

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: H2/26/09

# A Bill

HOUSE BILL 1249

5 By: Representatives Hyde, Stewart, Pierce, House, Pennartz, Lindsey  
6  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING ELECTED OFFICIALS WHO ARE  
10 CALLED TO ACTIVE MILITARY DUTY; TO ENSURE THAT  
11 THE ELECTED OFFICIAL RETAINS HIS OR HER OFFICE  
12 UPON RETURN FROM ACTIVE MILITARY DUTY; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15 AN ACT CONCERNING ELECTED OFFICIALS WHO  
16 ARE CALLED TO ACTIVE MILITARY DUTY.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 21-4-302 is amended to read as follows:

23 21-4-302. Officers – Leaves granted.

24 (a) ~~All state, county, municipal, and township officials in the State~~  
25 ~~of Arkansas, and all others who hold office under the government of the State~~  
26 ~~of Arkansas, or county school officials, may, subject~~ Subject to the  
27 provisions ~~set forth in~~ of this subchapter, the following officers shall be  
28 granted leave of absence from their respective offices and duties to perform  
29 active military service:

30 (1) State officials;

31 (2) County officials;

32 (3) County school officials;

33 (4) Municipal officials;

34 (5) Township officials; and

35 (6) All others who hold an elected office under the government  
36 of the State of Arkansas.



1 (b) When ~~any~~ an officer ~~shall volunteer~~ volunteers or ~~be~~ is called  
2 into ~~the military service~~ active duty in the armed forces of the United  
3 States during war, the Governor, or person or persons whose duty it ~~would be~~  
4 is to fill the vacancy should there be one, shall, upon application being  
5 made by the officer, grant the officer a leave of absence during the time the  
6 officer ~~shall be~~ is retained in the military service, subject to the  
7 exceptions provided in this subchapter.

8 (c)(1) An officer who volunteers or is called into active duty in the  
9 armed forces of the United States shall not be deemed to have forfeited his  
10 or her office during his or her leave of absence for military duty.

11 (2) Upon completion of active military duty, the officer shall  
12 be permitted to resume his or her office for the remainder of the term for  
13 which he or she was elected.

14  
15 /s/ Hyde  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36