

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

ACT 707 OF 1997  
SENATE BILL 502

4  
5 By: Senators Roebuck and Malone  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO AMEND ARKANSAS CODE 14-43-303 TO CLARIFY THE  
10 PROCEDURE FOR ELECTING THE MAYOR AND OTHER OFFICIALS OF A  
11 CITY WHICH HAS A MAYOR-COUNCIL FORM OF GOVERNMENT AND  
12 WHICH FIRST ATTAINS A POPULATION OF 50,000 OR MORE  
13 ACCORDING TO A FEDERAL CENSUS COMPLETED AFTER JANUARY 1,  
14 1997; AND FOR OTHER PURPOSES."

## Subtitle

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16  
17 "ELECTION OF OFFICIALS IN CITIES WITH  
18 MAYOR-COUNCIL FORM OF GOVERNMENT WHICH  
19 FIRST ATTAIN A POPULATION OF 50,000 OR  
20 MORE AFTER JANUARY 1, 1997."  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. It is found and determined by the General Assembly that  
25 there is some disagreement as to whether the term "latest federal census" in  
26 Arkansas Code 14-43-303 means a federal decennial census or includes a special  
27 federal census and it is the purpose of this act to assure that a special  
28 federal census is included.

29 It is further found and determined by the General Assembly that one or  
30 more cities in the State will first attain a population of 50,000 soon after  
31 January 1, 1997; that the mayor and some other officials of such city or  
32 cities were elected to terms of four (4) years at the 1994 general election  
33 and their terms will expire at the end of 1998; that under the current law  
34 relating to election of the mayor and some other city officials in cities  
35 having a population of 50,000 or more such officials are required to be  
36 elected to four-year terms at the quadrennial general election which means

1 that there will be a two-year period between the normal expiration of their  
 2 current terms and the quadrennial general election at which the officers are  
 3 required by current law to be elected for four-year terms; that this situation  
 4 may occur repeatedly in the future as new cities attain a population of  
 5 50,000; that the primary options are to either extend the terms by two (2)  
 6 years in order that the terms will expire at the appropriate time to be filled  
 7 at the next quadrennial general election or to reduce the four-year terms  
 8 immediately before the quadrennial election year to two (2) years; that it  
 9 appears more equitable to extend the four-year terms to six-year terms than to  
 10 cut terms short to accommodate the election schedule prescribed in Arkansas  
 11 Code 14-43-303(a). It is therefore the intent and purpose of this act to  
 12 provide for the extension of such terms of office to accommodate the election  
 13 schedule currently provided by law for such offices.

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15 SECTION 2. Arkansas Code 14-43-303(a)(1) is amended to read as  
 16 follows:

17 "(a)(1)(A) In the general election in the year 1960, and every  
 18 four (4) years thereafter, cities of the first class which have a  
 19 population of fifty thousand (50,000) persons or more, according to the  
 20 latest decennial federal census or special federal census, and which  
 21 also have the mayor-council form of government shall elect the following  
 22 officials:

- 23 (i) One (1) mayor;
  - 24 (ii) One (1) city clerk; and
  - 25 (iii) One (1) alderman from each ward of the city.
- 26 (B) All of these officials shall hold office for a term of four  
 27 (4) years and until their successors are elected and qualified."

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29 SECTION 3. Arkansas Code 14-43-303 is amended by adding a new  
 30 subdivision at the end thereof to read as follows:

31 "(d) If a city first attains a population of 50,000 as shown in a  
 32 decennial federal census or special federal census completed after  
 33 January 1, 1997, and the mayor or other elected official of such city  
 34 last elected before the census was elected to a four-year term and such  
 35 term will expire two (2) years before the quadrennial general election  
 36 year at which city officials are elected as provided in subsection (a)

1 of this section, the terms of such officials shall be extended for a  
2 period of two (2) years in order that the terms will coincide with the  
3 next quadrennial general election year. At that quadrennial general  
4 election and at each quadrennial general election thereafter, the mayor  
5 and such other municipal officials shall be elected to terms of four (4)  
6 years as provided in this section. The provisions of this subdivision  
7 shall not affect in any way the provisions of this section which provide  
8 for staggering the terms of office of aldermen so that one alderman will  
9 be elected from each ward every two (2) years."

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11 SECTION 4. All provisions of this act of a general and permanent  
12 nature are amendatory to the Arkansas Code of 1987 Annotated and the  
13 Arkansas Code Revision Commission shall incorporate the same in the  
14 Code.

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16 SECTION 5. If any provision of this act or the application  
17 thereof to any person or circumstance is held invalid, such invalidity  
18 shall not affect other provisions or applications of the act which can  
19 be given effect without the invalid provision or application, and to  
20 this end the provisions of this act are declared to be severable.

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22 SECTION 6. All laws and parts of laws in conflict with this act  
23 are hereby repealed.

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25 APPROVED:3-20-97  
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