

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: H3/19/03

# A Bill

HOUSE BILL 2849

5 By: Representative Biggs  
6  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE DISCLOSURE ACT FOR LOBBYISTS  
10 AND STATE AND LOCAL OFFICIALS; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

14 AN ACT TO AMEND THE DISCLOSURE ACT FOR  
15 LOBBYISTS AND STATE AND LOCAL OFFICIALS.  
16  
17

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

20 *SECTION 1. Arkansas Code § 21-8-402(5)(B), concerning exclusions to*  
21 *the definition of gift, is amended by an adding additional subdivision to*  
22 *read as follows:*

23 *(xvi) Special events.*  
24

25 *SECTION 2. Arkansas Code § 21-8-402(20), definition used in the*  
26 *Disclosure Act for Lobbyists and State and Local Officials, is amended to*  
27 *read as follows:*

28 *(20)(A) "Special event" means a planned activity to which a specific*  
29 *governmental body or identifiable group of public servants is invited; and*  
30 *includes parties, dinners, athletic events, entertainment, and other*  
31 *functions to which a specific governmental body or identifiable group of*  
32 *public servants are invited.*

33 *(B) "Specific governmental body or identifiable group of public*  
34 *servants" includes, but is not limited to, members of:*

35 *(I) A department or agency of state, county, or city*  
36 *government and any other governmental body;*



- 1                    (ii) The Arkansas General Assembly;  
 2                    (iii) A legislative committee or subcommittee;  
 3                    (iv) A congressional district caucus or party caucus of  
 4 the Arkansas General Assembly;  
 5                    (v) The Arkansas House of Representatives or the Arkansas  
 6 Senate by their class, such as freshman class or term limited class;  
 7                    (vi) The Black Caucus or the Women's Caucus of the  
 8 Arkansas House of Representatives or the Arkansas Senate;  
 9                    (vii) A legislative delegation and employees of the  
 10 General Assembly registered at a legislative conference such as the American  
 11 Legislative Exchange Council, Southern Legislative Conference, National  
 12 Conference of State Legislatures, the South West Energy Council, the  
 13 Speaker's and President Pro Tempore Conferences, or any combination.

14  
 15            SECTION 3. Arkansas Code § 21-8-801(a) is amended to read as follows:

16            (a)(1) ~~No~~ Except as provided in subdivision (a)(2), no public servant  
 17 shall:

18                    ~~(1)(A)~~ Receive a gift or compensation as defined in § 21-8-401  
 19 et seq., other than income and benefits from the governmental body to which  
 20 he or she is duly entitled, ~~for~~ in exchange for an official act by the public  
 21 servant in the performance of the duties and responsibilities of his or her  
 22 office or position; or

23                    ~~(2)(B)~~ Purposely use or disclose to any other person or entity  
 24 confidential government information acquired by him or her in the course of  
 25 and by reason of the public servant's official duties, to secure anything of  
 26 material value or benefit for himself or herself or his or her family.

27                    (2) A gift may be given to and received by a public servant if  
 28 the gift is disclosed as required by law.

29  
 30            SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
 31 General Assembly of the State of Arkansas that the present law pertaining to  
 32 special events for purposes of the Disclosure Act for Lobbyists and State and  
 33 Local Officials is confusing and ambiguous; that this act clarifies that  
 34 provision; and that until this act becomes effective, unnecessary and  
 35 undesirable confusion will remain. Therefore, an emergency is declared to  
 36 exist and this act being immediately necessary for the preservation of the

1 public peace, health, and safety shall become effective on:

2 (1) The date of its approval by the Governor;

3 (2) If the bill is neither approved nor vetoed by the Governor,  
4 the expiration of the period of time during which the Governor may veto the  
5 bill; or

6 (3) If the bill is vetoed by the Governor and the veto is  
7 overridden, the date the last house overrides the veto.

8 /s/ Biggs