

ARKANSAS SENATE

88th General Assembly - Regular Session, 2011

Amendment Form

Subtitle of Senate Bill No. 160

CONCERNING THE WITHHOLDING OF AN ELECTED OFFICIAL'S SALARY AND
BENEFITS UPON THE SUSPENSION OF A REQUIRED PROFESSIONAL LICENSE OR
REGISTRATION.

Amendment No. 2 to Senate Bill No. 160

Amend Senate Bill No. 160 as engrossed, S2/2/11 (version: 02/02/2011 09:27:56 AM)

Page 1, delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 14-42-113 is amended to read as follows:

14-42-113. Salaries of officials -- Salary withheld if professional license or registration suspended.

(a)(1) ~~The~~ Except as provided in subsection (b) of this section, the salary of an official of a city of the first class, a city of the second class, or an incorporated town may be increased during the term for which the official has been elected or appointed and may be decreased during the term only if requested by the official.

~~(b)(2)~~ When any city official whose salary was decreased pursuant to subsection (a)(1) of this section leaves office prior to the expiration of his or her term, his or her successor shall receive a salary not less than the salary for the office immediately prior to its being decreased pursuant to subsection (a)(1) of this section.

(b)(1) The salary of an elected official of a city of the first class, a city of the second class, or an incorporated town shall be withheld if:

(A) The elected official is required to hold a professional license or registration as a qualification of his or her position; and

(B) The elected official's professional license or registration is suspended.

(2) Upon suspending the professional license or registration of an elected official of a city of the first class, a city of the second class, or an incorporated town, the agency, board, commission, or other authority that issues the professional license or registration at issue shall notify in writing the appropriate municipality or incorporated town.

(3) Upon learning that an elected official's required professional license or registration has been suspended, the city of the first class, city of the second class, or incorporated town shall petition a court of competent jurisdiction for an order mandating that the elected official's salary be withheld.

(4)(A) Upon restoration of his or her professional license or registration, an elected official of a city of the first class, a city of the second class, or an incorporated town may petition a court of competent jurisdiction for an order mandating that the elected official's salary resume.



(B) An elected official who receives an order for the resumption of his or her salary under subdivision (b)(4)(A) of this section shall not receive his or her salary for the period that the salary was withheld.

(5)(A) As used in this subsection (b), "salary" means the compensation paid to an elected official of a city of the first class, a city of the second class, or an incorporated town for service in that position.

(B) "Salary" includes without limitation any benefits provided to the elected official by virtue of his or her position, including without limitation:

- (i) Health insurance;
- (ii) Retirement contributions; and
- (iii) Retirement benefits."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Files
MBM/BGS - 02/03/11 08:45
MBM158

Secretary