

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: H3/21/13 H3/25/13

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 2017

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5 By: Representative Bell

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For An Act To Be Entitled

8 AN ACT TO ALLOW COUNTIES TO ELECT TO HOLD NONPARTISAN
9 ELECTIONS FOR SHERIFF; TO PROVIDE A PROCEDURE FOR
10 NONPARTISAN ELECTION OF SHERIFFS; AND FOR OTHER
11 PURPOSES.

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Subtitle

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*TO BE KNOWN AS THE NONPARTISAN LAW
ENFORCEMENT ACT OF 2013.*

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

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21 *SECTION 1. Arkansas Code Title 14, Chapter 15, Subchapter 5, is*
22 *amended to add an additional section to read as follows:*

23 *14-15-506. Nonpartisan election of sheriffs.*

24 *(a)(1)(A) Except as provided under subdivision (a)(2) of this section,*
25 *the office of sheriff is a partisan office.*

26 *(B) The general election for sheriffs shall be held on the*
27 *same dates and at the same times and places as provided by law for a general*
28 *election.*

29 *(2) A county may adopt a resolution to hold nonpartisan*
30 *elections for the office of sheriff.*

31 *(b) A county adopting a resolution under subdivision (a)(2) of this*
32 *section shall hold the election to adopt the resolution as provided under §*
33 *7-11-201 et seq.*

34 *(c)(1)(A) A nonpartisan candidate for sheriff shall file his or her*
35 *political practices pledge, affidavit of eligibility, and filing fee with the*
36 *county clerk during a one-week period ending at 12:00 noon on the first day*



1 in March of the year in which the election is to be held.

2 (B) The filing fee for a nonpartisan candidate for sheriff
3 is equal to three percent (3%) of the annual salary of the office which the
4 candidate is filing for, and shall be paid to the county clerk to be
5 deposited into a cash fund in the State Treasury, and disbursed by the
6 Treasurer of State to the Arkansas Sheriffs' Association for grants to
7 Arkansas Sheriffs' Youth Ranches.

8 (2)(A)(i) A person desiring to have his or her name placed on
9 the ballot as a nonpartisan candidate for sheriff without paying a filing fee
10 may do so by filing a petition with the county clerk signed by at least three
11 percent (3%) of the qualified electors residing within the county for which
12 the candidate seeks office.

13 (ii) In determining the number of qualified electors
14 in the county under subdivision (c)(2)(A)(i) of this section, the total
15 number of all votes cast in the county for Governor in the immediately
16 preceding general gubernatorial election shall be conclusive of the number of
17 qualified electors residing within the county.

18 (B) The petition, the political practices pledge, and the
19 affidavit of eligibility shall be filed during a one-week period ending at
20 12:00 noon on the first day in March of the year in which the election is to
21 be held.

22 (C) The county clerk shall verify the sufficiency of the
23 petition within thirty (30) days of filing.

24 (D) The sufficiency of a petition filed under this section
25 may be challenged in the same manner as election contests under § 7-5-801 et
26 seq.

27 (3)(A) Votes for a write-in nonpartisan candidate for sheriff in
28 an election shall not be counted or tabulated unless the candidate or his or
29 her agent files notice in writing of his or her intention to be a write-in
30 candidate for sheriff to the county board of election commissioners and the
31 county clerk.

32 (B) The written notice shall be filed not later than
33 ninety (90) days before the election.

34 (C) A write-in candidates shall file a political practices
35 pledge at the same time as filing a notice of intention.

36 (d)(1) A nonpartisan candidate for sheriff may not use more than three

1 (3) given names, one (1) of which may be a nickname or any other word used to
2 identify the candidate to the voters.

3 (2)(A) A nonpartisan candidate for sheriff may add as a prefix
4 to his or her name the title or an abbreviation of an elective public office
5 the candidate currently holds.

6 (B) A nonpartisan candidate may use as the prefix
7 only the title of sheriff in an election for sheriff if the candidate is
8 currently serving as sheriff.

9 (3) A nickname shall not include a professional or honorary
10 title.

11 (e)(1) If one (1) nonpartisan candidate for sheriff does not receive a
12 majority of the votes cast in the general election, the two (2) candidates
13 receiving the highest number of votes cast for the office to be filled shall
14 be the nominees for the respective offices, to be voted on in a runoff
15 election under § 7-5-106.

16 (2) If the nonpartisan office of sheriff is unopposed, the
17 single candidate for sheriff shall be printed on the general election ballot
18 and the votes for sheriff shall be tabulated as in all contested races.

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22 /s/Bell
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