

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**

# **A Bill**

**ACT 1123 OF 1995**  
**HOUSE BILL 1921**

4 **By: Representatives Jones, Rorie, Choate, Hunton, I.Brown, Madison, B.Wood, Pollan,**  
5 **Owens, Schexnayder, Northcutt, P.Malone, Wyrick, McJunkin, Thicksten, Calhoun,**  
6 **Wooldridge, Young, Harris, Hinshaw, Watts, Molinaro, Hill, Critcher, Thomas, G.Hendrix,**  
7 **Pappas, Sheppard, Kidd, DeLay, Vess, Hendren, Hudson, M.Wilson, Ammons, Bryant, Bush,**  
8 **Luker, Mullenix, Stalnaker, Horn, Jordan, Whorton and Roberts**  
9 **By: Senators D.Malone, Canada, Bradford and Hardin**

10  
11

## **For An Act To Be Entitled**

12  
13 "AN ACT REQUIRING STATE BOARDS AND COMMISSIONS TO ISSUE AN  
14 ANNUAL MISSION STATEMENT; TO PROHIBIT CONFLICTS OF  
15 INTEREST; TO PROHIBIT NEPOTISM; AND FOR OTHER PURPOSES."

16  
17

## **Subtitle**

18  
19 "AN ACT REQUIRING STATE BOARDS AND  
20 COMMISSIONS TO ISSUE AN ANNUAL MISSION  
21 STATEMENT; TO PROHIBIT CONFLICTS OF  
22 INTEREST; TO PROHIBIT NEPOTISM."

23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26

27 SECTION 1. Annual reports.

28 (a) (1) Each state board or commission shall file an annual mission  
29 statement with the Governor and Legislative Council. The statement shall  
30 describe the scope, function, public purpose, and duties of the board or  
31 commission.

32 (2) Each state board or commission shall file an annual statement  
33 summarizing the board or commission\_s activity during the previous year.

34 (b) No action shall be taken by either house of the Arkansas General  
35 Assembly on any bill providing an appropriation for a board or commission, if  
36 the board or commission has not filed an annual mission statement and an

1 annual summary of activities within one (1) year.

2

3 SECTION 2. Conflicts of interest.

4 (a) (1) No member of a state board or commission shall participate in,  
5 vote on, influence, or attempt to influence an official decision if the member  
6 has a pecuniary interest in the matter under consideration by the board or  
7 commission.

8 (2) A member of a state board or commission may participate in,  
9 vote on, or influence or attempt to influence an official decision if the only  
10 pecuniary interest that may accrue to the member is incidental to his or her  
11 position, or which accrues to him or her as a member of a profession,  
12 occupation, or large class, to no greater extent than the pecuniary interest  
13 could reasonably be foreseen to accrue to all other members of the profession,  
14 occupation, or large class.

15 (3) No member of a state board or commission shall participate in  
16 any discussion or vote on a rule or regulation that exclusively benefits the  
17 member.

18 (b) No member of a state board or commission shall disclose  
19 confidential information acquired by him or her in the course of the member's  
20 official duties nor use such information to further his or her personal  
21 interests.

22 (c) No member of a state board or commission shall use or attempt to  
23 use his or her official position to secure unwarranted privileges or  
24 exemptions for himself or herself or others.

25 (d) This section shall be supplemental to all other laws concerning  
26 ethics or conflicts of interest.

27 (e) In addition to any penalty contained in any other provision of law  
28 any member of a state board or commission who knowingly and intentionally  
29 violates any of the provisions of this section may be removed from office by  
30 the appointing authority. The Arkansas Ethics Commission may investigate  
31 complaints alleging a violation of this section and may make recommendations  
32 to the appointing authority.

33

34 SECTION 3. Nepotism.

35 (a) A person who is related within the second degree, by consanguinity

1 or affinity, to a member or employee of a state board or commission shall not  
2 be eligible for appointment as a member of the board.

3 (b) A person who is related within the second degree, by consanguinity  
4 or affinity, to a member of a state board or commission shall not be eligible  
5 for employment by the board or commission.

6 (c) This section shall apply only to persons hired or appointed after  
7 the effective date of this act.

8

9 SECTION 4. All provisions of this act of a general and permanent  
10 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
11 Code Revision Commission shall incorporate the same in the Code.

12

13 SECTION 5. 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.

18

19 SECTION 6. All laws and parts of laws in conflict with this act are  
20 hereby repealed.

21

22 */s/Rep. Jones, et al*

23

24 APPROVED: 4-10-95

25

26

27

28

29

30

31

32

33

34

35

***As Engrossed: 3/16/95 4/6/95***

**HB 1921**

1

**0303951122.mih808**