

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 335

5 By: Senator G. Jeffress
6 By: Representative Pyle
7
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For An Act To Be Entitled

10 AN ACT TO CLARIFY THE PROCESS OF FILLING AN
11 ALDERMANIC VACANCY IN A CITY OF THE FIRST CLASS;
12 AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO CLARIFY THE PROCESS OF
15 FILLING AN ALDERMANIC VACANCY IN A CITY
16 OF THE FIRST CLASS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-42-104 is repealed.

23 ~~14-42-104. Vacancies in certain alderman positions.~~

24 ~~When a vacancy occurs in any position of alderman in a city having a~~
25 ~~population of twenty thousand (20,000) or more, according to the most recent~~
26 ~~federal decennial census, and having a mayor-council form of government in~~
27 ~~which the electors of each ward elect one (1) or more aldermen, a new~~
28 ~~alderman shall be chosen in the following manner:~~

29 ~~(1) If the unexpired portion of the term of alderman exceeds one~~
30 ~~(1) year, a successor shall be elected by a vote of the electors of the ward.~~
31 ~~The city council shall order a special election to be held pursuant to a~~
32 ~~proclamation issued by the mayor in accordance with 7-5-103(a) no later than~~
33 ~~ninety (90) days after the date the vacancy occurs; and~~

34 ~~(2) If the unexpired portion of the term of alderman is one (1)~~
35 ~~year or less, a successor shall be chosen by a majority vote of the members~~
36 ~~of the city council.~~



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SECTION 2. Arkansas Code 14-43-411 is amended to read as follows:

14-43-411. Alderman vacancy.

(a)~~(1)~~ Whenever a vacancy shall occur, for any reason, in the office of alderman in any city of the first class, at any regular meeting after the occurrence of the vacancy, the city council shall proceed to elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term. Provided, however, it is necessary that at least a quorum of the whole number of the city council shall remain in order to fill a vacancy.

~~(2)(b)~~ The person elected by the council shall be a resident of the ward where the vacancy occurs at the time of the vacancy.

~~(b) When a vacancy occurs in any position of alderman in a city having a population of fifty thousand (50,000) or more, according to the most recent federal decennial census, and having a mayor council form of government in which the electors of each ward elect one (1) or more aldermen, a new alderman shall be chosen in the following manner:~~

~~(1) If the unexpired portion of the term of alderman exceeds one (1) year, a successor shall be elected by a vote of the electors of the ward. The city council shall order a special election to be held pursuant to a proclamation issued by the mayor in accordance with 7-5-103(a) no later than ninety (90) days after the date the vacancy occurs; or~~

~~(2) If the unexpired portion of the term of alderman is one (1) year or less, a successor shall be chosen by a majority vote of the members of the council.~~