

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H2/7/19

A Bill

HOUSE BILL 1374

5 By: Representative Cavanaugh
6 By: Senator B. Johnson
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT FORMER MEMBERS OF THE GENERAL
10 ASSEMBLY FROM CERTAIN ACTIONS UNTIL TWO (2) YEARS
11 AFTER THE EXPIRATION OF THEIR TERM OF OFFICE; TO
12 AMEND ARKANSAS CONSTITUTION, ARTICLE 19, § 29; TO
13 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
14
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Subtitle

16 TO PROHIBIT FORMER MEMBERS OF THE GENERAL
17 ASSEMBLY FROM CERTAIN ACTIONS UNTIL TWO
18 (2) YEARS AFTER THE EXPIRATION OF THEIR
19 TERM OF OFFICE; TO AMEND ARKANSAS
20 CONSTITUTION, ARTICLE 19, § 29; AND TO
21 DECLARE AN EMERGENCY.
22
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24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 *SECTION 1. Arkansas Constitution, Article 19, § 29(a) and (b) are*
28 *amended pursuant to the authority granted by Arkansas Constitution, Article*
29 *19, § 29(d) to read as follows:*

30 (a) A former member of the General Assembly shall not ~~be eligible to~~
31 ~~be registered as a lobbyist under Arkansas Code § 21-8-601 et seq.~~ take the
32 following actions until two (2) years after the expiration of the term of
33 office for which he or she was elected:

34 (1) Register as a lobbyist under Arkansas Code § 21-8-601 et
35 seq.; or

36 (2) Enter into employment as the director of an:



1 (A) Educational cooperative under The Public School
 2 Educational Cooperative Act of 1981, § 6-13-901 et seq.; or

3 (B) Area agency on aging.

4 (b)(1) ~~Subsection~~ Except as provided in subdivision (b)(2) of this
 5 section, subsection (a) of this section applies to ~~all persons~~ a person
 6 elected or reelected to the General Assembly on or after ~~November 4, 2014~~
 7 November 6, 2018.

8 (2) Subdivision (a)(1) of this section shall apply to a person
 9 elected or reelected to the General Assembly on or after November 4, 2014.

10
 11 SECTION 2. Arkansas Code § 21-1-402(a)(1), concerning restrictions on
 12 other employment, is amended to read as follows:

13 (a)(1) Subject to any restriction or condition prescribed by the
 14 Arkansas Constitution and except as provided under subdivisions (a)(2) and
 15 (3) of this section and subsection (f) of this section, and unless the person
 16 resigns before entering into the employment, a person elected to a
 17 constitutional office, after being elected to the constitutional office and
 18 during the term for which elected, shall not enter into employment with:

19 (A) Any state agency;

20 (B) Any public school district of this state in a
 21 noncertified position;

22 (C) Any vocational education school funded by the state;

23 or

24 (D) Any education service cooperative.

25
 26 SECTION 3. Arkansas Code § 21-1-402(f), concerning service by a former
 27 member of the General Assembly in certain roles, is amended to read as
 28 follows:

29 (f)(1) A former member of the General Assembly shall not ~~be eligible~~
 30 ~~to be registered as a lobbyist under § 21-8-601 et seq.~~ take the following
 31 actions until two (2) years after the expiration of the term of office for
 32 which he or she was elected:

33 (A) Register as a lobbyist under § 21-8-601 et seq.; or

34 (B) Enter into employment as the director of an:

35 (i) Educational cooperative under The Public School
 36 Educational Cooperative Act of 1981, § 6-13-901 et seq.; or

(ii) Area agency on aging.

(2)(A) Subsection Except as provided in subdivision (f)(2)(B) of this section, subsection (f)(1) of this section applies to all persons a person elected or reelected to the General Assembly on or after November 4, 2014 November 6, 2018.

(B) Subdivision (f)(1)(A) of this section shall apply to a person elected or reelected to the General Assembly on or after November 4, 2014.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act establishes certain employment restrictions on former members of the General Assembly that are in the best interests of the state; and that these restrictions should become effective at the earliest opportunity to provide for the full implementation of the act. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Cavenaugh