

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1411

5 By: Representative Shelby
6
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 14-14-1202 AND
10 THE RULES OF CONDUCT CONCERNING SIMULTANEOUS
11 SERVICE AS AN ELECTED COUNTY OFFICIAL AND AN
12 ELECTED MUNICIPAL OFFICIAL; AND FOR OTHER
13 PURPOSES.
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Subtitle

15 TO AMEND ARKANSAS CODE § 14-14-1202 AND
16 THE RULES OF CONDUCT CONCERNING
17 SIMULTANEOUS SERVICE AS AN ELECTED
18 COUNTY OFFICIAL AND AN ELECTED MUNICIPAL
19 OFFICIAL.
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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 § 14-14-1202(c), concerning rules of conduct
26 for officers or employees of county government, is amended to read as
27 follows:

28 (c)(1) Rules of Conduct. No officer or employee of county government
29 shall:

30 (A)(i) Be interested, either directly or indirectly, in
31 any contract or transaction made, authorized, or entered into on behalf of
32 the county or an entity created by the county, or accept or receive any
33 property, money, or other valuable thing for his or her use or benefit on
34 account of, connected with, or growing out of any contract or transaction of
35 a county.

36 (ii)(a) If in the purchase of any materials,



1 supplies, equipment, or machinery for the county, any discounts, credits, or
 2 allowances are given or allowed, they shall be for the benefit of the county.

3 (b) It shall be unlawful for any officer or
 4 employee to accept or retain them for his or her own use or benefit;

5 (B) Be a purchaser at any sale or a vendor of any purchase
 6 made by him or her in his or her official capacity;

7 (C) Acquire an interest in any business or undertaking
 8 which he or she has reason to believe may be directly affected to its
 9 economic benefit by official action to be taken by county government;

10 (D)(i) Perform an official act directly affecting a
 11 business or other undertaking to its economic detriment when he or she has a
 12 substantial financial interest in a competing firm or undertaking.

13 (ii) Substantial financial interest is defined for
 14 purposes of this section as provided in Acts 1971, No. 313, § 7 [Repealed].

15 (2)(A)(i) If the quorum court determines that it is in the best
 16 interest of the county, the quorum court may by ordinance permit the county
 17 to purchase goods or services directly or indirectly from quorum court
 18 members, county officers, or county employees due to unusual circumstances.

19 (ii) The ordinance permitting the purchases must
 20 specifically define the unusual circumstances under which the purchases are
 21 allowed and the limitations of the authority.

22 (B) Any quorum court member having any interest in the
 23 goods or services being considered under these procedures shall not be
 24 entitled to vote upon the approval of the goods or services.

25 (C) If goods or services are purchased under these
 26 procedures, the county judge must file an affidavit, together with a copy of
 27 the voucher and other documents supporting the disbursement, with the county
 28 clerk certifying that each disbursement has been made in accordance with the
 29 provisions of the ordinance.

30 ~~(3)(A) No person shall simultaneously hold office and serve as~~
 31 ~~an elected county justice of the peace and hold office and serve as an~~
 32 ~~elected city council member.~~

33 ~~(B) This subdivision (c)(3) shall not cut short the term~~
 34 ~~of any office holder serving as such on September 1, 2005, but shall be~~
 35 ~~implemented during the next election cycle of each office.~~

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