

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H3/21/13

A Bill

HOUSE BILL 2017

5 By: Representative Bell
6

For An Act To Be Entitled

8 AN ACT TO ALLOW CERTAIN COUNTIES TO ELECT TO HOLD
9 NONPARTISAN ELECTIONS FOR SHERIFF; TO PROVIDE A
10 PROCEDURE FOR NONPARTISAN ELECTION OF SHERIFFS; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 *TO BE KNOWN AS THE NONPARTISAN LAW*
15 *ENFORCEMENT ACT OF 2013.*
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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 Title 14, Chapter 15, Subchapter 5, is*
22 *amended to add an additional section to read as follows:*

23 *14-15-506. Nonpartisan election of sheriffs in Class 1, 2, 3, or 4*
24 *counties.*

25 *(a)(1)(A) Except as provided under subdivision (a)(2) of this section,*
26 *the office of sheriff is a partisan office.*

27 *(B) The general election for sheriffs shall be held on the*
28 *same dates and at the same times and places as provided by law for a general*
29 *election.*

30 *(2)(A) The quorum court of a Class 1, 2, 3 or 4 county may adopt*
31 *a resolution to hold nonpartisan elections for the office of sheriff.*

32 *(B) The resolution shall be adopted no later than January*
33 *1 of the year of the next election for the office of sheriff.*

34 *(C) The resolution shall remain in effect until repealed*
35 *by the quorum court.*

36 *(D) The quorum court shall not repeal a resolution later*



1 than January 1 of the year of the next election for the office of sheriff.

2 (b)(1)(A) A nonpartisan candidate for sheriff shall file his or her
3 political practices pledge, affidavit of eligibility, and filing fee with the
4 county clerk during a one-week period ending at 12:00 noon on the first day
5 in March of the year in which the election is to be held.

6 (B) The filing fee for a nonpartisan candidate for sheriff
7 is equal to three percent (3%) of the annual salary of the office for which
8 the candidate is filing and shall be paid to the county clerk to be deposited
9 into a cash fund in the State Treasury and disbursed by the Department of
10 Finance and Administration for a grant to the Arkansas Sheriffs' Association
11 for grants to Arkansas Sheriffs' Youth Ranches.

12 (2)(A)(i) A person desiring to have his or her name placed on
13 the ballot as a nonpartisan candidate for sheriff without paying a filing fee
14 may do so by filing a petition with the county clerk signed by at least three
15 percent (3%) of the qualified electors residing within the county for which
16 the candidate seeks office.

17 (ii) In determining the number of qualified electors
18 in the county under subdivision (b)(2)(A)(i) of this section, the total
19 number of all votes cast in the county for Governor in the immediately
20 preceding general gubernatorial election shall be conclusive of the number of
21 qualified electors residing within the county.

22 (B) The petition, the political practices pledge, and the
23 affidavit of eligibility shall be filed during a one-week period ending at
24 12:00 noon thirty-one (31) days before the first day of the party filing
25 period.

26 (C) The county clerk shall verify the sufficiency of the
27 petition within thirty (30) days of filing.

28 (D) The sufficiency of a petition filed under this section
29 may be challenged in the same manner as election contests under § 7-5-801 et
30 seq.

31 (3) Votes for a write-in nonpartisan candidate for sheriff in an
32 election shall not be counted or tabulated unless the candidate or his or her
33 agent files notice in writing of his or her intention to be a write-in
34 candidate for sheriff to the county board of election commissioners and the
35 county clerk as required under § 7-5-205.

36 (c)(1) If one (1) nonpartisan candidate for sheriff does not receive a

1 majority of the votes cast in the general election, the two (2) candidates
2 receiving the highest number of votes cast for the office to be filled shall
3 be the nominees for the respective offices, to be voted on in a runoff
4 election under § 7-5-106.

5 (2) If the nonpartisan office of sheriff is unopposed, the
6 single candidate for sheriff shall be printed on the general election ballot
7 as other uncontested candidates, and the votes for sheriff shall be tabulated
8 as in other uncontested county races.

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/s/Bell