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5 By: Senator Glover
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8 **SENATE 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

21 **Subtitle**

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.
28

29 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE
30 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
31 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
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33 That the following is proposed as an amendment to the Constitution of
34 the State of Arkansas, and upon being submitted to the electors of the state
35 for approval or rejection at the next general election for Representatives
36 and Senators, if a majority of the electors voting thereon at the election



1 adopt the amendment, the amendment shall become a part of the Constitution of
2 the State of Arkansas, to wit:

3
4 SECTION 1. Section 19 of Article 7 of the Arkansas Constitution is
5 amended to read as follows:

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

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

17
18 SECTION 2. Section 29 of Article 7 of the Arkansas Constitution is 20
19 amended to read as follows:

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

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

27
28 SECTION 3. Section 38 of Article 7 of the Arkansas Constitution is
29 repealed.

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

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

34
35 SECTION 4. Section 41 of Article 7 of the Arkansas Constitution is
36 repealed.

~~Qualifications of justice of peace.~~

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

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

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

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

Election of county clerk.

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

SECTION 7. 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) A justice of the peace shall be elected for a term of four (4) years, except that the term prior to an apportionment shall be a two-year term.

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

(4) A justice of the peace shall be commissioned by the

Governor, and his or her official oath shall be indorsed on the commission.

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

(6) 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.