

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.

Act 771 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/9/09

A Bill

HOUSE BILL 1052

5 By: Representatives Greenberg, Lea
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8 **For An Act To Be Entitled**

9 AN ACT TO PREVENT RETALIATION AGAINST PUBLIC
10 EMPLOYEES FOR REQUESTING RECORDS UNDER THE
11 FREEDOM OF INFORMATION ACT OF 1967; AND FOR OTHER
12 PURPOSES.
13

14 **Subtitle**

15 AN ACT TO PREVENT RETALIATION AGAINST
16 PUBLIC EMPLOYEES FOR REQUESTING RECORDS
17 UNDER THE FREEDOM OF INFORMATION ACT OF
18 1967.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 21-1-503 is amended to read as follows:*

24 *21-1-503. Employer not to penalize employee's political activity.*

25 *(a) A public employee shall not be prohibited from communicating with*
26 *an elected public official concerning a matter related to the public*
27 *employee's job, except for a matter exempted under § 25-19-105.*

28 *(b) A public employee shall not be prohibited from exercising a right*
29 *or privilege under the Freedom of Information Act of 1967, § 25-19-101 et*
30 *seq.*

31 *~~(b)(c)~~(1) It shall be unlawful for any public employer to discipline,*
32 *to threaten to discipline, to reprimand either orally or in writing, to place*
33 *any notation in a public employee's personnel file disciplining or*
34 *reprimanding the public employee, or to otherwise discriminate against a*
35 *public employee because the public employee exercised the right to*



1 *communicate with an elected public official as granted under this subchapter.*
2 *(2) A public employer shall not be prohibited from disciplining*
3 *a public employee who has intentionally made an untrue allegation to an*
4 *elected public official concerning a matter related to the public employee's*
5 *job.*

6 *~~(e)~~(d) Any person willfully violating a provision of this subchapter*
7 *shall be guilty of a Class A misdemeanor.*

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/s/ Greenberg

APPROVED: 4/3/2009