

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H3/14/17 H3/22/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 2008

4

5 By: Representative Sturch

6

7

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.

11

12

13

Subtitle

14

TO AMEND THE LAW CONCERNING RESTRICTIONS

15

ON PUBLIC EMPLOYMENT; AND TO AMEND THE

16

LAW CONCERNING CONSTITUTIONAL OFFICERS.

17

18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20

21

SECTION 1. Arkansas Code § 21-1-402(a), concerning restrictions

22

on 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~~ subdivisions

25

(a)(2) and (3) of this section, and unless the person resigns ~~prior to~~ before

26

entering into the employment, ~~no~~ a person elected to a constitutional office,

27

after being elected to the constitutional office and during the term for

28

which elected, ~~may~~ shall not enter into employment with:

29

(A) Any state agency;

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, a public school district of this state in a licensed or nonlicensed



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

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

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

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

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

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

26 ~~(3)~~(4) Subject to any restriction or condition prescribed by the
27 Arkansas Constitution, any constitutional officer who was employed by a state
28 agency prior to being elected a constitutional officer may continue the
29 employment, but the employment shall not thereafter be reclassified unless it
30 is the result of a general reclassification affecting all positions of the
31 class and grade equally, nor shall the constitutional officer receive any pay
32 increase for that employment other than the cost-of-living increases
33 authorized by the General Assembly without the prior approval of the Joint
34 Budget Committee during a legislative session, the Legislative Council
35 between legislative sessions, and the Governor.

36

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/Sturch