

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

A Bill

HOUSE BILL 1783

4 By: Representatives Flanagin, von Grep, Schexnayder, Argue and Ferrell

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 21-8-802 TO MAKE IT AN
9 UNLAWFUL CONFLICT OF INTEREST FOR MEMBERS OF THE GENERAL
10 ASSEMBLY TO RECEIVE OUTSIDE COMPENSATION TO LOBBY BEFORE
11 THE GENERAL ASSEMBLY WITH PURPOSE TO INFLUENCE LEGISLATIVE
12 ACTION; AND FOR OTHER PURPOSES."

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Subtitle

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

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23 SECTION 1. Arkansas Code § 21-8-802 is amended to read as follows:

24 "21-8-802. Prohibited appearances - Exceptions.

25 (a) No legislator shall appear for compensation on behalf of another
26 person, firm, corporation, or entity before any entity of:

27 (1) State government if the legislator is a member of the
28 General Assembly;

29 (2) The legislator's county government if the legislator is a
30 member of a quorum court; or

31 (3) The legislator's municipal government if the legislator is a
32 member of a city council or board of directors of a municipality.

33 (b) This section shall not:

34 (1) Apply to any judicial proceeding or to any hearing or
35 proceeding which is adversarial in nature or character;

1 (2) Apply to any hearing or proceeding on which a record is made
2 by the entity of state government, county government, or municipal
3 government;

4 (3) Apply to an appearance which is a matter of public record;

5 (4) Apply to ministerial actions; or

6 (5) Preclude a legislator from acting on behalf of a constituent
7 to determine the status of a matter without accepting compensation.

8 (c) An appearance which is a matter of public record as provided in
9 subdivision (b)(3) of this section may be made by:

10 (1) Filing a written statement within twenty-four (24) hours
11 with the agency head of the entity of state government, county government, or
12 municipal government before which an appearance is sought. In the event that
13 a written statement cannot be provided to the agency head prior to the
14 meeting, telephonic notice must be given the agency head or his office; or

15 (2) Filing a quarterly statement with the agency head of the
16 entity of state government before which an appearance is sought.

17 (d) A statement filed under subsection (c) of this section shall
18 identify the client on behalf of whom the appearance is made and contain a
19 general statement of the action sought from the governmental body. The
20 statements shall be retained by the agency head and shall be a matter of
21 public record. If the agency head determines that the release of the client's
22 name would be an unwarranted invasion of individual privacy or would give
23 advantage to competitors for bidding, the agency head may withhold the name
24 until appropriate.

25 (e) No member of the General Assembly shall receive any income or
26 compensation as defined in subchapter 4 of this chapter, other than income
27 and benefits from the governmental body to which he or she is duly entitled,
28 for lobbying other members of the General Assembly by communicating directly
29 or soliciting others to communicate with any other member with the purpose of
30 influencing legislative action by the General Assembly."

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

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