

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

A Bill

HOUSE BILL 1393

5 By: Representative Della Rosa
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For An Act To Be Entitled

8 AN ACT TO ENSURE THE ARKANSAS ETHICS COMMISSION HAS
9 SUFFICIENT TIME AND RESOURCES TO COMPLETE CERTAIN
10 ONGOING INVESTIGATIONS; TO ADDRESS ADMINISTRATIVE
11 LIMITATIONS ON THE ARKANSAS ETHICS COMMISSION; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO ENSURE THE ARKANSAS ETHICS COMMISSION
16 HAS SUFFICIENT TIME AND RESOURCES TO
17 COMPLETE CERTAIN ONGOING INVESTIGATIONS;
18 AND TO ADDRESS ADMINISTRATIVE LIMITATIONS
19 ON THE ARKANSAS ETHICS COMMISSION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. DO NOT CODIFY. Arkansas Ethics Commission investigations.

26 (a) The General Assembly finds that:

27 (1) Under Arkansas Code § 7-6-218(b)(5), the Arkansas Ethics
28 Commission is required to complete investigations of complaints and take
29 final action no more than:

30 (A) Two hundred ten (210) days after the filing of a
31 complaint; and

32 (B) Two hundred forty (240) days after the filing of the
33 complaint if a hearing is requested; and

34 (2) Due to inadequate staffing and resources, the Arkansas
35 Ethics Commission is unable to complete and resolve certain pending
36 investigations of complaints filed in 2018.



1 (b) Therefore, for complaints filed with the commission in 2018, the
 2 commission is hereby granted one hundred twenty (120) days in addition to and
 3 immediately successive to the time currently allowed by Arkansas Code § 7-6-
 4 218(b)(5).

5 (c) The additional time allowed under this act is retroactive to the
 6 date immediately following the currently required time under Arkansas Code §
 7 7-6-218(b)(5).

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 9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 10 General Assembly of the State of Arkansas that it is paramount to our
 11 democracy that the participants in the democracy be held accountable for
 12 ethics violations; that the Arkansas Ethics Commission has inadequate
 13 staffing and funding to complete pending investigations of complaints filed
 14 in 2018; and that this act is immediately necessary because the integrity of
 15 our governmental system is at risk without adequate completion of pending
 16 investigations. Therefore, an emergency is declared to exist, and this act
 17 being immediately necessary for the preservation of the public peace, health,
 18 and safety shall become effective on:

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

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

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