

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1786

By: Representative Bryant

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING RUNOFF
ELECTIONS FOR COUNTY AND MUNICIPAL OFFICERS; TO AMEND
ARKANSAS ELECTION LAWS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING RUNOFF
ELECTIONS FOR COUNTY AND MUNICIPAL
OFFICERS; AND TO AMEND ARKANSAS ELECTION
LAWS.

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

SECTION 1. Arkansas Code § 7-5-106(a), concerning runoff elections for county and municipal officers, is amended to read as follows:

(a)~~(1)~~ If there are more than two (2) candidates for election to ~~any~~ a municipal elected office or county elected office, including the office of justice of the peace, at any general election held in this state and no candidate for the municipal elected office or county elected office receives a majority of the votes cast for the municipal elected office or county elected office, there shall be a runoff general election held in that municipality or county four (4) weeks following the date of the general election at which the names of the two (2) candidates receiving the highest number of votes, but not a majority, shall be placed on the ballot to be voted upon by the qualified electors of the municipality or county.

~~(2)(A) The following procedure will govern if there are more than two (2) candidates for election to any municipal office at any general election held in this state in which no candidate for the municipal office~~



~~receives either:~~

~~(i) A majority of the votes cast; or~~

~~(ii) A plurality of forty percent (40%) of the votes~~

~~east.~~

~~(B)(i) A candidate who receives a plurality of forty percent (40%) of the votes cast must obtain at least twenty percent (20%) more of the votes cast than the second place candidate for the municipal office to avoid a runoff general election against the second place candidate.~~

~~(ii) If required, the runoff general election between the two (2) candidates shall be held in that municipality four (4) weeks following the date of the general election with the names of the two (2) candidates placed on the ballot to be voted upon by the qualified electors of the municipality.~~

SECTION 2. Arkansas Code § 7-5-106(d), concerning runoff elections for county and municipal officers, is amended to read as follows:

(d) If one (1) of the two (2) candidates who received the highest number of votes for a county elected office or a municipal office but not a majority of the votes in a county for a county elected office or ~~either a majority or both forty percent (40%) of the votes cast and at least twenty percent (20%) more of the votes cast than the second place candidate~~ the highest number of votes for a municipal elected office but not a majority of the votes in a municipality for a municipal office in the general election withdraws before certification of the result of the general election, the remaining candidate who received the most votes at the general election shall be declared elected to the county elected office or municipal office and there shall be no runoff general election.