

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 S4/9/03

A Bill

HOUSE BILL 2837

5 By: Representative Thomason
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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

13 TO REVISE REQUIREMENTS FOR HOLDING
14 HEARINGS ON SUSPENSIONS IN MUNICIPAL
15 CIVIL SERVICE COMMISSIONS.
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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 § 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 for three (3) or more days without being
26 notified in writing of the discharge or reduction in rank or compensation, or
27 a suspension for three (3) or more days and its cause.

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

31 (b)(1) Within ten (10) days after the notice in writing is served upon
32 the officer, private, or employee, if the person so desires, he or she may
33 request a trial before the commission on the charges alleged as the ground
34 for discharge, reduction, or suspension ~~for fifteen (15)~~ three (3) days or
35 more.

36 (2)(A) In the event a request for trial is made, the commission



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1 shall fix a date for the trial not more than fifteen (15) days after the
2 request is made.

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

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

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

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

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/s/ Thomason