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(ITEMS HELD OVER FROM THE PREVIOUS MEETING)

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1768

4
5 By: Representative D. Hutchinson
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For An Act To Be Entitled

8 AN ACT CONCERNING STATE AGENCY PERSONNEL CHANGES DUE
9 TO A SHORTAGE OF FUNDS; TO DECLARE AN EMERGENCY; AND
10 FOR OTHER PURPOSES.

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Subtitle

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

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21 SECTION 1. TEMPORARY LANGUAGE - DO NOT CODIFY. (a) As used in this
22 act, "state agency" means:

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(1) The Department of Education;

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(2) The Department of Correction;

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(3) The Department of Community Correction;

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(4) The Department of Health;

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(5) The Department of Human Services; and

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(6) An institution of higher education.

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(b) For the fiscal year beginning July 1, 2011, and ending June 30,
30 2012, a state agency that elects to terminate employees or eliminate
31 employment positions due to a shortage of funds available to the state agency
32 shall not, solely on the basis of a shortage of funds available to the state
33 agency:

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(1) Terminate an employee whose primary job function is to

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interact with members of the public; or

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(2) Eliminate a position with a primary function of interacting



1 with the public.

2 (c) If a state agency elects to terminate employees or eliminate
3 employment positions due to a shortage of funds available to the state
4 agency, the state agency shall:

5 (1) Terminate employees in management positions who do not
6 interact with the public as a primary function of their job; or

7 (2) Eliminate management positions for which interaction with
8 the public is not a primary function of the job.

9 (d) This section does not prohibit a state agency from terminating an
10 employee or eliminating an employment position for reasons other than a
11 shortage of funds available to the state agency.

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13 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
14 General Assembly of the State of Arkansas that this act concerns personnel
15 decisions by state agencies due to a shortage of available funds during the
16 fiscal year beginning July 1, 2011; and that this act should become effective
17 at the beginning of the fiscal year to be operative throughout its effective
18 period. Therefore, an emergency is declared to exist and this act being
19 necessary for the preservation of the public peace, health, and safety shall
20 become effective on July 1, 2011.

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