

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Mahony**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO REQUIRE THAT PUBLIC OFFICIALS OR EMPLOYEES WHO  
9 NAME OR APPOINT RELATIVES TO PUBLIC OFFICE OR EMPLOYMENT  
10 SHALL FORFEIT THEIR OFFICE OR EMPLOYMENT; TO DECLARE AN  
11 EMERGENCY; AND FOR OTHER PURPOSES."

## Subtitle

14 "REQUIRING PUBLIC OFFICIALS OR EMPLOYEES WHO NAME OR  
15 APPOINT RELATIVES TO PUBLIC OFFICE OR EMPLOYMENT TO  
16 FORFEIT THEIR OFFICE OR EMPLOYMENT."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. (a) As used in this act, unless the context otherwise  
21 requires:

22 (1) "Public official" means any individual holding an elective  
23 office of the state or any political subdivision of the state, whether elected  
24 or appointed to the office.

25 (2) "Public employee" means an individual who is employed by the  
26 state or any political subdivision of the state or who is appointed to serve  
27 the state or any political subdivision of the state.

28 (b) Any public official or public employee in this state who by virtue  
29 of his office or employment names or appoints to public office or employment  
30 any relative within the fourth degree, by consanguinity or affinity, shall  
31 thereby forfeit his or her office or employment.

32 (c) The provisions of this act shall only be applied prospectively.

34 SECTION 2. All provisions of this act of a general and permanent nature  
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3       SECTION 3. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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10 hereby repealed.

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12       SECTION 5. EMERGENCY. It is hereby found and determined by the General  
13 Assembly of the State of Arkansas that some political employees and political  
14 officials have abused their offices and positions by appointing or employing  
15 relatives to public office instead of more competent individuals; that the  
16 immediate effectiveness of this act is necessary to ensure that such abuse of  
17 public trust does not occur any longer than necessary. Therefore, an  
18 emergency is hereby declared to exist and this act being necessary for the  
19 immediate preservation of the public peace, health, and safety, shall be in  
20 full force and effect from and after its passage and approval.

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