

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1705

5 By: Representatives J. Roebuck, Slinkard  
6 By: Senator P. Malone  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING REMOVAL OF CERTAIN  
10 ELECTED MUNICIPAL OFFICIALS; AND FOR OTHER PURPOSES.  
11

### Subtitle

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13 TO AMEND THE LAW CONCERNING REMOVAL OF  
14 CERTAIN ELECTED MUNICIPAL OFFICIALS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 14-42-119 is amended to read as follows:

21 14-42-119. Removal of certain elected municipal officials.

22 (a) A person who holds an elected office in a municipality for a term  
23 of four (4) years in a mayor-council form of government is subject to removal  
24 from the office by the electors qualified to vote for a successor of the  
25 incumbent.

26 (b) The procedure for the removal of a person holding the office is as  
27 follows:

28 (1)(A) When a petition requesting the removal of an officer  
29 under this section, signed by a number of qualified electors equal to twenty-  
30 five percent (25%), is filed with the ~~city~~ county clerk, the ~~city~~ county  
31 clerk shall determine the sufficiency of the petition within ten (10) days  
32 from the date of the filing.

33 (B) A petition shall be filed by 12:00 noon not more than  
34 ninety (90) days nor less than seventy (70) days before the next general  
35 election following the election at which the officer was elected;

36 (2) If the petition is deemed sufficient, the ~~city~~ county clerk



1 shall certify it to the county board of election commissioners;

2 (3) At the election, the question shall be submitted to the  
3 qualified electors in substantially the following form:

4 "FOR the removal of (name of officer) . . . . .  
5 . . . . . from the office of (name of office) . . . .  
6 . . . . . [ ]  
7 AGAINST the removal of (name of officer) . . . . .  
8 . . . . . from the office of (name of office) . . .  
9 . . . . . [ ]"; and

10 (4)(A)(i) If a majority of the qualified electors voting on the  
11 question at the election vote for the removal of the officer, a vacancy shall  
12 exist in the office.

13 (ii) The officer shall vacate the office immediately  
14 upon certification of the election.

15 (B) If a majority of the qualified electors voting on the  
16 question at the election vote against the removal of the officer, the officer  
17 shall continue to serve during the term for which he or she was elected.

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