

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 641 of 1999
HOUSE BILL 1760

5 By: Representatives Harris, Shoffner, T. Thomas, Elliott, King, Haak, Bush, R. Smith, Womack, J.
6 Lewellen, Cleveland, Booker, White, Broadway, L. Thomas, W. Walker, Agee, C. Johnson
7

For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE 21-2-105 TO CLARIFY THE
11 ADMINISTRATION OF OATHS; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND ARKANSAS CODE 21-2-105 TO
15 CLARIFY THE ADMINISTRATION OF OATHS."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code 21-2-105 is amended to read as follows:

21 "21-2-105. Administration of oaths generally.

22 (a)(1) The Governor shall take the oath of office before one of the
23 justices of the Supreme Court or one of the judges of the circuit courts, the
24 county clerk, or clerk of the circuit court.

25 (2) The justices of the Supreme Court and judges of the circuit
26 courts, Secretary of State, Treasurer of State, and Auditor of State shall
27 take their oaths before the Governor or any of the justices of the Supreme
28 Court or one of the judges of the circuit courts, the clerk of the county
29 court, or the clerk of the circuit court.

30 (3) All other officers, both civil and military, shall take their
31 oaths before the Secretary of State or his official designee, any justice or
32 judge, clerk of the county court, clerk of the circuit court, or justice of
33 the peace.

34 (b) However, if the officer is serving in or with the armed forces of
35 the United States, he may take the oath of office before any commissioned
36 officer in active service of the armed forces of the United States with the

1 rank of second lieutenant or higher in the Army, Air Force or Marine Corps, or
2 ensign or higher in the Navy or Coast Guard.

3 (c) The oath shall not be rendered invalid by failure to recite a venue
4 or to state the place of execution of the oath, nor is a special form of jurat
5 of affidavit, nor any authentication thereof, required, provided it appears on
6 the instrument that the person taking the oath is a commissioned officer
7 provided for in this section."
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9 SECTION 2. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.
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13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.
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19 SECTION 4. All laws and parts of laws in conflict with this act are
20 hereby repealed.
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23 APPROVED: 3/16/1999
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