

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

# A Bill

HOUSE BILL 2067

5 By: Representative Abernathy  
6  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 21-1-402 TO  
10 PROVIDE FOR EXCEPTIONS TO THE PROHIBITION ON  
11 STATE EMPLOYMENT; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 TO AMEND ARKANSAS CODE § 21-1-402 TO  
14 PROVIDE FOR EXCEPTIONS TO THE  
15 PROHIBITION ON STATE EMPLOYMENT.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 21-1-402(a), regarding restrictions on  
22 other employment, is amended to read as follows:

23 (a)(1) Subject to any restriction or condition prescribed by the  
24 Arkansas Constitution, the exceptions in subdivision (2) of this subsection,  
25 and unless the person resigns prior to entering into the employment, no  
26 person elected to a constitutional office, after being elected to the  
27 constitutional office and during the term for which elected, may enter into  
28 employment with:

29 (A) Any state agency;

30 (B) Any public school district of this state in a  
31 noncertified position;

32 (C) Any vocational education school funded by the state;

33 or

34 (D) Any education service cooperative.

35 (2) A constitutional officer who was employed by a state agency,  
36 a public school district of this state in a certified or noncertified



1 position, a vocational education school funded by the state, or an education  
2 service cooperative and who receives prior approval of the Joint Budget  
3 Committee during a legislative session, or the Legislative Council between  
4 legislative sessions, and the Governor may:

5 (A) Transfer employment to another state agency, public  
6 school district of this state, vocational education school funded by this  
7 state, or an education service cooperative;

8 (B) Change positions within his or her current employer;  
9 or

10 (C) Upon retirement from a state agency, public school  
11 district of this state, vocational education school funded by this state, or  
12 an education service cooperative, enter into a part-time or temporary  
13 employment with a state agency, public school district of this state,  
14 vocational education school funded by this state, or an education service  
15 cooperative.

16 ~~(2)~~(3) Subject to any restriction or condition prescribed by the  
17 Arkansas Constitution, any constitutional officer who was employed by a state  
18 agency prior to being elected a constitutional officer may continue the  
19 employment, but the employment shall not thereafter be reclassified unless it  
20 is the result of a general reclassification affecting all positions of the  
21 class and grade equally, nor shall the constitutional officer receive any pay  
22 increase for that employment other than the cost-of-living increases  
23 authorized by the General Assembly without the prior approval of the Joint  
24 Budget Committee during a legislative session, the Legislative Council  
25 between legislative sessions, and the Governor.

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