

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: S4/4/13*

## A Bill

SENATE BILL 991

5 By: Senator B. King  
6

### For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE HIRING OF  
9 STATE EMPLOYEES; AND FOR OTHER PURPOSES.  
10

### Subtitle

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12 TO AMEND ARKANSAS LAW CONCERNING THE  
13 HIRING OF STATE EMPLOYEES.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 *SECTION 1. Arkansas Code Title 21, Chapter 5, Subchapter 1, is amended*  
20 *to add an additional section to read as follows:*

21 *21-5-110. Filling of vacant positions.*

22 *(a) As used in this section:*

23 *(1) "Position" means a single office or employment that:*

24 *(A) Is legislatively authorized in a state agency; and*

25 *(B) Requires the services of one (1) full-time equivalent*  
26 *employee; and*

27 *(2)(A) "State agency" means an agency, authority, department,*  
28 *board, commission, bureau, council, or other agency of the state supported by*  
29 *appropriation of state or federal funds.*

30 *(B) "State agency" does not include:*

31 *(i) An institution of higher education;*

32 *(ii) The following constitutional offices:*

33 *(a) Governor;*

34 *(b) Lieutenant Governor;*

35 *(c) Attorney General;*

36 *(d) Secretary of State;*



1 (e) Auditor of State;  
2 (f) Treasurer of State; and  
3 (g) Commissioner of State Lands;  
4 (iii) The Arkansas State Game and Fish Commission;  
5 and  
6 (iv) The Arkansas State Highway and Transportation  
7 Department.

8 (b) A state agency shall not fill a position vacant on July 1 of each  
9 fiscal year except as provided in this section.

10 (c) A state agency wishing to fill a position vacant on July 1 of each  
11 year shall submit a request to the Director of the Department of Finance and  
12 Administration for approval.

13 (d)(1) If the director approves the request, he or she shall forward  
14 the request to the Legislative Council, or to the Joint Budget Committee if  
15 the General Assembly is in session, for approval.

16 (2) If the Legislative Council or the Joint Budget Committee  
17 approves the request, the state agency may fill the vacant position.

18 (3) If the state agency does not fill the position within one  
19 hundred twenty (120) days of the approval of the Legislative Council or the  
20 Joint Budget Committee, the state agency shall resubmit its request to fill  
21 the vacant position to the director.

22 (e)(1) A state agency shall report each vacant position on July 1 to  
23 the Department of Finance and Administration by August 1 of each year.

24 (2) The Department of Finance and Administration shall submit a  
25 report of each vacant position for each state agency to the Legislative  
26 Council by September 1 of each year.

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28 /s/B. King  
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