

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

State of Arkansas
93rd General Assembly
Regular Session

A Bill

HOUSE BILL 1018

By: Representative Rye

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE ELECTION OF A
MUNICIPAL CHIEF OF POLICE OR CITY OR TOWN MARSHAL;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE ELECTION
OF A MUNICIPAL CHIEF OF POLICE OR CITY
OR TOWN MARSHAL.

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

SECTION 1. Arkansas Code § 14-42-110(a), concerning the appointment and removal of municipal department heads, is amended to read as follows:

(a)(1) ~~Mayors~~ Except as otherwise provided in this section, mayors in cities of the first class and second class and incorporated towns shall have the power to appoint and remove all department heads, including city and town marshals ~~when~~ if an ordinance has been passed making city and town marshals appointed, unless the city or town council shall vote by a two-thirds majority of the total membership of the council to override the mayor's action.

(2)(A) ~~Provided, however, that in~~ In cities of the first class and second class with civil service commissions, the governing body of the city may delegate by ordinance the authority to appoint and remove the heads of the police and fire departments to the city's civil service commission.

(B) In an incorporated town or in a city of the first class or a city of the second class without a civil service commission, the chief of police or city or town marshal is an elected position.



SECTION 2. Arkansas Code Title 14, Chapter 43, Subchapter 3, is amended to add an additional section to read as follows:

14-43-320. Chief of police.

(a)(1) The chief of police shall be elected by the qualified electors of the municipality in the same manner as other municipal officials are elected.

(2) At the November 2022 general election and each four (4) years thereafter, the qualified electors of each municipality under this section shall elect a chief of police to take office on the next following January 1 to serve for a term of four (4) years.

(b) A person elected as chief of police under this section shall perform such duties, possess such qualifications, employ such staff, and be paid such salary and expenses as may be established by ordinance of the governing body of the municipality.

SECTION 3. Arkansas Code § 14-44-111 is amended to read as follows:

14-44-111. Election or appointment of marshal.

The city marshal of cities of the second class shall be elected by the voters as provided by law. However, the city council of any such city, if the council deems it to be in the best interests of the city, and upon passage of an ordinance by the majority of the council, may provide that the marshal shall be appointed or removed by the mayor unless the council shall vote by a two-thirds majority of the total membership of the council to override the mayor's action.