

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.

State of Arkansas
85th General Assembly
Regular Session, 2005

As Engrossed: S2/14/05

A Bill

SENATE BILL 226

By: Senator Wilkinson

For An Act To Be Entitled

AN ACT TO ALLOW MAYOR-COUNCIL CITIES WITH
POPULATIONS OF FEWER THAN 5,000 THE OPTION OF
APPOINTING THE CITY ATTORNEY; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO ALLOW MAYOR-COUNCIL CITIES
WITH POPULATIONS OF FEWER THAN 5,000 THE
OPTION OF APPOINTING THE CITY ATTORNEY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

*SECTION 1. Arkansas Code Title 14, Chapter 43, Subchapter 3 is amended
to add an additional section to read as follows:*

14-43-319. City attorney in mayor-council cities of fewer than 5,000.

(a) If it is not established by ordinance that the office of the city
attorney will be appointed, the qualified voters of cities of the first class
having a population of fewer than five thousand (5,000) and having the mayor-
council form of government shall elect a city attorney for four (4) years on
the Tuesday following the first Monday in November 2006 and every four (4)
years thereafter.

(b) Incumbent city attorneys shall continue in office until their
successors are elected and qualified.

(c)(1) If no attorney residing in the city is elected as city
attorney, the city council may select a resident attorney to fill the office
for the remainder of the unfilled term.

(2)(A) If no resident attorney of the city is willing to serve



1 as city attorney or if no attorney resides within the limits of the city, the
2 mayor and city council may contract with any licensed attorney of this state
3 or the attorney's firm to serve as legal advisor, counselor, or prosecutor
4 until a qualified city attorney is elected or qualified.

5 (B) The duties of a nonresident attorney under contract
6 shall be prescribed by ordinance.

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8 /s/ Wilkinson
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