

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1343

4 By: Representatives Wyrick, Stalnaker, Mitchell, *Bisbee, Molinaro, Wren,*
5 *Fletcher, McKissack, Wilkins, Wallis, D. Wood, Bennett, Vess, Courtway,*
6 *Choate, Johnson, Thomas, T. Smith, Pappas, Simon, Mullenix, Kidd, Calhoun,*
7 *and Young*

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For An Act To Be Entitled

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11 "AN ACT TO PROHIBIT RESIDENCY REQUIREMENTS FOR MUNICIPAL
12 EMPLOYMENT; AND FOR OTHER PURPOSES."

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Subtitle

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15 "TO PROHIBIT RESIDENCY REQUIREMENTS FOR
16 MUNICIPAL EMPLOYMENT."

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

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20 SECTION 1. No city of the first class, shall require any person
21 applying for or holding a position of employment to reside within the limits
22 of such municipal corporation or its county as a condition of employment, or
23 to discriminate in any manner against any such employee because of his/her
24 residence outside of the limits of such city of the first class, or its
25 county.

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27 SECTION 2. As used in this Act:

28 "Employee" means any person who works for a salary or for hourly wages,
29 whether full time or part time and whether temporary or permanent. Such term
30 does not include a local government_s elected officials or its key appointed
31 officials such as city managers or department heads and does not include
32 members of a local government_s boards or committees if residency
33 requirements are set forth by any ordinance, resolution, or statute of the
34 local government.

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1 SECTION 3. All provisions of this act of a general and permanent
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
3 Code Revision Commission shall incorporate the same in the Code.

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5 SECTION 4. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 5. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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14 SECTION 6. EMERGENCY. It is hereby found and determined by the
15 General Assembly that the imposition of residency requirements by public
16 employers works to the detriment of the public health, welfare, and morale as
17 well as to the detriment of the economic well-being of the state. The
18 general assembly further finds, determines and declares that the right of the
19 individual to work in or for any local government is a matter of statewide
20 concern and declares that the problems and hardships to the citizens of this
21 state by the imposition of employee residency requirements far outweigh any
22 gain devolving to the public employer from the imposition of said
23 requirements. Therefore, an emergency is hereby declared to exist and this
24 act being necessary for the immediate preservation of the public peace,
25 health and safety shall be in full force and effect from and after its
26 passage and approval.

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29 */s/Wyrick, et al*

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As Engrossed: 1/26/95

HB 1343

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