

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: H3/20/13*

# A Bill

HOUSE BILL 1888

5 By: Representatives E. Armstrong, Hodges, Hawthorne, Gossage, D. Whitaker, McGill, Holcomb  
6 By: Senator S. Flowers  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING PLANNING FOR AN ABSENTEE MAYOR IN  
10 CITIES OF THE FIRST CLASS, CITIES OF THE SECOND  
11 CLASS, AND INCORPORATED TOWNS; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 CONCERNING PLANNING FOR AN ABSENTEE MAYOR  
16 IN CITIES OF THE FIRST CLASS, CITIES OF  
17 THE SECOND CLASS, AND INCORPORATED TOWNS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 14-43-501(b), concerning the organization  
24 of the city council in a city of the first class, is amended to read as  
25 follows:

26 (b)(1)(A) The mayor shall be ex officio president of the city council  
27 and shall preside at its meetings.

28 (B) The mayor shall have a vote to establish a quorum of  
29 the city council at any regular meeting of the city council and when his or  
30 her vote is needed to pass any ordinance, bylaw, resolution, order, or  
31 motion.

32 (2) In the absence of the mayor, the city council shall elect a  
33 president pro tempore to preside over council meetings.

34 (3) If the mayor is unable to perform the duties of office or  
35 cannot be located, ~~the city clerk or other elected official of the city, if~~  
36 ~~designated by the mayor, may perform all functions of a mayor during the~~



1 ~~disability or absence of the mayor~~ one (1) of the following may perform all  
2 functions of a mayor during the disability or absence of the mayor:

3 (A) The city clerk;

4 (B) Another elected official of the city if designated by  
5 the mayor; or

6 (C) An unelected employee or resident of the city if  
7 designated by the mayor and approved by the city council.

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9 SECTION 2. Arkansas Code § 14-44-107, concerning powers of the mayor  
10 in cities of the second class, is amended to add an additional subsection to  
11 read as follows:

12 (c) If the mayor is unable to perform the duties of office or cannot  
13 be located, one (1) of the following may perform all functions of a mayor  
14 during the disability or absence of the mayor:

15 (1) The recorder;

16 (2) Another elected official of the city if designated by the  
17 mayor; or

18 (3) An unelected employee or resident of the city if designated  
19 by the mayor and approved by the city council.

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21 SECTION 3. Arkansas Code § 14-45-105, concerning powers of the mayor  
22 in incorporated towns, is amended to add an additional subsection to read as  
23 follows:

24 (c) If the mayor is unable to perform the duties of office or cannot  
25 be located, one (1) of the following may perform all functions of a mayor  
26 during the disability or absence of the mayor:

27 (1) The recorder;

28 (2) Another elected official of the city if designated by the  
29 mayor; or

30 (3) An unelected employee or resident of the city if designated  
31 by the mayor and approved by the city council.

32  
33 SECTION 4. Arkansas Code § 14-42-111 is repealed.

34 ~~14-42-111. Mayor of city of the second class or town unable to perform~~  
35 ~~duties.~~

36 ~~Whenever the mayor of an incorporated town or city of the second class~~

1 ~~is unable to perform the functions of his office, or is absent and cannot be~~  
2 ~~obtained, the recorder of the town or city shall be authorized and empowered~~  
3 ~~to perform the functions of a magistrate during the disability or absence of~~  
4 ~~the mayor, with all the power and jurisdiction of the mayor, to all intents~~  
5 ~~and purposes whatever.~~

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8 /s/E. Armstrong  
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