

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/26/01

A Bill

Act 1441 of 2001
HOUSE BILL 1800

5 By: Representative Rodgers
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 14-51-308 TO
10 CLARIFY *THAT CERTAIN SUSPENSIONS AND ANY*
11 *DISCHARGE OR REDUCTION IN RANK* OR PAY OF A POLICE
12 OFFICER OR FIRE FIGHTER CAN BE SUBJECT TO A
13 HEARING BEFORE THE CIVIL SERVICE COMMISSION; AND
14 FOR OTHER PURPOSES.

Subtitle

16 *TO CLARIFY THAT CERTAIN SUSPENSIONS AND*
17 *ANY DISCHARGE,* OR REDUCTION IN RANK OF A
18 POLICE OFFICER OR FIREMEN CAN BE
19 APPEALED TO THE CIVIL SERVICE
20 COMMISSION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code 14-51-308(b), concerning actions for
27 suspension, discharge, or reduction in rank under police and fire civil
28 service commissions, is amended to read as follows:

29 (b)(1) Within ten (10) days after the notice in writing is served upon
30 the officer, private, or employee, he may, if he so desires, request a trial
31 before the commission on the charges alleged as the ground for ~~discharge~~
32 discharge, reduction, or suspension for fifteen (15) days or more.

33 (2)(A) In the event a request for trial is made, the commission
34 shall fix a date for the trial not more than fifteen (15) days after request
35 therefor is made.

36 (B) If the request for trial is not made within ten (10)

1 days from the date of service of notice of discharge, the discharge discharge,
2 reduction, or suspension for fifteen (15) days or more shall become final and
3 no trial shall be granted thereafter.

4 (i) The appeal shall be taken by filing with the
5 commission, within thirty (30) days from the date of the decision, a notice of
6 appeal. The responsibility of filing an appeal and paying for the transcript
7 of the proceedings before the municipal civil service commission shall be
8 borne by the party desiring to appeal the commission's decision.

9 (ii) The commission will upon receiving notice of an
10 appeal prepare a written order containing its decision and ensure that the
11 transcript and evidence be made available for filing in the circuit court once
12 the appealing party has paid the cost of preparing the transcript.

13 (iii) However, if the court determines that the party
14 appealing the commission's decision took the appeal in good faith and with
15 reasonable cause to believe he or she would prevail, the commission shall
16 reimburse the appealing party for the cost of the transcript.

17 /s/ Rodgers

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APPROVED: 4/10/2001