

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

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S2/25/15 S3/11/15

SJR 5

By: Senator B. King

SENATE JOINT RESOLUTION

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

Subtitle

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

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

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

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



amended to read as follows:

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

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

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

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

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

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

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

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

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

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

§ 53. County officers ineligible to civil office.

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

- (1) County judge;
- (2) Justice of the Peace;
- (3) Sheriff;
- (4) Circuit clerk;
- (5) County clerk;
- (6) Assessor;
- (7) Coroner;
- (8) Treasurer;
- (9) County Surveyor; or
- (10) Collector of Taxes.

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

Election of county clerk.

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

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

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

- (1) County Judge;*
- (2) Sheriff;*
- (3) Circuit Clerk;*
- (4) County Clerk;*

- (5) Assessor;
- (6) Coroner;
- (7) Treasurer;
- (8) County Surveyor; and
- (9) Collector of Taxes.

(c) Persons elected to the following offices at the 2018 general election shall serve terms of four (4) years:

- (1) County Judge;
- (2) Sheriff;
- (3) Circuit Clerk;
- (4) County Clerk;
- (5) Assessor;
- (6) Coroner;
- (7) Treasurer;
- (8) County Surveyor; and
- (9) Collector of Taxes.

SECTION 7. BALLOT TITLE AND POPULAR NAME. When this proposed amendment is submitted to the electors of this state on the general election ballot:

(1) The title of this joint resolution shall be the ballot title; and

(2) The popular name shall be "A Constitutional Amendment Concerning Elected County Officials".

/s/B. King