

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

As Engrossed: S2/2/11
A Bill

SENATE BILL 160

5 By: Senator Files
6

7 **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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14 **Subtitle**

15 CONCERNING THE WITHHOLDING OF AN ELECTED
16 OFFICIAL'S SALARY AND BENEFITS UPON THE
17 SUSPENSION OF A REQUIRED PROFESSIONAL
18 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.

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 is suspended.

32 (b) Upon suspending the professional license or registration of an
33 elected official, the agency, board, commission, or other authority that
34 issues the professional license or registration at issue shall notify in
35 writing the:

36 (1) Attorney General, if the elected official is a state



1 official;

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

4 (3) Appropriate municipality, if the elected official is a
5 municipal official.

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

10 (d)(1) Upon restoration of his or her professional license or
11 registration, an elected official may petition a court of competent
12 jurisdiction for an order mandating that the elected official's salary
13 resume.

14 (2) An elected official who receives an order for the resumption
15 of his or her salary under subdivision (d)(1) of this section shall not
16 receive his or her salary for the period that the salary was withheld.

17 (e) As used in this section:

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

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

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

24 (i) Health insurance;

25 (ii) Retirement contributions; and

26 (iii) Retirement benefits.

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