

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

SENATE BILL 217

5 By: Senator Irvin  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE SALARY OF A MUNICIPAL OFFICIAL  
9 WHOSE PROFESSIONAL LICENSE OR REGISTRATION IS  
10 SUSPENDED; AND FOR OTHER PURPOSES.  
11

## Subtitle

12 CONCERNING THE SALARY OF A MUNICIPAL  
13 OFFICIAL WHOSE PROFESSIONAL LICENSE OR  
14 REGISTRATION IS SUSPENDED.  
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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 § 14-42-113 is amended to read as follows:

22 14-42-113. Salaries of officials – Salary withheld if professional  
23 license or registration suspended.

24 (a)(1) Except as provided in subsection (b) of this section, the  
25 salary of an official of a city of the first class, a city of the second  
26 class, or an incorporated town may be increased during the term for which the  
27 official has been elected or appointed and may be decreased during the term  
28 only if requested by the official.

29 (2) When any city official whose salary was decreased pursuant  
30 to ~~subsection~~ subdivision (a)(1) of this section leaves office ~~prior to~~  
31 before the expiration of his or her term, his or her successor shall receive  
32 a salary not less than the salary for the office immediately ~~prior to~~ before  
33 its being decreased pursuant to ~~subsection~~ subdivision (a)(1) of this  
34 section.

35 (b)(1) The salary of an elected official of a city of the first class,  
36 a city of the second class, or an incorporated town shall be withheld if:



1 (A) The elected official is required to hold a  
 2 professional license or registration as a qualification of his or her  
 3 position; and

4 (B) The elected official’s professional license or  
 5 registration is suspended.

6 (2) Upon suspending the professional license or registration of  
 7 an elected official of a city of the first class, a city of the second class,  
 8 or an incorporated town, the agency, board, commission, or other authority  
 9 that issues the professional license or registration at issue shall notify in  
 10 writing the appropriate municipality or incorporated town.

11 (3) Upon learning that an elected official’s required  
 12 professional license or registration has been suspended, the governing body  
 13 of a city of the first class, city of the second class, or incorporated town  
 14 ~~shall petition a court of competent jurisdiction for an order mandating that~~  
 15 ~~the elected official’s salary be withheld~~ may cease paying the elected  
 16 official’s salary from the date of suspension.

17 (4)(A) Upon restoration of his or her professional license or  
 18 registration, an elected official of a city of the first class, a city of the  
 19 second class, or an incorporated town may petition ~~a court of competent~~  
 20 ~~jurisdiction for an order mandating that the elected official’s salary resume~~  
 21 the governing body of the city or town for a resumption of salary, and the  
 22 governing body shall initiate measures to ensure that the elected official’s  
 23 salary is resumed.

24 (B) An elected official who receives an order for the  
 25 resumption of his or her salary under subdivision (b)(4)(A) of this section  
 26 shall not receive his or her salary for the period that the salary was  
 27 withheld.

28 (5)(A) As used in this subsection, “salary” means the  
 29 compensation paid to an elected official of a city of the first class, a city  
 30 of the second class, or an incorporated town for service in that position.

31 (B) “Salary” includes without limitation any benefits  
 32 provided to the elected official by virtue of his or her position, including  
 33 without limitation:

- 34 (i) Health insurance;
- 35 (ii) Retirement contributions; and
- 36 (iii) Retirement benefits.