

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

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/20/13
A Bill

HOUSE BILL 1888

By: Representatives E. Armstrong, Hodges, Hawthorne, Gossage, D. Whitaker, McGill, Holcomb
By: Senator S. Flowers

For An Act To Be Entitled

AN ACT CONCERNING PLANNING FOR AN ABSENTEE MAYOR IN
CITIES OF THE FIRST CLASS, CITIES OF THE SECOND
CLASS, AND INCORPORATED TOWNS; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING PLANNING FOR AN ABSENTEE MAYOR
IN CITIES OF THE FIRST CLASS, CITIES OF
THE SECOND CLASS, AND INCORPORATED TOWNS.

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

SECTION 1. Arkansas Code § 14-43-501(b), concerning the organization of the city council in a city of the first class, is amended to read as follows:

(b)(1)(A) The mayor shall be ex officio president of the city council and shall preside at its meetings.

(B) The mayor shall have a vote to establish a quorum of the city council at any regular meeting of the city council and when his or her vote is needed to pass any ordinance, bylaw, resolution, order, or motion.

(2) In the absence of the mayor, the city council shall elect a president pro tempore to preside over council meetings.

(3) If the mayor is unable to perform the duties of office or cannot be located, ~~the city clerk or other elected official of the city, if designated by the mayor, may perform all functions of a mayor during the~~



~~disability or absence of the mayor~~ one (1) of the following may perform all functions of a mayor during the disability or absence of the mayor:

(A) The city clerk;

(B) Another elected official of the city if designated by the mayor; or

(C) An unelected employee or resident of the city if designated by the mayor and approved by the city council.

SECTION 2. Arkansas Code § 14-44-107, concerning powers of the mayor in cities of the second class, is amended to add an additional subsection to read as follows:

(c) If the mayor is unable to perform the duties of office or cannot be located, one (1) of the following may perform all functions of a mayor during the disability or absence of the mayor:

(1) The recorder;

(2) Another elected official of the city if designated by the mayor; or

(3) An unelected employee or resident of the city if designated by the mayor and approved by the city council.

SECTION 3. Arkansas Code § 14-45-105, concerning powers of the mayor in incorporated towns, is amended to add an additional subsection to read as follows:

(c) If the mayor is unable to perform the duties of office or cannot be located, one (1) of the following may perform all functions of a mayor during the disability or absence of the mayor:

(1) The recorder;

(2) Another elected official of the city if designated by the mayor; or

(3) An unelected employee or resident of the city if designated by the mayor and approved by the city council.

SECTION 4. Arkansas Code § 14-42-111 is repealed.

~~14-42-111. Mayor of city of the second class or town unable to perform duties.~~

~~Whenever the mayor of an incorporated town or city of the second class~~

~~*is unable to perform the functions of his office, or is absent and cannot be obtained, the recorder of the town or city shall be authorized and empowered to perform the functions of a magistrate during the disability or absence of the mayor, with all the power and jurisdiction of the mayor, to all intents and purposes whatever.*~~

/s/E. Armstrong