

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

As Engrossed: H2/18/13

A Bill

SENATE BILL 217

5 By: Senator Irvin
6 *By: Representative Jean*
7

For An Act To Be Entitled

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

15 CONCERNING THE SALARY OF A MUNICIPAL
16 OFFICIAL WHOSE PROFESSIONAL LICENSE OR
17 REGISTRATION IS SUSPENDED.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-42-113 is amended to read as follows:

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

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

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

36 (b)(1) The salary of an elected official of a city of the first class,



1 a city of the second class, or an incorporated town shall be withheld if:

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

5 (B) The elected official's professional license or
6 registration is suspended.

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

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

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

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

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

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

- 35 (i) Health insurance;
36 (ii) Retirement contributions; and

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(iii) Retirement benefits.

/s/ Irvin