

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

A Bill

SENATE BILL 994

5 By: Senator M. Lamoureux
6

For An Act To Be Entitled

8 AN ACT TO REGULATE CONFLICTS OF INTEREST WITH PUBLIC
9 OFFICIALS AND PUBLIC ENTITIES; AND FOR OTHER
10 PURPOSES.
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Subtitle

14 TO REGULATE CONFLICTS OF INTEREST WITH
15 PUBLIC OFFICIALS AND PUBLIC ENTITIES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 21-8-304 is amended to read as follows:

21 21-8-304. Prohibited activities.

22 (a) ~~No~~ A public official or state employee shall not use or attempt to
23 use his or her official position to secure special privileges or exemptions
24 for himself or herself or his or her spouse, child, parents, or other persons
25 standing in the first degree of relationship, or for those with whom he or
26 she has a substantial financial relationship that are not available to others
27 except as may be otherwise provided by law.

28 (b) ~~No~~ A public official or state employee shall not accept employment
29 or engage in any public or professional activity while serving as a public
30 official ~~which~~ that he or she might reasonably expect would require or induce
31 him or her to disclose any information acquired by him or her by reason of
32 his or her official position ~~which~~ that is declared by law or regulation to
33 be confidential.

34 (c) ~~No~~ A public official or state employee shall not disclose any such
35 information gained by reason of his or her position, nor shall he or she
36 otherwise use ~~such~~ that information for his or her personal gain or benefit.



1 (d) A public official does not violate this section if:

2 (1) An activity, business, or transaction is:

3 (A) Conducted in good faith;

4 (B) Honest, fair, and reasonable;

5 (C) On terms no more favorable than would be offered to a
6 disinterested third person; and

7 (D) In the regular course of business;

8 (2) The public official discloses the relationship to the public
9 or professional entity before an activity, business, or transaction is
10 initiated; and

11 (3) The activity, business, or transaction is approved in
12 writing by the public or professional entity, with an interested public
13 official abstaining.

14 (e) As used in this section, "public official" means:

15 (1) An individual holding or appointed to an elective office of
16 state, county, or city government; and

17 (2) A member or trustee of a board or commission of state,
18 county, city, or local government, including an improvement district or
19 school district.