

1 State of Arkansas
2 92nd General Assembly
3 Regular Session
4
5 By: Representative Rye
6

A Bill

HOUSE BILL 1025

For An Act To Be Entitled

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

Subtitle

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13 TO AMEND THE LAW CONCERNING THE NUMBER OF
14 VOTING CENTERS IN A CITY OF THE SECOND
15 CLASS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 14-44-103 is amended to read as follows:
22 14-44-103. Election of council members.

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

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

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

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



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

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

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

10 (B) The voters shall vote on the ordinance at a general
11 election or at a special election called for that purpose by proclamation of
12 the mayor in accordance with § 7-11-201 et seq. However, the election to
13 approve the four-year election procedure shall be held no later than February
14 1 of the year of the general election in which the procedure is proposed to
15 be effective.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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