

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 3/13/87

HOUSE BILL 1934

By: Representative Mahony

"AN ACT TO AMEND SECTION 1 OF ACT 331 OF 1975 TO PROVIDE A
LIMITATION ON THE LIABILITY OF PUBLIC OFFICIALS FOR
MISCONDUCT OF PUBLIC EMPLOYEES FOR FINANCIAL MATTERS ONLY;
AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 331 of 1975 is hereby amended to read as follows:

"Section 1. Each public official or employee of this State, or political subdivision thereof, who has appointed deputies, or employed individuals who handle any funds for the performance of their duties shall bond such deputies and employees and in such amounts as he deem necessary to indemnify the State or political subdivision for any loss or mishandling of funds by such deputies or employees."

SECTION 2. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 3. Nothing in this Act shall repeal or supercede Act 13 of 1985 or any other law providing for blanket bonding of public officials or public employees.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1186 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ J. Mahony

