

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

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

SENATE BILL 228

By: Senator Irvin
By: Representative B. Overbey

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE ORGANIZATIONAL
PROCEDURES OF CITY COUNCILS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE
ORGANIZATIONAL PROCEDURES OF CITY
COUNCILS.

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

SECTION 1. Arkansas Code § 14-43-501 is amended to read as follows:

14-43-501. Organization of ~~city council~~ governing body.

(a)(1) The ~~aldermen~~ members of a governing body elected for each city or town shall annually, ~~at the first council meeting~~ in January, assemble and organize the ~~city council~~ governing body.

(2)(A) A majority of the whole number of ~~aldermen~~ members of a governing body constitutes a quorum for the transaction of business.

(B)(i) ~~They~~ The governing body shall ~~be judges of~~ judge the election returns and ~~of~~ the qualifications of ~~their~~ its own members.

(ii) These judgments of the governing body are not subject to veto by the mayor.

(C)(i) ~~They~~ The governing body shall determine the rules of ~~their~~ its proceedings and keep a journal of ~~their~~ its proceedings, ~~which~~ and the journal shall be open to the inspection and examination of any citizen.

(ii) ~~They~~ The governing body may also compel the



attendance of absent members in such a manner and under such penalties as ~~they shall think fit to prescribe~~ it prescribes.

(iii) ~~They~~ The governing body may consider the passage of rules on the following subjects, including without limitation:

- (a) The agenda for meetings;
- (b) The filing of resolutions and ordinances;

and

- (c) Citizen commentary.

(b)(1)(A) ~~The~~ In a mayor-council form of government, 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 or special 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, one (1) of the following individuals 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.

(c) As used in this section, "governing body" means the city council in a mayor-council form of government, the board of directors in a city manager form of government, and the board of directors in a city administrator form of government.