

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

State of Arkansas As Engrossed: S2/5/19 S2/11/19 S4/4/19 H4/9/19

92nd General Assembly

# A Bill

Regular Session, 2019

SENATE BILL 179

By: Senator M. Johnson

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CERTAIN TERMS OF OFFICE AND THE REORGANIZATION OF MUNICIPAL GOVERNMENT; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING CERTAIN TERMS OF OFFICE AND THE REORGANIZATION OF MUNICIPAL GOVERNMENT.

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

*SECTION 1. Arkansas Code § 14-43-303(a), concerning officials in mayor-council cities of 50,000 or more, is amended to add an additional subdivision to read as follows:*

*(3) The governing body of a city in transition to the mayor-council form of government may provide by ordinance that the mayor, city clerk, city attorney, and city treasurer shall be elected on the same date and every four (4) years thereafter.*

*SECTION 2 Arkansas Code § 14-47-107(a), concerning a subsequent election in a city manager form of government on changing to a mayor-council form of government, is amended to read as follows:*

*(a)(1)(A) After the expiration of six (6) years ~~after~~ from the date on which the first board of directors takes office in a city organized under this chapter, a petition may be presented to the mayor by the board of directors by ordinance, ~~It shall be, or by petition~~ signed by electors equal in number to fifteen percent (15%) of the aggregate number of ballots casts*



for the position of mayor in the immediately preceding mayoral general election.

(B) ~~Whereupon~~ Upon the receipt of a petition under this subdivision (a)(1), the mayor by proclamation shall submit the question of organization of the city under the mayor-council form of government at a special election to be held in accordance with § 7-11-201 et seq.

(2)(A) The proclamation shall be published at length one (1) time in ~~some~~ a newspaper published in the city.

(B)(i) Notice of the election shall be published in ~~some~~ a newspaper published in the city one (1) time a week for two (2) weeks, the first publication to be not less than fifteen (15) days before the date set for the election.

(ii) No other notice of the election ~~shall be~~ is necessary.

SECTION 3. Arkansas Code § 14-47-107(e), concerning a subsequent election in a city manager form of government on changing to a mayor-council form of government, is amended to read as follows:

(e)(1) ~~If~~ Except as provided in subdivision (e)(2) of this section, if the majority of the votes cast on the issue are in favor ~~thereof~~ of organization of the city under the mayor-council form of government, the city shall ~~thereupon~~ proceed to the election of all of the city officials who were subject to election in the city immediately ~~prior to~~ before the date on which the city was organized under the management form of city government.

(2) At the time the reorganization is effective under this chapter:

(A) The mayor shall continue in office until the remainder of his or her term of office; and

(B) A member of the city board of directors shall become a member of the city council and shall continue in office until the remainder of his or her term of office.

(3) In a city that has a population of more than one hundred thousand (100,000) persons according to the most recent federal decennial census:

(A) A person who is on the ballot in 2020 to become a member of the city council shall serve a term of two (2) years if elected; and

(B) At the 2022 General Election, the newly elected city council members shall draw initial two-year or four-year terms to result in staggered four-year terms.

SECTION 4. Arkansas Code § 14-48-105(b), concerning the procedure of changing to another form of government in a city administrator form of government, is amended to read as follows:

(b)(1)(A)(i) After the expiration of four (4) years from the date on which the first board of directors and mayor take office in a city organized under this chapter, a petition signed by electors equal in number to fifteen percent (15%) of the aggregate number of ballots cast for all candidates for mayor in the preceding general election may be presented to the mayor, calling for an election to consider any other form of municipal government authorized by the laws of this state.

(ii) As an alternative to the petition presented to the mayor by electors under subdivision (b)(1)(A)(i) of this section, a petition may be presented to the mayor by the board of directors by ordinance.

(B) At the time the reorganization is effective under this chapter:

(i) The mayor shall continue in office until the remainder of his or her term of office; and

(ii) The member of the city board of directors shall become a member of the governing body and shall continue in office until the remainder of his or her term of office.

(2)(A)(i) ~~Thereupon~~ Upon the receipt of a petition under subdivision (b)(1)(A) of this section, the mayor by proclamation in accordance with § 7-11-201 et seq. shall submit the question of organization of the city under the form of government stated in the petition at a special election to be held at a time specified therein.

(ii) The proclamation shall be published one (1) time at length in ~~some~~ a newspaper having a general circulation in the city.

(B)(i) Notice of the election shall be published one (1) time a week for two (2) weeks in ~~some~~ a newspaper having a general circulation in the city, the first publication to be not less than fifteen (15) days before the date set for the election.

(ii) No other notice of the election ~~shall be~~ is necessary.

*/s/M. Johnson*