

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.

INTERIM STUDY PROPOSAL 2009-024

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 2161

By: Representative J. Burris

Filed with: House Interim Committee on State Agencies and Governmental Affairs
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO PROVIDE THAT POLICE CHIEFS ARE NOT
DEPARTMENT HEADS FOR PURPOSES OF ARKANSAS CODE §
14-42-110; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE THAT POLICE CHIEFS ARE NOT
DEPARTMENT HEADS FOR PURPOSES OF
ARKANSAS CODE § 14-42-110.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 14-42-110(b) and (c) concerning the
appointment and removal of department heads are amended to read as follows:

(b)(1) City managers in cities having a city manager form of
government shall have the power to appoint and remove all department heads.

(2) In cities with a city manager form of government and with
civil service commissions, the civil service commission shall have the power
to override the city manager's appointment or removal of the ~~police or~~ fire
chief by a majority vote of the total membership of the commission.

(c)(1) ~~The provisions of this~~ This section ~~shall~~ does not apply to
department heads not under the control of the governing body of the city and
shall not apply to cities having a city administrator form of government.

(2)(A) This section does not apply to police chiefs.

(B) Police chiefs may be removed only for inefficiency,



1 misconduct, or neglect of duty.

2 (C) In cities of the first class, cities of the second
3 class, and incorporated towns, the city or town council by a two-thirds (2/3)
4 majority of the total membership of the council may vote to override the
5 mayor's action under subdivision (c)(2)(B) of this section.

6 (D) In cities with a city manager form of government and
7 with civil service commissions, the civil service commission may override the
8 city manager's removal of the police chief under subdivision (c)(2)(B) of
9 this section by a majority vote of the total membership of the commission.

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Filed Date: 04/02/2009 By: MAG\VJF