

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H2/19/01

A Bill

HOUSE BILL 1531

5 By: Representative Hathorn
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ETHICS LAWS PERTAINING TO FINES
10 IMPOSED BY THE ETHICS COMMISSION; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND THE ETHICS LAWS PERTAINING TO
15 FINES IMPOSED BY THE ETHICS COMMISSION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code 7-6-218, pertaining to citizen complaints to
21 the Ethics Commission, is amended by adding an additional subsection to read
22 as follows:

23 (d)(1) A person who has been fined by the Arkansas Ethics Commission,
24 pursuant to a violation of an opinion by the commission, may appeal the fine
25 to the court of appropriate jurisdiction.

26 (2)(A) If the court overturns the commission's imposition of
27 fin es, the court shall, except as provided in subdivision (d)(2)(B), render
28 judgment against the commission for court costs and reasonable attorney's
29 fees.

30 (B)(i) The court is not required to render a judgment
31 against the commission for court costs and reasonable attorney's fees if the
32 court determines it would be grossly unjust.

33 (ii) The burden shall be on the commission to
34 establish that a judgment of court costs and reasonable attorney's fees would
35 be grossly unjust.

36 (3) Court costs and reasonable attorney's fees are payable by the

1 Treasurer of State from the operating appropriations of the commission.

2 */s/ Hathorn*

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