

State of Arkansas
85th General Assembly
Regular Session, 2005

A Bill

HOUSE BILL 1139

By: Representative Verkamp

For An Act To Be Entitled

AN ACT TO ALLOW CITY ATTORNEYS TO ATTEND
EXECUTIVE SESSSIONS OF PUBLIC MEETINGS AT THE
REQUEST OF THE MUNICIPALITY; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO ALLOW CITY ATTORNEYS TO ATTEND
EXECUTIVE SESSSIONS OF PUBLIC MEETINGS
AT THE REQUEST OF THE MUNICIPALITY.

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

SECTION 1. Arkansas Code § 25-19-106(c), concerning persons eligible to attend executive sessions of public agencies, is amended to subdivision to read as follows:

(c)(1) Executive sessions will be permitted only for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee. The specific purpose of the executive session shall be announced in public before going into executive session.

(2)(A) Except as provided in subdivisions (c)(2)(B) and (C) of this section, only ~~Only~~ the person holding the top administrative position in the public agency, department, or office involved, the immediate supervisor of the employee involved, and the employee may be present at the executive session when so requested by the governing body, board, commission, or other public body holding the executive session.

(B) Any person being interviewed for the top



1 administrative position in the public agency, department, or office involved
2 may be present at the executive session when so requested by the governing
3 board, commission, or other public body holding the executive session.

4 (C) An elected city attorney or an attorney employed by a
5 municipality to represent its interests may be present at the executive
6 session when so requested by the municipality holding the executive session.

7 (3) Executive sessions must never be called for the purpose of
8 defeating the reason or the spirit of this chapter.

9 (4) No resolution, ordinance, rule, contract, regulation, or
10 motion considered or arrived at in executive session will be legal unless,
11 following the executive session, the public body reconvenes in public session
12 and presents and votes on the resolution, ordinance, rule, contract,
13 regulation, or motion.

14 (5)(A) Boards and commissions of this state may meet in
15 executive session for purposes of preparing examination materials and answers
16 to examination materials that are administered to applicants for licensure
17 from state agencies.

18 (B) Boards and commissions are excluded from this chapter
19 for the administering of examinations to applicants for licensure.

20 (6)(A) Subject to the provisions of subdivision (c)(4) of this
21 section, any public agency may meet in executive session for the purpose of
22 considering, evaluating, or discussing matters pertaining to public water
23 system security as described in § 25-19-105(b)(16).

24 (B) Subdivision (c)(6) of this section shall expire on
25 July 1, 2005.