

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

*As Engrossed: S1/16/07*

SJR 2

4  
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:  
32

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.

1           ~~Qualifications of justice of peace.~~  
 2           ~~A Justice of the Peace shall be a qualified elector and a resident of~~  
 3 ~~the township for which he is elected.~~

4  
 5           SECTION 5. Section 46 of Article 7 of the Arkansas Constitution is  
 6 amended to read as follows:

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

15  
 16           SECTION 6. Amendment 41 of the Arkansas Constitution is amended to  
 17 read as follows:

18           Election of county clerk.

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

24  
 25           SECTION 7. Section 2 of Amendment 55 of the Arkansas Constitution is  
 26 amended to read as follows:

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

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

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

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

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

