

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

1 State of Arkansas As Engrossed: S2/5/19 S2/11/19 S4/4/19
2 92nd General Assembly **A Bill**
3 Regular Session, 2019

SENATE BILL 179

4
5 By: Senator M. Johnson
6

7 **For An Act To Be Entitled**

8 AN ACT TO AMEND THE LAW CONCERNING CERTAIN TERMS OF
9 OFFICE AND THE REORGANIZATION OF MUNICIPAL
10 GOVERNMENT; AND FOR OTHER PURPOSES.
11

12
13 **Subtitle**

14 TO AMEND THE LAW CONCERNING CERTAIN TERMS
15 OF OFFICE AND THE REORGANIZATION OF
16 MUNICIPAL GOVERNMENT.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 *SECTION 1. Arkansas Code § 14-43-303(a), concerning officials in*
22 *mayor-council cities of 50,000 or more, is amended to add an additional*
23 *subdivision to read as follows:*

24 *(3) The governing body of a city in transition to the mayor-*
25 *council form of government may provide by ordinance that the mayor, city*
26 *clerk, city attorney, and city treasurer shall be elected on the same date*
27 *and every four (4) years thereafter.*
28

29 *SECTION 2 Arkansas Code § 14-47-107(a), concerning a subsequent*
30 *election in a city manager form of government on changing to a mayor-council*
31 *form of government, is amended to read as follows:*

32 *(a)(1)(A) After the expiration of six (6) years after from the date on*
33 *which the first board of directors takes office in a city organized under*
34 *this chapter, a petition may be presented to the mayor by the board of*
35 *directors by ordinance. It shall be signed by electors equal in number to*
36 *fifteen percent (15%) of the aggregate number of ballots cast for the*



~~position of mayor in the immediately preceding mayoral general election.~~

(B) Whereupon Upon the receipt of a petition under this subdivision (a)(1), the mayor by proclamation shall submit the question of organization of the city under the mayor-council form of government at a special election to be held in accordance with § 7-11-201 et seq.

(2)(A) The proclamation shall be published at length one (1) time in ~~some~~ a newspaper published in the city.

(B)(i) Notice of the election shall be published in ~~some~~ a newspaper published in the city one (1) time a week for two (2) weeks, the first publication to be not less than fifteen (15) days before the date set for the election.

(ii) No other notice of the election ~~shall be~~ is necessary.

SECTION 3. Arkansas Code § 14-47-107(e), concerning a subsequent election in a city manager form of government on changing to a mayor-council form of government, is amended to read as follows:

(e)(1) ~~If~~ Except as provided in subdivision (e)(2) of this section, if the majority of the votes cast on the issue are in favor thereof of organization of the city under the mayor-council form of government, the city shall ~~thereupon~~ proceed to the election of all of the city officials who were subject to election in the city immediately ~~prior to~~ before the date on which the city was organized under the management form of city government.

(2) At the time the reorganization is effective under this chapter:

(A) The mayor shall continue in office until the remainder of his or her term of office; and

(B) A member of the city board of directors shall become a member of the city council and shall continue in office until the remainder of his or her term of office.

(3) In a city that has a population of more than one hundred thousand (100,000) persons according to the most recent federal decennial census:

(A) A person who is on the ballot in 2020 to become a member of the city council shall serve a term of two (2) years if elected;

(B) Following the 2020 federal decennial census, the county board of election commissioners shall divide the city into six (6)

1 wards having substantially equal population; and

2 (C)(i) At the 2022 general election, two (2) city council
3 members shall be elected from each of the six (6) wards, for a total number
4 of twelve (12) city council members.

5 (ii) The newly elected city council members shall
6 draw initial two-year or four-year terms to result in staggered four-year
7 terms.

8
9 SECTION 4. Arkansas Code § 14-48-105(b), concerning the procedure of
10 changing to another form of government in a city administrator form of
11 government, is amended to read as follows:

12 (b)(1)(A)(i) After the expiration of four (4) years from the date on
13 which the first board of directors and mayor take office in a city organized
14 under this chapter, a petition signed by electors equal in number to fifteen
15 percent (15%) of the aggregate number of ballots cast for all candidates for
16 mayor in the preceding general election may be presented to the mayor,
17 calling for an election to consider any other form of municipal government
18 authorized by the laws of this state.

19 (ii) As an alternative to the petition presented to
20 the mayor by electors under subdivision (b)(1)(A)(i) of this section, a
21 petition may be presented to the mayor by the board of directors by
22 ordinance.

23 (B) At the time the reorganization is effective under this
24 chapter:

25 (i) The mayor shall continue in office until the
26 remainder of his or her term of office; and

27 (ii) The member of the city board of directors shall
28 become a member of the governing body and shall continue in office until the
29 remainder of his or her term of office.

30 (2)(A)(i) ~~Thereupon~~ Upon the receipt of a petition under subdivision
31 (b)(1)(A) of this section, the mayor by proclamation in accordance with § 7-
32 11-201 et seq. shall submit the question of organization of the city under
33 the form of government stated in the petition at a special election to be
34 held at a time specified therein.

35 (ii) The proclamation shall be published one (1) time at
36 length in ~~some~~ a newspaper having a general circulation in the city.

1 (B)(i) Notice of the election shall be published one (1) time a
2 week for two (2) weeks in ~~some~~ a newspaper having a general circulation in
3 the city, the first publication to be not less than fifteen (15) days before
4 the date set for the election.

5 (ii) No other notice of the election ~~shall be~~ is
6 necessary.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/M. Johnson