

1 State of Arkansas *As Engrossed: H2/26/15 H3/10/15*
2 90th General Assembly
3 Regular Session, 2015

HJR 1027

4
5 By: Representative Ladyman

6
7 **HOUSE JOINT RESOLUTION**

8 PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION
9 CONCERNING ELECTED COUNTY OFFICIALS; INCREASING THE
10 LENGTH OF TERMS OF CIRCUIT CLERKS, COLLECTORS OF
11 TAXES, COUNTY CLERKS, COUNTY JUDGES, COUNTY SHERIFFS,
12 COUNTY ASSESSORS, COUNTY CORONERS, COUNTY TREASURERS,
13 *AND COUNTY SURVEYORS FROM TWO (2) YEARS TO FOUR (4)*
14 *YEARS; AND PROVIDING THAT* CERTAIN COUNTY OFFICERS
15 SHALL NOT BE APPOINTED OR ELECTED TO A CIVIL OFFICE
16 DURING THEIR ELECTED TERM.

17
18
19 **Subtitle**

20 PROPOSING AN AMENDMENT TO THE ARKANSAS
21 CONSTITUTION CONCERNING ELECTED COUNTY
22 OFFICIALS.

23
24
25 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL
26 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL
27 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

28
29 That the following is proposed as an amendment to the Constitution of
30 the State of Arkansas, and upon being submitted to the electors of the state
31 for approval or rejection at the next general election for Representatives
32 and Senators, if a majority of the electors voting thereon at the election
33 adopt the amendment, the amendment shall become a part of the Constitution of
34 the State of Arkansas, to wit:

35
36 SECTION 1. Section 19 of Article 7 of the Arkansas Constitution is



1 amended to read as follows:

2 § 19. Circuit clerks – Election – Term of office – ~~Ex-officio~~ Ex
3 officio duties – County clerks elected in certain counties.

4 The clerks of the circuit courts shall be elected by the qualified
5 electors of the several counties for the term of ~~two~~ four (4) years, and
6 shall be ~~ex-officio~~ ex officio clerks of the county and probate courts and
7 recorder; provided, that in any county having a population exceeding fifteen
8 thousand (15,000) inhabitants, as shown by the last Federal census, there
9 shall be elected a county clerk, in like manner as the clerk of the circuit
10 court, for the term of four (4) years, and in such case the county clerk
11 shall be ~~ex-officio~~ ex officio clerk of the probate court of such county
12 until otherwise provided by the General Assembly.

13

14 SECTION 2. Section 29 of Article 7 of the Arkansas Constitution is
15 amended to read as follows:

16 § 29. County judge – Election – Term – Qualifications.

17 The Judge of the County Court shall be elected by the qualified
18 electors of the county for the term of ~~two~~ four (4) years. He or she shall
19 be at least twenty-five (25) years of age, a citizen of the United States, a
20 ~~man~~ an individual of upright character, of good business education, and a
21 resident of the State for two (2) years before his or her election; and a
22 resident of the county at the time of his or her election, and during his or
23 her continuance in office

24

25 SECTION 3. Section 46 of Article 7 of the Arkansas Constitution is
26 amended to read as follows:

27 § 46. County executive officers – Compensation of county assessor.

28 The qualified electors of each county shall elect one (1) Sheriff, who
29 shall be ~~ex-officio~~ ex officio collector of taxes, unless otherwise provided
30 by law; one (1) Assessor, one (1) Coroner, one (1) Treasurer, who shall be
31 ~~ex-officio~~ ex officio treasurer of the common school fund of the county, and
32 one (1) County Surveyor; for the term of ~~two~~ four (4) years, with such duties
33 as are now or may be prescribed by law: Provided, that no per centum shall
34 ever be paid to assessors upon the valuation or assessment of property by
35 them. If a separate collector of taxes has been created by law for a county,
36 the qualified electors of that county shall elect one (1) collector of taxes

1 for a term of four (4) years, with duties as provided by law.

2
3 SECTION 4. Article 7 of the Arkansas Constitution is amended to add an
4 additional section to read as follows:

5 § 53. County officers ineligible to civil office.

6 A person elected or appointed to the following county offices shall
7 not, during the term for which he or she shall have been elected, be
8 appointed or elected to any civil office under this state:

9 (1) County judge;

10 (2) Justice of the Peace;

11 (3) Sheriff;

12 (4) Circuit clerk;

13 (5) County clerk;

14 (6) Assessor;

15 (7) Coroner;

16 (8) Treasurer;

17 (9) County Surveyor; or

18 (10) Collector of Taxes.

19
20 SECTION 5. Amendment 41 of the Arkansas Constitution is amended to
21 read as follows:

22 Election of county clerk.

23 The provisions for the election of a County Clerk upon a population
24 basis are hereby abolished and there may be elected a County Clerk in like
25 manner as a Circuit Clerk, for the term of four (4) years, and in such cases,
26 the County Clerk may be ex officio Clerk of the Probate Court of such county
27 until otherwise provided by the General Assembly.

28
29 SECTION 6. EFFECTIVE DATE. (a) This amendment shall become effective
30 on and after January 1, 2017.

31 (b) Persons elected to the following offices at the 2016 general
32 election shall serve terms of two (2) years:

33 (1) County Judge;

34 (2) Sheriff;

35 (3) Circuit Clerk;

36 (4) County Clerk;

