

1 State of Arkansas
2 93rd General Assembly
3 Regular Session
4
5 By: Representative Rye
6

A Bill

HOUSE BILL 1018

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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



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

4 14-43-320. Chief of police.

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

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

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

16
17 SECTION 3. Arkansas Code § 14-44-111 is amended to read as follows:

18 14-44-111. Election or appointment of marshal.

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