

**Hall of the House of Representatives**  
90th General Assembly - Regular Session, 2015  
**Amendment Form**

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**Subtitle of House Bill No. 1984**

TO AMEND ARKANSAS LAW CONCERNING EXECUTIVE SESSIONS UNDER THE FREEDOM OF  
INFORMATION ACT OF 1967.

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**Amendment No. 1 to House Bill No. 1984**

Amend House Bill No. 1984 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 25-19-104 is amended to read as follows:  
25-19-104. Penalty.

(a) Any Except as provided in this section, any person who negligently violates any of the provisions of this chapter shall be guilty of a Class C misdemeanor.

(b)(1) A person commits unlawful calling of an executive session if the person negligently makes a motion for an executive session in violation of § 25-19-106.

(2) Unlawful calling of an executive session is a Class C felony.

(3)(A) A person convicted of unlawful calling of an executive session is ineligible to hold an office or employment in any of the departments in this state.

(B)(i) If a person is convicted of unlawful calling of an executive session while employed by any of the departments of this state, he or she shall be removed from employment immediately.

(ii) If a person is convicted of unlawful calling of an executive session while holding public office, the conviction shall be deemed a misfeasance and malfeasance in office and shall subject the person to impeachment.

(4) It is a defense to prosecution under this section if an executive session is unlawfully called for but does not convene."



The Amendment was read \_\_\_\_\_

By: Representative Bell

MBM/KFW - 03-16-2015 11:34:53

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Chief Clerk