

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/5/19 S2/11/19

A Bill

SENATE BILL 179

5 By: Senator M. Johnson
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING CERTAIN TERMS OF
9 OFFICE AND THE REORGANIZATION OF MUNICIPAL
10 GOVERNMENT; AND FOR OTHER PURPOSES.
11

Subtitle

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14 TO AMEND THE LAW CONCERNING CERTAIN TERMS
15 OF OFFICE AND THE REORGANIZATION OF
16 MUNICIPAL GOVERNMENT.
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18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 14-47-107(a), concerning a subsequent*
22 *election in a city manager form of government on changing to a mayor-council*
23 *form of government, is amended to read as follows:*

24 *(a)(1)(A) After the expiration of six (6) years ~~after~~ from the date on*
25 *which the first board of directors takes office in a city organized under*
26 *this chapter, a petition may be presented to the mayor by the electors under*
27 *subdivision (a)(1)(B)(i) of this section or by the board of directors under*
28 *subdivision (a)(1)(B)(ii) of this section.*

29 *(B)(i) ~~It~~ A petition brought by the electors shall be*
30 *signed by electors equal in number to fifteen percent (15%) of the aggregate*
31 *number of ballots cast for the position of mayor in the immediately preceding*
32 *mayoral general election.*

33 *(ii) A petition brought by the board of directors*
34 *shall be by ordinance.*

35 *(C) ~~Whereupon~~ Upon the receipt of a petition under this*
36 *subdivision (a)(1), the mayor by proclamation shall submit the question of*



1 organization of the city under the mayor-council form of government at a
2 special election to be held in accordance with § 7-11-201 et seq.

3 (2)(A) The proclamation shall be published at length one (1)
4 time in ~~some~~ a newspaper published in the city.

5 (B)(i) Notice of the election shall be published in ~~some~~ a
6 newspaper published in the city one (1) time a week for two (2) weeks, the
7 first publication to be not less than fifteen (15) days before the date set
8 for the election.

9 (ii) No other notice of the election ~~shall be~~ is
10 necessary.

11

12 SECTION 2. Arkansas Code § 14-47-107(e), concerning a subsequent
13 election in a city manager form of government on changing to a mayor-council
14 form of government, is amended to read as follows:

15 (e)(1) ~~If~~ Except as provided in subdivision (e)(2) of this section, if
16 the majority of the votes cast on the issue are in favor ~~thereof~~ of
17 organization of the city under the mayor-council form of government, the city
18 shall ~~thereupon~~ proceed to the election of all of the city officials who were
19 subject to election in the city immediately ~~prior to~~ before the date on which
20 the city was organized under the management form of city government.

21 (2) If a mayor or member of a city board of directors has served less
22 than two (2) years into the term of office at the time the reorganization is
23 effective under this chapter:

24 (A) The mayor shall continue in office until the remainder
25 of his or her term of office; and

26 (B) A member of the city board of directors shall become a
27 member of the city council and shall continue in office until the remainder
28 of his or her term of office.

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30 SECTION 3. Arkansas Code § 14-48-105(b), concerning the procedure of
31 changing to another form of government in a city administrator form of
32 government, is amended to read as follows:

33 (b)(1)(A)(i) After the expiration of four (4) years from the date on
34 which the first board of directors and mayor take office in a city organized
35 under this chapter, a petition signed by electors equal in number to fifteen
36 percent (15%) of the aggregate number of ballots cast for all candidates for

1 mayor in the preceding general election may be presented to the mayor,
2 calling for an election to consider any other form of municipal government
3 authorized by the laws of this state.

4 (ii) As an alternative to the petition presented to
5 the mayor by electors under subdivision (b)(1)(A)(i) of this section, a
6 petition may be presented to the mayor by the board of directors by
7 ordinance.

8 (B) If a mayor or a member of a city board of directors
9 has served less than two (2) years into the term of office at the time the
10 reorganization is effective under this chapter:

11 (i) The mayor shall continue in office until the
12 remainder of his or her term of office; and

13 (ii) The member of the city board of directors shall
14 become a member of the governing body and shall continue in office until the
15 remainder of his or her term of office.

16 (2)(A)(i) ~~Thereupon~~ Upon the receipt of a petition under subdivision
17 (b)(1)(A) of this section, the mayor by proclamation in accordance with § 7-
18 11-201 et seq. shall submit the question of organization of the city under
19 the form of government stated in the petition at a special election to be
20 held at a time specified therein.

21 (ii) The proclamation shall be published one (1) time at
22 length in ~~some~~ a newspaper having a general circulation in the city.

23 (B)(i) Notice of the election shall be published one (1) time a
24 week for two (2) weeks in ~~some~~ a newspaper having a general circulation in
25 the city, the first publication to be not less than fifteen (15) days before
26 the date set for the election.

27 (ii) No other notice of the election ~~shall be~~ is
28 necessary.

31 /s/M. Johnson