

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1786

5 By: Representative Bryant  
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## For An Act To Be Entitled

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

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14 TO AMEND ARKANSAS LAW CONCERNING RUNOFF  
15 ELECTIONS FOR COUNTY AND MUNICIPAL  
16 OFFICERS; AND TO AMEND ARKANSAS ELECTION  
17 LAWS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 7-5-106(a), concerning runoff elections for  
23 county and municipal officers, is amended to read as follows:

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

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



1 ~~receives either:~~

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

3 ~~(ii) A plurality of forty percent (40%) of the votes~~  
 4 ~~east.~~

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

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

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

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

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