

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4  
5 By: Senator J. Cooper  
6

As Engrossed: S1/25/17

# A Bill

SENATE BILL 143

## For An Act To Be Entitled

8 AN ACT TO REVISE VARIOUS PROVISIONS CONCERNING  
9 ELECTION PROCEDURES IN WHICH A MAYORAL CANDIDATE  
10 RECEIVES LESS THAN A MAJORITY; AND FOR OTHER  
11 PURPOSES.  
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### Subtitle

14 TO REVISE VARIOUS PROVISIONS CONCERNING  
15 ELECTION PROCEDURES.  
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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 § 14-43-304 is amended to read as follows:

22 14-43-304. Mayors in cities having mayor-council government.

23 (a)(1) ~~No mayor of cities~~ A mayor of a city of the first class having  
24 a mayor-council form of government shall be elected ~~except:~~

25 (A) by ~~By~~ a majority vote of the qualified electors of the  
26 city; or

27 (B) In accordance with § 7-5-106.

28 (2) ~~The provisions of this section shall not~~ This section does  
29 not apply to a city of the first class with a city manager form of government  
30 or a city administrator form of government.

31 (b)(1) As soon as the returns from all precincts are received, but ~~in~~  
32 ~~no event~~ no later than the ~~seventh~~ fifteenth day after the election, the  
33 county board of election commissioners shall proceed to ascertain, from the  
34 certificates and ballots received from the several precincts, and declare the  
35 result of the election and deliver a certificate of his or her election to  
36 any person having the ~~majority~~ requisite amount of legal votes for the office



1 of mayor.

2 (2) The county board of election commissioners shall also file  
3 in the office of the clerk of the county court a certificate setting forth in  
4 detail the results of the election.

5 (c)(1) ~~In the event that~~ If no candidate for mayor of a city of the  
6 first class receives ~~a majority~~ the requisite amount of the votes cast in the  
7 general election, the two (2) candidates receiving the highest number of  
8 votes shall be certified to a special runoff election that shall be held  
9 three (3) weeks from the day on which the general election is held.

10 (2) The special runoff election shall be conducted in the same  
11 manner as provided by law, and the election results ~~thereof~~ of the special  
12 runoff election shall be canvassed and certified in the manner provided by  
13 law.

14 (d) ~~In the event that~~ If a vacancy occurs in the office of mayor of  
15 ~~these cities~~ a city described in this section and the unexpired term is more  
16 than one (1) year, the vacancy shall be filled by a special election and  
17 special runoff election, if necessary, as provided in subsection (c) of this  
18 section.

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*/s/J. Cooper*