

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

State of Arkansas
92nd General Assembly
Regular Session

A Bill

HOUSE BILL 1025

By: Representative Rye

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE NUMBER OF
VOTING CENTERS IN A CITY OF THE SECOND CLASS; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE NUMBER OF
VOTING CENTERS IN A CITY OF THE SECOND
CLASS.

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

SECTION 1. Arkansas Code § 14-44-103 is amended to read as follows:
14-44-103. Election of council members.

(a)(1) Except as provided under subdivision ~~(a)(3)~~ (a)(4) of this section, on the Tuesday following the first Monday in November 1982, and every two (2) years thereafter, the qualified voters in cities of the second class shall elect for each of the wards of these cities two (2) council members, who shall compose the city council.

(2) The qualified electors of every city of the second class shall elect from each ward of the city two (2) council members, who shall be designated as "council member number one" and "council member number two" of the ward.

(3)(A) A candidate for the office of council member shall designate the number of the council member's office that the candidate is seeking on the petition filed pursuant to § 14-42-206.

(B) When this designation has been made, the candidate shall not be permitted thereafter to change the designation on that petition.



(C) The county clerk shall not accept a petition for filing that does not designate the number of the office of council member sought.

(D) Each city shall maintain in its records a document showing the name of each council member and the number of the office which the candidate holds.

(4)(A) The city council of a city of the second class may refer to voters an ordinance on the question of electing the two (2) council members for each ward to four-year terms.

(B) The voters shall vote on the ordinance at a general election or at a special election called for that purpose by proclamation of the mayor in accordance with § 7-11-201 et seq. However, the election to approve the four-year election procedure shall be held no later than February 1 of the year of the general election in which the procedure is proposed to be effective.

(5)(A) If this procedure is adopted by ordinance referred to and approved by the voters of the city, the initial term for the council member designated as "council member number one" of each ward shall be a four-year term at the next general election.

(B) The initial term for the council member designated as "council member number two" of each ward shall be a two-year term at the next general election, and thereafter shall be a four-year term, resulting in staggered terms for the ward.

(6)(A) The city council may refer to voters an ordinance on the question of returning the city to electing council members to two-year terms using the procedures of subdivisions (a)(4)-(7) of this section.

(B) If the voters approve returning a city to two-year terms, all council members shall be elected to two-year terms at the next general election and thereafter.

(7) The city council may not refer to voters another question on electing council members to four-year terms or on returning the city to electing council members to two-year terms unless at least four (4) years have passed since the last election on changing the council members' terms.

(b)(1)(A) A candidate for the office of council member in a city of the second class shall reside in the ward from which he or she seeks to be elected and shall run for election at large, except if the council member is

elected by ward under subsection (c) of this section.

(B) All of the qualified electors of the city may vote in the election.

~~(C)(i) Except as provided in subdivision (b)(1)(C)(ii) of this section, the election commissioners in the city shall ensure that the qualified electors of each ward have at least one (1) voting precinct in each ward where the resident electors of the ward may cast their ballots.~~

~~(ii) Subdivision (b)(1)(C)(i) of this section does not apply if the county board of election commissioners of the county in which the city is situated has established vote centers under § 7-5-101.~~

(2) If any duly elected council member shall cease to reside in the ward from which he or she was elected, that person shall be disqualified to hold the office and a vacancy shall exist, which shall be filled as prescribed by law.

(c)(1)(A) The city council of any such city may provide by ordinance that all council members be elected by ward, in which event each council member shall be voted upon by the qualified electors of the ward from which the person is a candidate.

(B)(i) When provided by city ordinance, the name of the candidate shall appear upon the ballot only in the ward in which he or she is a candidate.

(ii) The city council of these cities may provide for the election of one (1) council member from each ward citywide and the other council members from each ward by the voters of the ward only.

(2) All such cities choosing to elect all council members by wards or in part by wards shall provide, in the manner provided by law, for the establishment of wards of substantially equal population in order that each council member elected from each ward shall represent substantially the same number of people in the city.

~~(d) Cities of the second class that elect their council members citywide may have one (1) public place only for holding elections.~~