

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 2009-030

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 1487

By: Representative L. Smith

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 AMEND THE PUBLIC EMPLOYEES' POLITICAL
FREEDOM ACT OF 1999; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE PUBLIC EMPLOYEES' POLITICAL
FREEDOM ACT OF 1999.

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

SECTION 1. Arkansas Code 21-1-502 is amended to read as follows:

21-1-502. Definitions.

As used in this subchapter:

~~(1) "Elected public official" means the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, Commissioner of State Lands, a member of the Senate, and a member of the House of Representatives;~~

~~(2)(1)~~ "Public employee" means any person providing services for the State of Arkansas, a county, a municipal corporation, or any other political subdivision of this state for which compensation is paid; ~~and~~

~~(3)(2)~~ "Public employer" means the State of Arkansas and each political subdivision of the State of Arkansas, as defined in § 21-5-603; and

(3) "Public official" means the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, Commissioner of State Lands, a member of the Senate, a member of the House of



1 Representatives, and any elected or appointed county or municipal official.

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3 SECTION 2. Arkansas Code 21-1-503 is amended to read as follows:

4 21-1-503. Employer not to penalize employee's political activity.

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

8 (b)(1) It shall be unlawful for any public employer to discipline, to
9 threaten to discipline, to reprimand either orally or in writing, to place
10 any notation in a public employee's personnel file disciplining or
11 reprimanding the public employee, or to otherwise discriminate against a
12 public employee because the public employee exercised the right to
13 communicate with ~~an elected~~ a public official as granted under this
14 subchapter.

15 (2) A public employer shall not be prohibited from disciplining
16 a public employee who has intentionally made an untrue allegation to ~~an~~
17 ~~elected~~ a public official concerning a matter related to the public
18 employee's job.

19 (c) Any person willfully violating a provision of this subchapter
20 shall be guilty of a Class A misdemeanor.

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