 (b) The officers shall take their oaths before the Secretary of State  
28 or his official designee, any justice or judge, judge of the county court,  
29 clerk of the county court, clerk of the circuit court, or justice of the  
30 peace.

31 ~~(b)(c)~~ The aldermen or council of a municipal corporation may require  
32 from the officers, as they think proper, a bond, with good and sufficient  
33 security with proper penalty, for the faithful discharge of their office and  
34 duty.

35 ~~(c)(d)~~ The council or aldermen shall have power to declare the office  
36 of any person elected or appointed vacant who shall fail to take the oath of

1 office or give the bond required in this section within ten (10) days of the  
2 first day of January after his election or within ten (10) days after he shall  
3 have been notified of his ~~election or appointment.~~ and in such case, the  
4 council or aldermen shall proceed to appoint as in other cases of vacancy."

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

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10 SECTION 3. If any provision of this act or the application thereof to  
11 any person or circumstance is held invalid, such invalidity shall not affect  
12 other provisions or applications of the act which can be given effect without  
13 the invalid provision or application, and to this end the provisions of this  
14 act are declared to be severable.

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16 SECTION 4. All laws and parts of laws in conflict with this act are  
17 hereby repealed.