

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

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

HJR 1001

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5 By: Representative Saunders  
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**HOUSE JOINT RESOLUTION**

9 PROPOSING AN AMENDMENT TO THE ARKANSAS  
10 CONSTITUTION CONCERNING INCREASING THE LENGTH OF  
11 TERMS OF CIRCUIT CLERKS, COUNTY CLERKS, COUNTY  
12 JUDGES, COUNTY SHERIFFS, COUNTY ASSESSORS, COUNTY  
13 CORONERS, COUNTY TREASURERS, COUNTY SURVEYORS,  
14 AND JUSTICES OF THE PEACE FROM TWO (2) YEARS TO  
15 FOUR (4) YEARS; AMENDING AMENDMENT 55 OF THE  
16 ARKANSAS CONSTITUTION CONCERNING THE  
17 QUALIFICATIONS TO SERVE AS A JUSTICE OF THE PEACE  
18 AND THE COMMISSION RECEIVED BY A JUSTICE OF THE  
19 PEACE; AND REPEALING OBSOLETE LANGUAGE.  
20

**Subtitle**

21  
22 PROPOSING AN AMENDMENT TO THE ARKANSAS  
23 CONSTITUTION TO INCREASE THE TERMS OF  
24 COUNTY OFFICIALS FROM TWO (2) YEARS TO  
25 FOUR (4) YEARS, AMEND PROVISIONS  
26 CONCERNING JUSTICES OF THE PEACE, AND  
27 REPEAL OBSOLETE LANGUAGE.  
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30 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL  
31 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL  
32 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:  
33

34 That the following is proposed as an amendment to the Constitution of  
35 the State of Arkansas, and upon being submitted to the electors of the state  
36 for approval or rejection at the next general election for Representatives



1 and Senators, if a majority of the electors voting thereon at the election  
 2 adopt the amendment, the amendment shall become a part of the Constitution of  
 3 the State of Arkansas, to wit:

4  
 5 SECTION 1. Section 19 of Article 7 of the Arkansas Constitution is  
 6 amended to read as follows:

7 § 19. Circuit clerks - Election - Term of office - Ex-officio duties -  
 8 County clerks elected in certain counties.

9 The clerks of the circuit courts shall be elected by the qualified  
 10 electors of the several counties for the term of ~~two~~ four (4) years, and  
 11 shall be ex-officio clerks of the county and probate courts and recorder;  
 12 provided, that ~~in any county having a population exceeding fifteen thousand~~  
 13 ~~inhabitants, as shown by the last Federal census, there shall be elected~~ may  
 14 elect a county clerk, in like manner as the clerk of the circuit court, for  
 15 the term of four (4) years, and in such case the county clerk shall be ex-  
 16 officio ~~clerk of the probate court~~ Clerk of the Probate Court of such county  
 17 until otherwise provided by the General Assembly.

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

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

22 The Judge of the County Court shall be elected by the qualified  
 23 electors of the county for the term of ~~two~~ four (4) years. He shall be at  
 24 least twenty-five years of age, a citizen of the United States, a man of  
 25 upright character, of good business education, and a resident of the State  
 26 for two years before his election; and a resident of the county at the time  
 27 of his election, and during his continuance in office.

28  
 29 SECTION 3. Section 38 of Article 7 of the Arkansas Constitution is  
 30 repealed.

31 ~~Justices of the peace - Election - Term - Oath.~~

32 ~~The qualified electors of each township shall elect the Justices of the~~  
 33 ~~Peace for the term of two years; who shall be commissioned by the Governor,~~  
 34 ~~and their official oath shall be indorsed on the commission."~~

35  
 36 SECTION 4. Section 41 of Article 7 of the Arkansas Constitution is

1 repealed.

2 ~~Qualifications of justice of peace.~~

3 ~~A Justice of the Peace shall be a qualified elector and a resident of~~  
4 ~~the township for which he is elected.~~

5

6 SECTION 5. Section 46 of Article 7 of the Arkansas Constitution is  
7 amended to read as follows:

8 § 46. County executive officers - Compensation of county assessor. The  
9 qualified electors of each county shall elect one Sheriff, who shall be ex-  
10 officio collector of taxes, unless otherwise provided by law; one Assessor,  
11 one Coroner, one Treasurer, who shall be ex-officio treasurer of the common  
12 school fund of the county, and one County Surveyor; for the term of ~~two~~ four  
13 (4) years, with such duties as are now or may be prescribed by law: Provided,  
14 that no per centum shall ever be paid to assessors upon the valuation or  
15 assessment of property by them.

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17 SECTION 6. Amendment 41 of the Arkansas Constitution is amended to  
18 read as follows:

19 Election of county clerk.

20 The provisions for the election of a County Clerk upon a population  
21 basis are hereby abolished and there may be elected a County Clerk in like  
22 manner as a Circuit Clerk, for the term of four (4) years, and in such cases,  
23 the County Clerk may be ex officio Clerk of the Probate Court of such county  
24 until otherwise provided by the General Assembly.

25

26 SECTION 7. Section 2 of Amendment 55 of the Arkansas Constitution is  
27 amended to read as follows:

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

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

32 (2) A justice of the peace shall be elected for a term of four  
33 (4) years, except that the term prior to an apportionment shall be a two-year  
34 term.

35 (3) A justice of the peace shall be a qualified elector and a  
36 resident of the district for which he or she is elected.

1           (4) A justice of the peace shall be commissioned by the Governor,  
2 and his or her official oath shall be indorsed on the commission.

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

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

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

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