

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/9/09

A Bill

HOUSE BILL 1052

5 By: Representatives Greenberg, Lea
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For An Act To Be Entitled

9 AN ACT TO PREVENT RETALIATION AGAINST PUBLIC
10 EMPLOYEES FOR REQUESTING RECORDS UNDER THE
11 FREEDOM OF INFORMATION ACT OF 1967; AND FOR OTHER
12 PURPOSES.
13

Subtitle

15 AN ACT TO PREVENT RETALIATION AGAINST
16 PUBLIC EMPLOYEES FOR REQUESTING RECORDS
17 UNDER THE FREEDOM OF INFORMATION ACT OF
18 1967.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 21-1-503 is amended to read as follows:*

24 *21-1-503. Employer not to penalize employee's political activity.*

25 *(a) A public employee shall not be prohibited from communicating with*
26 *an elected public official concerning a matter related to the public*
27 *employee's job, except for a matter exempted under § 25-19-105.*

28 *(b) A public employee shall not be prohibited from exercising a right*
29 *or privilege under the Freedom of Information Act of 1967, § 25-19-101 et*
30 *seq.*

31 *~~(b)~~(c)(1) It shall be unlawful for any public employer to discipline,*
32 *to threaten to discipline, to reprimand either orally or in writing, to place*
33 *any notation in a public employee's personnel file disciplining or*
34 *reprimanding the public employee, or to otherwise discriminate against a*
35 *public employee because the public employee exercised the right to*
36 *communicate with an elected public official as granted under this subchapter.*



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(2) A public employer shall not be prohibited from disciplining a public employee who has intentionally made an untrue allegation to an elected public official concerning a matter related to the public employee's job.

~~(e)~~(d) Any person willfully violating a provision of this subchapter shall be guilty of a Class A misdemeanor.

/s/ Greenberg