

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 257 OF 1997
HOUSE BILL 1420

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By: Representatives Terry Smith, Wooldridge, Teague, Broadway, Lancaster, Kidd, Angel, Rodgers, Jeffress, and Hale

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 12-8-205 TO REVISE THE
10 LIMITATIONS ON THE POLITICAL ACTIVITIES OF MEMBERS OF THE
11 ARKANSAS STATE POLICE TO PERMIT THEM MORE FLEXIBILITY AND
12 OPTIONS IN PARTICIPATING IN ELECTION AND POLITICAL
13 ACTIVITIES DURING THEIR OFF-DUTY HOURS; AND FOR OTHER
14 PURPOSES."

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Subtitle

"TO PERMIT MEMBERS OF THE ARKANSAS STATE
POLICE MORE FLEXIBILITY AND OPTIONS IN
PARTICIPATING IN ELECTION AND POLITICAL
ACTIVITIES DURING THEIR OFF-DUTY HOURS."

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 12-8-205 is amended to read as follows:
25 "12-8-205. Political activities.

26 (a) The members of the Department of Arkansas State Police shall be
27 ~~required on penalty of discharge to remain constantly aloof from politics~~
28 prohibited from engaging in any partisan political or election campaign
29 activities during hours when they are performing work for the Department of
30 the Arkansas State Police.

31 (b)(1) They shall not be at any time detailed to perform any work
32 pertaining to political activities affecting either a candidate or measures
33 ~~but shall devote their entire time to the duties herein set forth.~~

34 (2) They shall not display any political banners, posters or
35 literature on any Arkansas State Police or State government offices, buildings
36 or other facilities.

1 (3) State police vehicles shall not display any political bumper
 2 stickers or decals and shall not be used during or after working hours to
 3 promote or assist the political campaign of any person or political issue.

4 (c) The members of the Department of Arkansas State Police shall not be
 5 required nor counseled to make, solicit, or prescribe contributions toward and
 6 for any political campaign of whatsoever nature.

7 (d) The members of the Department of Arkansas State Police ~~shall not be~~
 8 ~~required, nor permitted, directly or indirectly, to~~ may participate or assist
 9 ~~in any manner~~ in any political campaign ~~of whatsoever nature in behalf~~ of any
 10 candidate or measure so long as the participation or assistance is rendered on
 11 the member's own time and State Police or State government property are not
 12 involved.

13 (e) They shall not ~~voluntarily perform any work or service in~~
 14 ~~connection with any political campaign of whatsoever nature, nor shall they~~
 15 publicly and openly espouse the candidacy of any person or measure in their
 16 official capacity as members of the Arkansas State Police.

17 (f) It is declared to be the intention of the General Assembly to
 18 ~~prohibit~~ encourage members of the Department of Arkansas State Police ~~from~~
 19 ~~taking part, voluntarily or otherwise, directly or indirectly, from~~
 20 ~~participating in any political campaign or soliciting the support thereto,~~
 21 ~~votes, or contributions for any candidate or measure~~ to participate in the
 22 election process so long as the participation occurs while he or she is
 23 off-duty and is on his or her own time.

24 (g) The violation of these provisions shall be sufficient for the
 25 removal of any member of the Department of Arkansas State Police force.
 26 However, nothing in this section shall interfere with the rights of any member
 27 of the Department of Arkansas State Police to vote for any candidate or upon
 28 any issues as his reason and conscience may dictate."
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30 SECTION 2. All provisions of this act of general and permanent nature
 31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 32 Revision Commission shall incorporate the same in the Code.
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34 SECTION 3. If any provisions of this act or the application thereof to
 35 any person or circumstance is held invalid, the invalidity shall not affect
 36 other provisions or applications of the act which can be given effect without

1 the invalid provisions or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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APPROVED: 2-24-97

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