

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/31/03

A Bill

HOUSE BILL 2837

5 By: Representative Thomason
6
7

For An Act To Be Entitled

9 AN ACT TO REVISE REQUIREMENTS FOR HOLDING
10 HEARINGS ON SUSPENSIONS IN MUNICIPAL CIVIL
11 SERVICE COMMISSIONS; AND FOR OTHER PURPOSES.
12

Subtitle

14 TO REVISE REQUIREMENTS FOR HOLDING
15 HEARINGS ON SUSPENSIONS IN MUNICIPAL
16 CIVIL SERVICE COMMISSIONS.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 14-51-308(a)-(b), concerning suspension,
22 discharge, or reductions in rank in civil service commissions, is amended to
23 read as follows:

24 (a)(1) No civil service employees shall be discharged or reduced in
25 rank or compensation, or suspended without being notified in writing of the
26 discharge or reduction in rank or compensation, or suspension and its cause.

27 (2) In case of suspension, discharge, or reduction, the affected
28 or accused person shall have written notice of the action at the time action
29 is taken.

30 (b)(1) Within ten (10) days after the notice in writing is served upon
31 the officer, private, or employee, if the person so desires, he or she may
32 request a trial before the commission on the charges alleged as the ground
33 for discharge, reduction, or suspension ~~for fifteen (15) days or more.~~

34 (2)(A) In the event a request for trial is made, the commission
35 shall fix a date for the trial not more than fifteen (15) days after the
36 request is made.



03102003EAN1546.VJF678

1 (B)(i) If the request for trial is not made within ten
2 (10) days from the date of service of notice, the discharge, reduction, or
3 suspension ~~for fifteen (15) days or more~~ shall become final and no trial
4 shall be granted after that date.

5 (ii) The appeal shall be taken by filing with the
6 commission, within thirty (30) days from the date of the decision, a notice
7 of appeal. The responsibility of filing an appeal and paying for the
8 transcript of the proceedings before the municipal civil service commission
9 shall be borne by the party desiring to appeal the commission's decision.

10 (iii) The commission, upon receiving notice of an
11 appeal, will prepare a written order containing its decision and ensure that
12 the transcript and evidence be made available for filing in the circuit court
13 once the appealing party has paid the cost of preparing the transcript.

14 (iv) However, if the court determines that the party
15 appealing the commission's decision took the appeal in good faith and with
16 reasonable cause to believe he or she would prevail, the commission shall
17 reimburse the appealing party for the cost of the transcript.

18
19 /s/ Thomason
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36