

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1452

5 By: Representative S. Meeks  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE EMERGENCY INTERIM EXECUTIVE AND  
9 JUDICIAL SUCCESSION ACT; AND FOR OTHER PURPOSES.

### Subtitle

12 TO AMEND THE EMERGENCY INTERIM EXECUTIVE  
13 AND JUDICIAL SUCCESSION ACT.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 21-1-304(a), concerning additional  
20 successor to the Office of Governor, is amended to read as follows:

21 (a) In the event that the Governor, for any of the reasons specified  
22 in the Arkansas Constitution, is not able to exercise the powers and  
23 discharge the duties of his or her office, or is unavailable, and in the  
24 event the Lieutenant Governor, President Pro Tempore of the Senate, and the  
25 Speaker of the House of Representatives are not able, for any of the reasons  
26 specified in the Arkansas Constitution, to exercise the powers and discharge  
27 the duties of the Office of Governor, or are unavailable, then the Attorney  
28 General, Secretary of State, ~~or~~ Treasurer of State, Auditor of State, or  
29 Commissioner of State Lands, in the order named, shall exercise the powers  
30 and discharge the duties of the Office of Governor until a new Governor is  
31 elected and qualified, or until one (1) of the officers who precedes him or  
32 her in the order of succession becomes available.  
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34 SECTION 2. Arkansas Code § 21-1-305 is repealed.

35 ~~21-1-305. Emergency interim successors for state officers.~~

36 ~~(a)(1) All state officers, subject to any regulations which the~~



1 ~~Governor or other official authorized under the Arkansas Constitution and~~  
2 ~~this subchapter to exercise the powers and discharge the duties of the Office~~  
3 ~~of Governor may issue, in addition to any deputy authorized pursuant to law~~  
4 ~~to exercise all of the powers and discharge the duties of the office, shall~~  
5 ~~designate by title emergency interim successors, and specify their order of~~  
6 ~~succession.~~

7 ~~(2) The officer shall review and revise, as necessary,~~  
8 ~~designations made pursuant to this subchapter to ensure their current status.~~

9 ~~(3) The officer will designate a sufficient number of emergency~~  
10 ~~interim successors so that there will be not less than three (3) nor more~~  
11 ~~than seven (7) deputies or emergency interim successors or any combination~~  
12 ~~thereof, at any time.~~

13 ~~(b)(1) In the event that any state officer is unavailable following an~~  
14 ~~attack and in the event his or her deputy, if any, is also unavailable, the~~  
15 ~~powers of his or her office shall be exercised, and the duties of his or her~~  
16 ~~office shall be discharged, by his or her designated emergency interim~~  
17 ~~successors in the order specified.~~

18 ~~(2) The emergency interim successors shall exercise the powers~~  
19 ~~and discharge the duties only until:~~

20 ~~(A) Where a vacancy exists, the Governor or other official~~  
21 ~~authorized under the Arkansas Constitution or this subchapter to exercise the~~  
22 ~~powers and discharge the duties of the Office of Governor appoints a~~  
23 ~~successor to fill the vacancy or a successor is otherwise appointed, or~~  
24 ~~elected and qualified as provided by law; or~~

25 ~~(B) An officer or his or her deputy or a preceding named~~  
26 ~~emergency interim successor becomes available to exercise or resume the~~  
27 ~~exercise of the powers and discharge the duties of his or her office.~~

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