

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

As Engrossed: H3/8/13
A Bill

SENATE BILL 331

5 By: Senator D. Sanders
6 *By: Representative Baird*
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING RESTRICTIONS
10 ON THE EMPLOYMENT OF FORMER STATE OFFICIALS AND
11 FORMER STATE EMPLOYEES; TO HOLD JUDGES TO THE SAME
12 EMPLOYMENT RESTRICTIONS AS OTHER STATE OFFICIALS; AND
13 FOR OTHER PURPOSES.
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Subtitle

16 TO AMEND ARKANSAS LAW CONCERNING
17 RESTRICTIONS ON THE EMPLOYMENT OF FORMER
18 STATE OFFICIALS AND FORMER STATE
19 EMPLOYEES; AND TO HOLD JUDGES TO THE SAME
20 EMPLOYMENT RESTRICTIONS AS OTHER STATE
21 OFFICIALS.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 21-1-402, concerning restrictions on other
28 employment, is amended to add two additional subsections to read as follows:

29 (g) The Governor, Lieutenant Governor, Secretary of State, Attorney
30 General, Treasurer of State, Auditor of State, and Commissioner of State
31 Lands are not eligible to be registered as lobbyists under § 21-8-601 et seq.
32 until one (1) year after the expiration of the respective terms of office to
33 which they were elected.

34 (h) An individual employed in the office of the Governor, Lieutenant
35 Governor, Secretary of State, Attorney General, Treasurer of State, Auditor
36 of State, or Commissioner of State Lands is not eligible to be registered as



1 a lobbyist under § 21-8-601 et seq. until one (1) year after the expiration
 2 of the individual's employment in that office.

3
 4 SECTION 2. Arkansas Code § 21-8-102 is amended to read as follows:

5 21-8-102. Restrictions on employment of former state ~~regulatory~~
 6 officials and former state employees.

7 (a) As used in this section, "~~state regulatory official~~" means:

8 ~~(1) A member of the Arkansas Public Service Commission;~~

9 ~~(2) The Executive Director of the Arkansas Public Service~~

10 ~~Commission;~~

11 ~~(3) The Insurance Commissioner;~~

12 ~~(4) A deputy commissioner of the State Insurance Department;~~

13 ~~(5) The Bank Commissioner;~~

14 ~~(6) A Deputy Bank Commissioner;~~

15 ~~(7) The Securities Commissioner; and~~

16 ~~(8) A Deputy Securities Commissioner~~

17 (1) "State employee" means an individual employed in the office

18 of:

19 (A) The Governor;

20 (B) The Lieutenant Governor;

21 (C) The Attorney General;

22 (D) The Secretary of State;

23 (E) The Auditor of State;

24 (F) The Treasurer of State;

25 (G) The Commissioner of State Lands;

26 (H) A justice of the Supreme Court;

27 (I) A judge of the Court of Appeals;

28 (J) A judge of a circuit court; or

29 (K) a judge of a district court; and

30 (2) "State official" means:

31 (A) The Governor;

32 (B) The Lieutenant Governor;

33 (C) The Attorney General;

34 (D) The Secretary of State;

35 (E) The Auditor of State;

36 (F) The Treasurer of State;

1 (G) The Commissioner of State Lands;

2 (H) A justice of the Supreme Court;

3 (I) A judge of the Court of Appeals;

4 (J) A judge of a circuit court;

5 (K) a judge of a district court;

6 (L) An executive head of a state agency;

7 (M) The chief deputy of an executive head of a state
 8 agency; and

9 (N) A member of the Arkansas Public Service Commission

10 (b) A former state ~~regulatory~~ official or former state employee
 11 shall not knowingly act as a principal or agent for anyone other than the
 12 state in connection with any of the following if ~~the former state regulatory~~
 13 ~~official~~ he or she participated personally and substantially through
 14 decision, approval, disapproval, recommendation, rendering of advice,
 15 investigation, or otherwise while serving in that capacity and the state is a
 16 party or has a direct or substantial interest:

17 (1) A judicial, administrative, or other proceeding,
 18 application, request for a ruling, or other determination;

19 (2) A contract;

20 (3) A claim; or

21 (4) A charge or controversy.

22 (c) A former state ~~regulatory~~ official or former state employee shall
 23 not knowingly act as a principal or agent for anyone other than the state
 24 within one (1) year after cessation of ~~the former state regulatory official's~~
 25 his or her employment with the state agency in connection with any of the
 26 following if the matters were within the former state ~~regulatory~~ official's
 27 or former state employee's official responsibility and the state is a party
 28 or has a direct or substantial interest:

29 (1) A judicial, administrative, or other proceeding,
 30 application, request for a ruling, or other determination;

31 (2) A contract;

32 (3) A claim; or

33 (4) A charge or controversy.

34 (d) A former state ~~regulatory~~ official or former state employee who
 35 knowingly violates this section shall be guilty of a Class A misdemeanor.

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1 SECTION 3. Arkansas Code Title 23, Chapter 2, Subchapter 1, is amended
2 to add an additional section to read as follows:

3 23-2-113. Registration as lobbyist – Time limit for eligibility.

4 A member of the Arkansas Public Service Commission is not eligible to
5 be registered as a lobbyist under § 21-8-601 et seq. until one (1) year after
6 the expiration of the individual's service on the commission.

7
8 SECTION 4. Arkansas Code Title 25, Chapter 16, Subchapter 1, is
9 amended to add an additional section to read as follows:

10 25-16-103. Registration of certain agency officials as lobbyists.

11 An individual employed as an executive head of a state agency or as a
12 chief deputy of an executive head of a state agency is not eligible to be
13 registered as a lobbyist under § 21-8-601 et seq. until one (1) year after
14 the expiration of the individual's employment in that capacity.

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16 */s/D. Sanders*

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19 **APPROVED: 03/22/2013**