

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/12/97

A Bill

HOUSE BILL 1528

4
5 *By: Representatives Schexnayder, Goodwin, Kidd, Bond, and D. Hudson*
6 *By: Senator Argue*

For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE § 14-14-705(2) TO PROVIDE
11 FOR COUNTY LIBRARY BOARDS TO HAVE NOT LESS THAN FIVE (5)
12 MEMBERS AND NOT MORE THAN SEVEN (7) MEMBERS; AND FOR OTHER
13 PURPOSES."

Subtitle

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16 "TO PROVIDE FOR COUNTY LIBRARY BOARDS TO
17 HAVE NOT LESS THAN FIVE (5) MEMBERS AND
18 NOT MORE THAN SEVEN (7) MEMBERS."

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

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22 SECTION 1. Arkansas Code § 14-14-705(2), regarding the creation of
23 county administrative boards, is amended to read as follows:

24 "(2) Administrative Boards. (A) Administrative boards may be
25 established to exercise administrative powers granted by county ordinance,
26 except that the board may not be authorized to pledge the credit of the
27 county. The administrative board shall be a body politic and corporate, with
28 power to contract and be contracted with and sue and be sued. As to actions of
29 tort, the board shall be considered as an agency of the county government and
30 occupy the same status as a county. No board member shall be liable in court
31 individually for an act performed by him as a board member unless the damages
32 caused thereby were the results of the board member's malicious acts.

33 (B) No member of any administrative board shall be interested,
34 either directly or indirectly, in any contract made with the administrative
35 board. A violation of this subdivision shall be deemed a felony.

36 (C) An administrative board may be assigned responsibility for a
37 county department or a subordinate service district.

1 (D) All administrative board members shall be appointed by the
2 county judge. These appointments shall require confirmation by a quorum court.

3 (E) An administrative board shall contain five (5) members.
4 Provided, a county library board created after the effective date of this act
5 shall consist of not less than five (5) members nor more than seven (7)
6 members and shall serve until their successors are appointed and qualified.

7 (F) The term of any administrative board member shall be for a
8 period of five (5) years. However, the initial appointment of any
9 administrative board shall provide for the appointment of one (1) member for a
10 one-year term, one (1) member for a two-year term, one (1) member for a three-
11 year term, one (1) member for a four-year term, and ~~one (1) the remaining~~
12 member or members for a five-year term, thereby providing, except for county
13 library boards with more than five (5) members, for the appointment of one (1)
14 member annually thereafter."

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

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20 SECTION 3. If any provisions of this act or the application thereof to
21 any person or circumstance is held invalid, the invalidity shall not affect
22 other provisions or applications of the act which can be given effect without
23 the invalid provisions or application, and to this end the provisions of this
24 act are declared to be severable.

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26 SECTION 4. All laws and parts of laws in conflict with this act are
27 hereby repealed.

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/s/Rep. Schexnayder, et al

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