



STATE OF ARKANSAS

Office of the Attorney General

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Attorney General

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Opinion No. 86-233

September 23, 1986

The Honorable Albert "Tom" Collier
State Representative
2713 Ivy Drive
Newport, AR 72112

Dear Representative Collier:

This is in response to your request for an opinion on whether the municipal judge for the City of Newport and Jackson County may be elected county wide pursuant to Act 26 of 1965. If I understand your inquiry correctly, you believe that the population of Jackson County will fall to such a level as to bring it within the population range set forth in Act 26.

Act 26 of 1965, § 1 states as follows:

The office of Municipal Judge of any municipal court located in any county of this state having the population of not less than 21,500 and not more than 22,000 inhabitants, according to the most recent Federal Decennial Census, shall hereafter be voted upon by the qualified electors of the entire county in which such court is located.

Since Act 26 was passed in 1965, the most recent census would have been the 1960 census. Therefore, the municipal judge for Newport and Jackson County can be elected county wide pursuant to Act 26 only if the population of Jackson County fell between 21,500 and 22,000 as of the 1960 Federal Decennial Census.

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The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General E. Jeffery Story.

Sincerely,

Steve Clark
Attorney General