

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/14/17

A Bill

HOUSE BILL 2008

5 By: Representative Sturch
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING RESTRICTIONS ON
9 PUBLIC EMPLOYMENT; TO AMEND THE LAW CONCERNING
10 CONSTITUTIONAL OFFICERS; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO AMEND THE LAW CONCERNING RESTRICTIONS
15 ON PUBLIC EMPLOYMENT; AND TO AMEND THE
16 LAW CONCERNING CONSTITUTIONAL OFFICERS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 21-1-402(a), concerning restrictions on*
22 *other employment, is amended to read as follows:*

23 *(a)(1) Subject to any restriction or condition prescribed by the*
24 *Arkansas Constitution and except as provided under subdivision (a)(2) of this*
25 *section, and unless the person resigns ~~prior to~~ before entering into the*
26 *employment, no person elected to a constitutional office, after being elected*
27 *to the constitutional office and during the term for which elected, may enter*
28 *into employment with:*

29 *(A) Any state agency; or*

30 *(B) Any public school district of this state in a*
31 *noncertified position~~;~~*

32 ~~*(C) Any vocational education school funded by the state;*~~

33 ~~*or*~~

34 ~~*(D) Any education service cooperative;*~~

35 *(2)(A) A constitutional officer who was employed by a state*
36 *agency~~;~~ or a public school district of this state in a ~~licensed or~~*



1 ~~nonlicensed noncertified position, a state-supported vocational education~~
2 ~~school, an education service cooperative, or a state-supported college or~~
3 ~~university~~ and who receives the prior approval of the Joint Budget Committee
4 during a legislative session or the Legislative Council between legislative
5 sessions, and the Governor, may:

6 (i) Transfer employment to or become reemployed by
7 another state agency, or public school district of this state in a
8 noncertified position, state-supported vocational education school, an
9 educational service cooperative, or a state-supported college or university;

10 (ii) Change positions under his or her current
11 employer; or

12 (iii) Upon retirement from a state agency, or a
13 noncertified position at a public school district of this state, state-
14 supported vocational education school, an education service cooperative, or a
15 state-supported college or university, enter into part-time or temporary
16 employment with a state agency, or employment in a noncertified position at a
17 public school district of this state, state-supported vocational education
18 school, an educational service cooperative, or a state-supported college or
19 university.

20 (B) Employment under this subdivision (a)(2) shall not be
21 approved if the employment will violate §§ 19-11-701 – 19-11-709.

22 (3) If a constitutional officer is credentialed or certified as
23 a tutor, teacher, professor, or adjunct professor, he or she is not
24 prohibited from employment as a tutor, teacher, professor, or adjunct
25 professor with a public school district, educational service cooperative,
26 state-supported vocational education school, or state-supported college or
27 university in this state.

28 ~~(3)(4)~~ Subject to any restriction or condition prescribed by the
29 Arkansas Constitution, any constitutional officer who was employed by a state
30 agency prior to being elected a constitutional officer may continue the
31 employment, but the employment shall not thereafter be reclassified unless it
32 is the result of a general reclassification affecting all positions of the
33 class and grade equally, nor shall the constitutional officer receive any pay
34 increase for that employment other than the cost-of-living increases
35 authorized by the General Assembly without the prior approval of the Joint
36 Budget Committee during a legislative session, the Legislative Council

1 *between legislative sessions, and the Governor.*

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/s/Sturch

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