

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

A Bill

SENATE BILL 160

4
5 By: Senator Files
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For An Act To Be Entitled

8 AN ACT CONCERNING THE WITHHOLDING OF AN ELECTED
9 OFFICIAL'S SALARY AND BENEFITS UPON THE SUSPENSION OF
10 A REQUIRED PROFESSIONAL LICENSE OR REGISTRATION; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 CONCERNING THE WITHHOLDING OF AN ELECTED
15 OFFICIAL'S SALARY AND BENEFITS UPON THE
16 SUSPENSION OF A REQUIRED PROFESSIONAL
17 LICENSE OR REGISTRATION.
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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 Title 21, Chapter 1, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 21-1-106. Elected officials -- Salary withheld if professional license
26 suspended, revoked, or lapsed.

27 (a) The salary of an elected official shall be withheld if:

28 (1) The elected official is required to hold a professional
29 license or registration as a qualification of his or her position; and

30 (2) The elected official's professional license or registration:

31 (A) Is suspended;

32 (B) Is revoked; or

33 (C) Lapses.

34 (b) Upon suspending or revoking the professional license or
35 registration of an elected official or upon learning that an elected
36 official's professional license or registration has lapsed, the agency,



1 board, commission, or other authority that issues the professional license or
2 registration at issue shall notify in writing the:

3 (1) Attorney General, if the elected official is a state
4 official;

5 (2) Appropriate quorum court, if the elected official is a
6 county official; or

7 (3) Appropriate municipality, if the elected official is a
8 municipal official.

9 (c) Upon learning that an elected official's required professional
10 license or registration has been suspended or revoked or has lapsed, the
11 Attorney General, quorum court, or municipality shall petition a court of
12 competent jurisdiction for an order mandating that the elected official's
13 salary be withheld.

14 (d) Upon restoration of his or her professional license or
15 registration, an elected official may petition a court of competent
16 jurisdiction for an order mandating that the elected official's salary
17 resume.

18 (e) As used in this section:

19 (1) "Elected official" does not include an elected judge; and

20 (2)(A) "Salary" means the compensation paid to an elected
21 official for service in that position.

22 (B) "Salary" includes without limitation any benefits
23 provided to the elected official by virtue of his or her position, including
24 without limitation:

25 (i) Health insurance;

26 (ii) Retirement contributions; and

27 (iii) Retirement benefits.

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