

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 2145

5 By: Representative Walker
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For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW TO CLARIFY THE DUTIES OF
9 STATE AGENCIES; AND FOR OTHER PURPOSES.
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Subtitle

11 TO CLARIFY THE DUTIES OF STATE AGENCIES.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code Title 21, Chapter 12, Subchapter 1 is amended
19 to add an additional section to read as follows:

20 21-12-104. Employment relationship between state agency and state
21 employee.

22 (a) A state agency may discharge or terminate a state employee, not
23 otherwise bound by a valid written contract of employment for a term of
24 employment, for good cause shown or for any reason that has a rational basis
25 and that does not violate state or federal law or public policy.

26 (b)(1) Before or at the time of discharge or termination of a state
27 employee, a state agency shall provide to the state employee a written notice
28 containing the reason for the discharge or termination.

29 (2)(A) The written notice required under this subsection shall
30 contain the following:

31 (i) The termination date and time; and

32 (ii) The primary reason for the discharge or
33 termination.

34 (B) The failure to state in the written notice a cause for
35 the discharge or termination of the state employee creates a rebuttable
36 presumption that there was not a good-faith basis for the discharge or



1 termination of the state employee.

2 (c) This section shall not apply to an institution of higher
3 education.

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