

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

As Engrossed: S1/20/99 S3/1/99

## A Bill

SENATE BILL 11

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5 By: Senator Walters  
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### For An Act To Be Entitled

9 "AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF  
10 CIRCUIT JUDGE, CHANCERY JUDGE, CIRCUIT-CHANCERY JUDGE,  
11 AND MUNICIPAL JUDGE; AND FOR OTHER PURPOSES."

### Subtitle

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14 "AN ACT TO PROVIDE FOR NONPARTISAN  
15 ELECTION OF CIRCUIT JUDGE, CHANCERY  
16 JUDGE, CIRCUIT-CHANCERY JUDGE, AND  
17 MUNICIPAL JUDGE."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Nonpartisan judicial offices.

22 The offices of circuit judge, chancery judge, circuit-chancery judge,  
23 and municipal judge are declared to be nonpartisan judicial offices.  
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25 SECTION 2. Filing as a candidate.

26 (a) A candidate for circuit judge, chancery judge, circuit-chancery  
27 judge, or municipal judge shall be an independent candidate. The candidate  
28 may file a petition in the manner provided by Arkansas Code 7-7-103 or may  
29 either pay a filing fee provided by this section or file as a write-in  
30 candidate as provided by this section.

31 (b)(1) A candidate for circuit judge, chancery judge, circuit-chancery  
32 judge, or municipal judge shall file for office by May 1. The filing period  
33 prescribed by this subsection shall apply regardless of whether the person  
34 pays the filing fee, files a petition, or files as a write-in candidate.

35 (2) A candidate for circuit judge, chancery judge, circuit-  
36 chancery judge, or municipal judge shall file with the Secretary of State.

1           (3) Arkansas Code 7-7-203, concerning independent candidates,  
2 shall not apply to a candidate for circuit judge, chancery judge, circuit-  
3 chancery judge, or municipal judge except to the extent authorized by this  
4 act.

5           (c)(1) The filing fee for a candidate for circuit judge, chancery  
6 judge, or circuit-chancery judge shall be three thousand dollars (\$3,000).  
7 The filing fee for a municipal judge shall be five hundred dollars (\$500).

8           (2) A candidate for circuit judge, chancery judge, or circuit-  
9 chancery judge shall pay the fee to the Secretary of State at the same time  
10 the candidate files his or her political practice pledge. A candidate for  
11 municipal judge shall pay the filing fee to the county clerk at the same time  
12 the candidate files his or her political practice pledge.

13           (3) All filing fees shall be remitted to the State Treasurer for  
14 deposit as general revenues.

15           (d) No votes for a write-in candidate for circuit judge, chancery  
16 judge, circuit-chancery judge, or municipal judge shall be counted or  
17 tabulated unless the candidate or the candidate's agent notifies the Secretary  
18 of State in writing by the deadline for filing as a candidate.

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20           SECTION 3. Conduct of elections.

21           (a) The election held for the offices of circuit judge, chancery judge,  
22 circuit-chancery judge, and municipal judge shall be held at the November  
23 general election.

24           (b)(1) The names of the candidates shall be placed on the ballot of  
25 each political party. Each candidate shall be designated as "nonpartisan  
26 judicial candidate."

27           (2) The county board of election commissioners shall provide for  
28 a separate ballot containing only candidates for nonpartisan judicial offices.  
29 The ballot shall be used only by voters who do not wish to participate in a  
30 party primary.

31           (c) No person shall be elected as a circuit judge, chancery judge,  
32 circuit-chancery judge, or municipal judge without receiving a majority of the  
33 votes cast at the election for the office. In any election where no person  
34 receives a majority of the votes cast, the two (2) candidates receiving the  
35 highest and next highest number of votes shall be certified to participate in  
36 a runoff election which shall be held three (3) weeks following the date of

1 the November general election.

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3 SECTION 4. Political Party Endorsement Prohibited.

4 (a) No candidate for circuit judge, chancery judge, circuit-chancery  
5 judge, or municipal judge shall seek the endorsement of a political party.  
6 Nor shall the candidate hold himself or herself out as having been endorsed by  
7 a political party.

8 (b) The Judicial Discipline and Disability Commission shall have  
9 authority to investigate violations of this section.

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11 SECTION 5. All provisions of this Act of a general and permanent nature  
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 6. If any provision of this Act or the application thereof to  
16 any person or circumstance is held invalid, such invalidity shall not affect  
17 other provisions or applications of the Act which can be given effect without  
18 the invalid provision or application, and to this end the provisions of this  
19 Act are declared to be severable.

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21 SECTION 7. All laws and parts of laws in conflict with this Act are  
22 hereby repealed.

23 /s/ Walters  
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