

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

A Bill

HOUSE BILL 1800

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5 By: Representative Rodgers
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 14-51-308 TO CLARIFY
10 THAT ANY SUSPENSION, DISCHARGE, OR REDUCTION IN RANK
11 OR PAY OF A POLICE OFFICER OR FIRE FIGHTER CAN BE
12 SUBJECT TO A HEARING BEFORE THE CIVIL SERVICE
13 COMMISSION; AND FOR OTHER PURPOSES.
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Subtitle

15 TO CLARIFY THAT A SUSPENSION, DISCHARGE,
16 OR REDUCTION IN RANK OF A POLICE OFFICER
17 OR FIREMEN CAN BE APPEALED TO THE CIVIL
18 SERVICE COMMISSION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 14-51-308(b), concerning actions for
25 suspension, discharge, or reduction in rank under police and fire civil
26 service commissions, is amended to read as follows:

27 (b)(1) Within ten (10) days after the notice in writing is served upon
28 the officer, private, or employee, he may, if he so desires, request a trial
29 before the commission on the charges alleged as the ground for ~~discharge~~
30 suspension, discharge, or reduction.

31 (2)(A) In the event a request for trial is made, the commission
32 shall fix a date for the trial not more than fifteen (15) days after request
33 therefor is made.

34 (B) If the request for trial is not made within ten (10)
35 days from the date of service of notice ~~of discharge~~, the ~~discharge~~
36 suspension, discharge, or reduction shall become final and no trial shall be

1 granted thereafter.

2 (i) The appeal shall be taken by filing with the
3 commission, within thirty (30) days from the date of the decision, a notice of
4 appeal. The responsibility of filing an appeal and paying for the transcript
5 of the proceedings before the municipal civil service commission shall be
6 borne by the party desiring to appeal the commission's decision.

7 (ii) The commission will upon receiving notice of an
8 appeal prepare a written order containing its decision and ensure that the
9 transcript and evidence be made available for filing in the circuit court once
10 the appealing party has paid the cost of preparing the transcript.

11 (iii) However, if the court determines that the party
12 appealing the commission's decision took the appeal in good faith and with
13 reasonable cause to believe he or she would prevail, the commission shall
14 reimburse the appealing party for the cost of the transcript.

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