

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

83rd General Assembly

Regular Session, 2001

A Bill

HOUSE BILL 1289

By: Representative Prater

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 21-2-702 TO PROVIDE A DEFINITION FOR THE TERM "PARTICIPATING GOVERNMENTAL ENTITY" AND "PARTICIPATING GOVERNMENTAL ENTITIES"; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS CODE 21-2-702 TO PROVIDE A DEFINITION FOR THE TERM "PARTICIPATING GOVERNMENTAL ENTITY" AND "PARTICIPATING GOVERNMENTAL ENTITIES".

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

SECTION 1. Arkansas Code 21-2-702 is amended to read as follows:
21-2-702. Definitions.

As used in this subchapter, unless the context otherwise requires:

~~(10)~~ (1) "Commissioner" means the Insurance Commissioner of the State of Arkansas;

(2) "County" or "counties" means the county or counties of the State of Arkansas;

~~(7)~~ (3) "County public official" or "county public employee" means any elected officer of the counties and the employees or deputies of any elected officer, members of the quorum court, and the members of the various county boards and commissions, excluding officials and employees of county hospitals, county nursing homes, and conservation and improvement districts;

~~(11)~~ (4) "Money" means currency, coins, and bank notes in current use and having a face value and travelers' checks, register checks, and money

orders held for sale to the general public;

~~(3)~~ (5) "Municipal", "municipality", or "municipalities" refers to or means the municipalities of the State of Arkansas;

~~(8)~~ (6) "Municipal public official" or "municipal public employee" means any elected officer of the municipalities and the employees or deputies of any elected officer, specifically including salaried municipal employees of municipally owned utilities, members of the city council, including the mayor, and the members of the various municipal boards and commissions, but excluding officials and employees of municipal hospitals, nursing homes, and improvement districts;

(7) "Participating governmental entity" or "participating governmental entities" means those organizations defined in subsections (2), (5), (9) and (12) of this section;

~~(13)~~ (8) "Property other than money and securities" means any tangible property, other than money and securities, that has intrinsic value;

~~(4)~~ (9) "School district" or "school districts" means the school districts of the State of Arkansas;

~~(9)~~ (10) "School district public official" or "school district public employee" means all school district salaried officials and salaried school district employees, whether elected or appointed, and the members of local school boards of directors;

~~(12)~~ (11) "Securities" means negotiable and nonnegotiable instruments or contracts representing either money or other property and includes:

(A) Tokens, tickets, and revenue and other stamps in current use whether represented by actual stamps or unused value in a meter; and

(B) Evidences of debt, other than money, issued in connection with credit or charge cards; ~~and~~

~~(1)~~ (12) "State" means the State of Arkansas;

~~(5)~~ (13) "State officers and employees" means all elected and appointed salaried officials of the state and their salaried state employees, the salaried officials and salaried employees of all state boards and commissions, members of the General Assembly, and nonsalaried appointed members of the various state boards and commissions; and

~~(6)~~ (14) "State public official" or "state public employee" means any elected or appointed salaried officer of the State of Arkansas and the salaried governmental employees of that elected or appointed officer, members

1 of the General Assembly, and the nonsalaried members of the various state
2 boards and commissions.

3
4 SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the
5 Eighty-third General Assembly of the State of Arkansas that Arkansas Code 21-
6 2-704 refers to the term "participating governmental entities" as one defined
7 in Arkansas Code 21-2-702 but there is no definition for this term in that
8 section, and this causes confusion, hinders the operation of the Governmental
9 Bonding Board and creates uncertainty in how the term is interpreted that can
10 be avoided by defining the term. Therefore, an emergency is hereby declared
11 to exist and this act being necessary for the immediate preservation of the
12 public peace, health and safety shall be in full force and effect from and
13 after the date of its passage and approval. If the bill is neither approved
14 nor vetoed by the Governor, it shall become effective on the expiration of the
15 period of time during which the Governor may veto the bill. If the bill is
16 vetoed by the Governor and the veto is overridden, it shall become effective
17 on the date the last house overrides the veto.