

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/9/05 H3/11/05

A Bill

HOUSE BILL 2956

5 *By: Representatives Willis, Davis*
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7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE PROCEDURE FOR THE MERGER OF
10 CITIES AND INCORPORATED TOWNS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 TO CLARIFY THE PROCEDURE FOR THE MERGER
15 OF CITIES AND INCORPORATED TOWNS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 *SECTION 1. Arkansas Code § 14-40-1208, is amended to read as follows:*
21 *14-40-1208. Existing officers, etc.*

22 *(a) The term of office of all officers, aldermen, and employees of the*
23 *smaller municipality and all laws in force therein shall cease upon and after*
24 *the consolidation.*

25 *(b) Any mayor who is forced from office because of a merger of two (2)*
26 *or more municipalities under this subchapter is presumed to meet the minimum*
27 *service period under § 24-12-123.*
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29 *SECTION 2. EMERGENCY CLAUSE. It is found and determined by the*
30 *General Assembly of the State of Arkansas that the procedure for the merger*
31 *of municipalities is unclear on certain issues; that one (1) unintended*
32 *consequence of a merger of two (2) or more municipalities is the forcing from*
33 *office of at least one (1) or more mayors; and that this act is immediately*
34 *necessary to clarify the procedure for the merger of municipalities and to*
35 *prevent unfairness to elected officials who are forced out of office because*
36 *of a merger of two (2) or more municipalities. Therefore, an emergency is*



1 declared to exist and this act being immediately necessary for the
2 preservation of the public peace, health, and safety shall become effective
3 on:

- 4 (1) The date of its approval by the Governor;
5 (2) If the bill is neither approved nor vetoed by the Governor,
6 the expiration of the period of time during which the Governor may veto the
7 bill; or
8 (3) If the bill is vetoed by the Governor and the veto is
9 overridden, the date the last house overrides the veto.

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/s/ Willis, et al