

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

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

As Engrossed: H3/18/05

HJR 1015

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5 *By: Representatives Saunders, Mahony*

HOUSE JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE ARKANSAS
CONSTITUTION CONCERNING THE LENGTH OF TERMS OF
COUNTY OFFICIALS; AND FOR OTHER PURPOSES.

Subtitle

PROPOSING AN AMENDMENT TO THE ARKANSAS
CONSTITUTION CONCERNING THE LENGTH OF
TERMS OF COUNTY OFFICIALS.

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL
20 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL
21 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

23 That the following is proposed as an amendment to the Constitution of
24 the State of Arkansas, and upon being submitted to the electors of the state
25 for approval or rejection at the next general election for Representatives
26 and Senators, if a majority of the electors voting thereon at the election
27 adopt the amendment, the amendment shall become a part of the Constitution of
28 the State of Arkansas, to wit:

30 *SECTION 1. Section 19 of Article 7 of the Arkansas Constitution is*
31 *amended to read as follows:*

32 *§ 19. Circuit clerks - Election - Term of office - Ex-officio duties -*
33 *County clerks elected in certain counties.*

34 *The clerks of the circuit courts shall be elected by the qualified*
35 *electors of the several counties for the term of ~~two~~ four years, and shall be*
36 *ex-officio clerks of the county and probate courts and recorder; provided,*



1 ~~that in any county having a population exceeding fifteen thousand~~
 2 ~~inhabitants, as shown by the last Federal census, there shall be elected may~~
 3 elect a county clerk, in like manner as the clerk of the circuit court, for
 4 the term of four years, and in such case the county clerk shall be ex-officio
 5 ~~clerk of the probate court~~ Clerk of the Probate Court of such county until
 6 otherwise provided by the General Assembly.

7
 8 SECTION 2. Section 29 of Article 7 of the Arkansas Constitution is
 9 amended to read as follows:

10 § 29. County judge - Election - Term - Qualifications.

11 The Judge of the County Court shall be elected by the qualified
 12 electors of the county for the term of ~~two~~ four years. He shall be at least
 13 twenty-five years of age, a citizen of the United States, a man of upright
 14 character, of good business education, and a resident of the State for two
 15 years before his election; and a resident of the county at the time of his
 16 election, and during his continuance in office.

17
 18 SECTION 3. Section 46 of Article 7 of the Arkansas Constitution is
 19 amended to read as follows:

20 § 46. County executive officers - Compensation of county assessor.

21 The qualified electors of each county shall elect one Sheriff, who
 22 shall be ex-officio collector of taxes, unless otherwise provided by law; one
 23 Assessor, one Coroner, one Treasurer, who shall be ex-officio treasurer of
 24 the common school fund of the county, and one County Surveyor; for the term
 25 of ~~two~~ four years, with such duties as are now or may be prescribed by law:
 26 Provided, that no per centum shall ever be paid to assessors upon the
 27 valuation or assessment of property by them.

28
 29 SECTION 4. Amendment 41 of the Arkansas Constitution is amended to
 30 read as follows:

31 *Election of county clerk.*

32 *The provisions for the election of a County Clerk upon a population*
 33 *basis are hereby abolished and there may be elected a County Clerk in like*
 34 *manner as a Circuit Clerk, for the term of four years, and in such cases, the*
 35 *County Clerk may be ex officio Clerk of the Probate Court of such county*
 36 *until otherwise provided by the General Assembly.*

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SECTION 5. Section 2 of Amendment 55 of the Arkansas Constitution is amended to read as follows:

§ 2. Composition of quorum court - Power over elective offices.

(a)(1) No county's Quorum Court shall be comprised of fewer than nine (9) justices of the peace, nor comprised of more than fifteen (15) justices of the peace.

(2) Justices of the peace shall be elected for terms of four (4) years, except that the term prior to an apportionment shall be a two-year term.

(3) The number of justices of the peace that comprise a county's Quorum Court shall be determined by law.

(4) The county's Election Commission shall, after each decennial census, divide the county into convenient and single member districts so that the Quorum Court shall be based upon the inhabitants of the county with each member representing, as nearly as practicable, an equal number thereof.

(b) The Quorum Court may create, consolidate, separate, revise, or abandon any elective county office or offices except during the term thereof; provided, however, that a majority of those voting on the question at a general election have approved said action.

/s/ Saunders