

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1331

By: Representative Milligan

## For An Act To Be Entitled

AN ACT TO AMEND VARIOUS MUNICIPAL STATUTES FOR  
CONSISTENCY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND VARIOUS MUNICIPAL STATUTES FOR  
CONSISTENCY.

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

SECTION 1. Arkansas Code § 14-44-106 is amended to read as follows:  
14-44-106. Vacancy in ~~mayor's~~ office.

If a vacancy occurs in the office of mayor, marshal, recorder,  
treasurer, or recorder-treasurer in any city of the second class, at the  
first regular meeting after the occurrence of the vacancy, the city council  
shall proceed to ~~either~~ elect a person to fill the vacancy either by a  
majority vote of the council members ~~a mayor to serve the unexpired term~~ or  
by a call for a special election to be held in accordance with § 7-11-101 et  
seq. ~~to fill the vacancy. At this election, a mayor shall be elected to serve~~  
~~the unexpired term.~~

SECTION 2. Arkansas Code § 14-44-112 is repealed.  
~~14-44-112. Vacancy in marshal's office.~~

~~If a vacancy occurs in the office of marshal in any city of the second~~  
~~class, at the first regular meeting after the occurrence of the vacancy, the~~  
~~city council shall proceed to elect by a majority vote of all the council~~  
~~members a marshal to serve for the unexpired term.~~



SECTION 3. Arkansas Code § 14-44-116 is repealed.

~~14-44-116. Vacancy in office of recorder, treasurer, or recorder-treasurer.~~

~~If a vacancy occurs in the office of recorder, treasurer, or recorder-treasurer in any city of the second class, at the first regular meeting after the occurrence of the vacancy, the city council shall elect by a majority vote of all the council members a person to serve for the unexpired term.~~

SECTION 4. Arkansas Code § 14-45-103, concerning vacancies in an incorporated town, is amended to add an additional subsection to read as follows:

(d) When a vacancy occurs in the office of marshal in an incorporated town and the marshal was elected under § 14-45-109, at the first regular meeting after the occurrence of the vacancy the town council shall elect by a majority vote of the town council a marshal to serve for the unexpired term.

SECTION 5. Arkansas Code § 14-45-105(a), concerning the powers of a mayor in an incorporated town, is amended to read as follows:

(a) The mayor in an incorporated ~~towns~~ town shall ~~be:~~

(1) Be ex officio president of the town council, shall preside;

(2) Preside at its the town council's meetings, and shall have;

and

(3) Have a vote when the mayor's vote is needed to pass;

(A) Pass any ordinance, bylaw, resolution, order, or

motion; or

(B) Establish a quorum of the town council.

APPROVED: 3/15/21