

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

# A Bill

SENATE BILL 274

4  
5 By: Senator Roebuck  
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## For An Act To Be Entitled

8  
9 "AN ACT TO AMEND ARKANSAS CODE § 16-17-120 TO ALLOW  
10 THE GOVERNING BODY OF A CITY TO CHANGE THE METHOD OF  
11 ELECTION FOR A MUNICIPAL JUDGE; AND FOR OTHER  
12 PURPOSES. "  
13

## Subtitle

14  
15 "TO ALLOW THE GOVERNING BODY OF A CITY TO  
16 CHANGE THE METHOD OF ELECTION FOR A  
17 MUNICIPAL JUDGE. "  
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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 § 16-17-120 is amended to read as follows:

23 "16-17-120. Method of electing judges - Candidate requirements.

24 (a) The governing body of any city in which a municipal court has been  
25 created or is hereafter created under the provisions of subchapter 2 of this  
26 chapter, or any other general law authorizing or providing for the  
27 establishment of a municipal court, may by ordinance provide that the judge of  
28 that court shall thereafter be elected by the electors of the entire county  
29 or, in the event the county is divided into two (2) judicial districts, by the  
30 electors of the judicial district in which the municipality creating the court  
31 is located, or, if it has previously selected the county-wide method of  
32 election, by electors of the municipality only.

33 (b) A governing body of any city changing the method of election of the  
34 judge under the provisions of this section shall thereafter be powerless to  
35 select a method of election which would be by electors of the municipality  
36 only. Provided, however that after January 1, 2000, the governing body of any

1 city in which a municipal court has been created and which has previously  
2 selected the county-wide method of election, may by ordinance, enacted by a  
3 two-thirds majority of the governing body, change the method of election for  
4 the municipal judge to return the method of election to be by electors of the  
5 municipality only.

6 (c)(1) When the governing body of any municipality enacts an ordinance  
7 changing the method of electing the judge of the municipal court of the  
8 municipality whether by county, by judicial districts, or by municipality  
9 only, the ordinance shall be applicable with respect to the election of the  
10 judge of the court next following the expiration of the current term of the  
11 judge of the court.

12 (2) Any candidate for judge shall meet all requirements now set  
13 by law, but residency in the municipality shall no longer be a requirement  
14 when the election method is county-wide or by judicial districts. Whenever the  
15 governing body of the city returns the method of selection to the municipality  
16 only, residency within the city shall once again become required for any  
17 candidate."

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

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23 SECTION 3. If any provisions of this act or the application thereof to  
24 any person or circumstance is held invalid, the invalidity shall not affect  
25 other provisions or applications of the act which can be given effect without  
26 the invalid provisions or application, and to this end the provisions of this  
27 act are declared to be severable.

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

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