

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

As Engrossed: H3/5/19

# A Bill

HOUSE BILL 1393

5 By: Representative Della Rosa  
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## For An Act To Be Entitled

8 AN ACT TO ENSURE THE ARKANSAS ETHICS COMMISSION HAS  
9 SUFFICIENT TIME AND RESOURCES TO COMPLETE CERTAIN  
10 ONGOING INVESTIGATIONS; TO ADDRESS ADMINISTRATIVE  
11 LIMITATIONS ON THE ARKANSAS ETHICS COMMISSION; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

15 TO ENSURE THE ARKANSAS ETHICS COMMISSION  
16 HAS SUFFICIENT TIME AND RESOURCES TO  
17 COMPLETE CERTAIN ONGOING INVESTIGATIONS;  
18 AND TO ADDRESS ADMINISTRATIVE LIMITATIONS  
19 ON THE ARKANSAS ETHICS COMMISSION.  
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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 § 7-6-218(b)(5)(A), concerning investigations*  
26 *and hearings conducted by the Arkansas Ethics Commission, is amended to read*  
27 *as follows:*

28 (5)(A)(i) ~~The~~ Except as provided in subdivision (b)(5)(A)(iii)  
29 of this section, the Arkansas Ethics Commission shall complete its  
30 investigation of a complaint filed pursuant to this section and take final  
31 action within two hundred ten (210) days of the filing of the complaint.

32 (ii) ~~If~~ Except as provided in subdivision (b)(5)(A)(iii)  
33 of this section, if a hearing under subdivision (b)(2) of this section or  
34 other hearing of adjudication is conducted, all action on the complaint by  
35 the Arkansas Ethics Commission shall be completed within two hundred forty  
36 (240) days.



1                   (iii) If the Arkansas Ethics Commission requires  
2 additional time to complete its investigation under subdivision (b)(5)(A)(i)  
3 of this section or to complete its hearing or action under subdivision  
4 (b)(5)(A)(ii) of this section and gives written notice to the person who is  
5 under investigation or the subject of the hearing or action, the Arkansas  
6 Ethics Commission may extend the time to complete the investigation, hearing,  
7 or action by no more than sixty (60) days.

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9           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
10 General Assembly of the State of Arkansas that it is paramount to our  
11 democracy that the participants in the democracy be held accountable for  
12 ethics violations; that the Arkansas Ethics Commission has inadequate  
13 staffing and funding to complete pending investigations of complaints filed  
14 in 2018; and that this act is immediately necessary because the integrity of  
15 our governmental system is at risk without adequate completion of pending  
16 investigations. Therefore, an emergency is declared to exist, and this act  
17 being immediately necessary for the preservation of the public peace, health,  
18 and safety shall become effective on:

19                   (1) The date of its approval by the Governor;

20                   (2) If the bill is neither approved nor vetoed by the Governor,  
21 the expiration of the period of time during which the Governor may veto the  
22 bill; or

23                   (3) If the bill is vetoed by the Governor and the veto is  
24 overridden, the date the last house overrides the veto.

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26   /s/Della Rosa

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29   **APPROVED: 3/21/19**