

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1676

5 By: Representative D. Ferguson  
6

## For An Act To Be Entitled

8 AN ACT TO REQUIRE EQUAL REPRESENTATION OF WOMEN AND  
9 MEN ON STATE BOARDS AND COMMISSIONS; TO ENCOURAGE  
10 CONSTITUTIONAL OFFICERS TO GIVE EQUAL OPPORTUNITIES  
11 TO MEN AND WOMEN WHEN MAKING APPOINTMENTS; AND FOR  
12 OTHER PURPOSES.  
13  
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## Subtitle

15 TO REQUIRE EQUAL REPRESENTATION OF WOMEN  
16 AND MEN ON STATE BOARDS AND COMMISSIONS;  
17 AND TO ENCOURAGE CONSTITUTIONAL OFFICERS  
18 TO GIVE EQUAL OPPORTUNITIES TO MEN AND  
19 WOMEN WHEN MAKING APPOINTMENTS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended  
26 to add an additional section to read as follows:

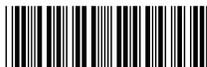
27 25-1-125. Equal representation required in appointments.

28 (a) The General Assembly finds that:

29 (1) There is a higher population of women in the United States  
30 than men as evidenced by the following sources:

31 (A) According to the 2010 United States Census, one  
32 hundred fifty-one million seven hundred eighty-one thousand three hundred  
33 twenty-six (151,781,326) men and one hundred fifty-six million nine hundred  
34 sixty-four thousand two hundred twelve (156,964,212) women; and

35 (B) According to the 2000 United States Census, one  
36 hundred thirty-eight million fifty-three thousand five hundred sixty-three



1 (138,053,563) men and one hundred forty three million, three hundred sixty-  
2 eight thousand three hundred forty three (143,368,342) women;

3 (2) Estimates indicate that in Arkansas men are outnumbered by  
4 women by a ratio of ninety-seven (97) to one hundred (100);

5 (3) Despite outnumbering men in population, women are  
6 underrepresented in holding appointed public offices in Arkansas;

7 (4) A government of the people, by the people, for the people  
8 cannot exist without equal representation of the diverse characteristics of  
9 its population;

10 (5) The constitutional officers of this state hold a duty to  
11 preserve and obey the constitution that grants them their power and  
12 authority; and

13 (6) The Arkansas Constitution Article 2, § 3 states "equality of  
14 all persons before the law is recognized, and shall ever remain inviolate".

15 (b)(1) Except as provided for in subdivision (b)(2) and subsection (c)  
16 of this section, each appointing official shall make his or her appointments  
17 in a manner that effectuates:

18 (A) An equal number of men and women on each board or  
19 commission; and

20 (B) An equal number of men and women from the total number  
21 of all persons holding appointed positions on boards or commissions.

22 (2) If there is an odd number of positions on the board or  
23 commission, the appointing official shall make his or her appointment in the  
24 manner that will effectuate:

25 (A) A particular sex holding no more than one (1) position  
26 more than the underrepresented sex on the particular board or commission; and

27 (B) An equal number of men and women from the total of all  
28 persons holding appointed positions on boards or commissions.

29 (c) If one (1) of the sexes is underrepresented on the date this act  
30 becomes effective, each person holding an appointed position may continue to  
31 serve the remainder of his or her term.

32 (d) As used in this section:

33 (1) "Appointed position" means a person holding an appointed  
34 office or membership on a board or commission;

35 (2) "Appointing official" means the person or other authority  
36 designated by law with the duty or power to make an appointment to a board or

1 commission of this state; and

2 (3) "Board or commission" means the:

- 3 (A) Arkansas Board of Podiatric Medicine;
- 4 (B) Arkansas Economic Development Council;
- 5 (C) Arkansas Higher Education Coordinating Board;
- 6 (D) Arkansas State Board of Dental Examiners;
- 7 (E) State Board of Optometry;
- 8 (F) Arkansas State Board of Pharmacy;
- 9 (G) Arkansas State Claims Commission;
- 10 (H) State Highway Commission;
- 11 (I) Arkansas State Medical Board;
- 12 (J) Arkansas Racing Commission;
- 13 (K) Board of Trustees of Arkansas Tech University;
- 14 (L) Board of Trustees of the Arkansas State University
- 15 System;
- 16 (M) Board of Corrections;
- 17 (N) State Board of Education;
- 18 (O) Arkansas State Game and Fish Commission;
- 19 (P) Board of Trustees of Henderson State University;
- 20 (Q) Parole Board;
- 21 (R) Arkansas Public Service Commission;
- 22 (S) Board of Trustees of Southern Arkansas University;
- 23 (T) State Banking Board;
- 24 (U) State Board of Health;
- 25 (V) Board of Trustees of the University of Arkansas;
- 26 (W) Board of Trustees of the University of Central
- 27 Arkansas; and
- 28 (X) Workers' Compensation Commission.