

State of Arkansas  
87th General Assembly  
Regular Session, 2009

# A Bill

SENATE BILL 432

By: Senator Luker

## For An Act To Be Entitled

AN ACT TO ESTABLISH A PROCEDURE FOR THE RECALL OF  
ELECTED MUNICIPAL OFFICIALS ELECTED TO SERVE A  
TERM OF FOUR (4) YEARS; AND FOR OTHER PURPOSES.

## Subtitle

TO ESTABLISH A PROCEDURE FOR THE RECALL  
OF ELECTED MUNICIPAL OFFICIALS ELECTED  
TO SERVE A TERM OF FOUR (4) YEARS.

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

SECTION 1. Arkansas Code Title 14, Chapter 42, Subchapter 1 is amended to add an additional section to read as follows:

14-42-119. Removal of certain elected municipal officials.

(a) A person who holds an elected office in a municipality for a term of four (4) years in a mayor-council form of government is subject to removal from the office by the electors qualified to vote for a successor of the incumbent.

(b) The procedure for the removal of a person holding the office is as follows:

(1)(A) When a petition requesting the removal of an officer under this section, signed by a number of qualified electors equal to twenty-five percent (25%), is filed with the city clerk, the city clerk shall determine the sufficiency of the petition within ten (10) days from the date of the filing.

(B) A petition shall be filed by 12:00 noon not more than ninety (90) days nor less than seventy (70) days before the next general



election following the election at which the officer was elected;

(2) If the petition is deemed sufficient, the city clerk shall certify it to the county board of election commissioners;

(3) At the election, the question shall be submitted to the qualified electors in substantially the following form:

“FOR the removal of (name of officer) . . . . . from the office of (name of office). . . . . [ ]

AGAINST the removal of (name of officer) . . . . . from the office of (name of office). . . . . [ ]”; and

(4)(A) If a majority of the qualified electors voting on the question at the election vote for the removal of the officer, a vacancy shall exist in the office.

(B) If a majority of the qualified electors voting on the question at the election vote against the removal of the officer, the officer shall continue to serve during the term for which he or she was elected.