

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

*As Engrossed: S3/20/19*

# A Bill

HOUSE BILL 1395

5 By: Representatives Holcomb, Capp, Maddox  
6 By: Senator B. Ballinger  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING COUNTY OFFICIALS  
10 AND CIVIL OFFICE-HOLDING; AND FOR OTHER PURPOSES.  
11

## Subtitle

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14 TO AMEND THE LAW CONCERNING COUNTY  
15 OFFICIALS AND CIVIL OFFICE-HOLDING.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code Title 14, Chapter 14, Subchapter 1, is  
21 amended to add an additional section to read as follows:

22 14-14-115. Civil office-holding.

23 (a)(1) A person elected or appointed to any of the following county  
24 offices shall not be elected or appointed to another civil office during the  
25 term for which he or she has been elected:

- 26 (A) County judge;
- 27 (B) Justice of the peace;
- 28 (C) Sheriff;
- 29 (D) Circuit clerk;
- 30 (E) County clerk;
- 31 (F) Assessor;
- 32 (G) Coroner;
- 33 (H) Treasurer;
- 34 (I) County surveyor; or
- 35 (J) Collector.

36 (2) An elected county official under subdivision (a)(1) of this



1 section may run for a civil office during the term for which he or she has  
2 been elected.

3 (b)(1) As used in this section, "civil office" means any one (1) of  
4 the following elected or appointed positions, including without limitation:

- 5 (A) County election commissioner;  
6 (B) Member of the Parole Board;  
7 (C) Member of a school board;  
8 (D) Prosecuting attorney or deputy prosecuting attorney;  
9 (E) Constable;  
10 (F) Sheriff or deputy sheriff;  
11 (G) Chief of police or city police officer;  
12 (H) City attorney;  
13 (I) City council member;  
14 (J) Member of a drainage improvement district board;  
15 (K) Member of a public facilities board;  
16 (L) Member of a soil conservation district board;  
17 (M) Member of a county library board;  
18 (N) Member of a rural development authority;  
19 (O) Member of a rural waterworks facilities board or  
20 regional water distribution board;  
21 (P) Member of an airport commission;  
22 (Q) Member of a county or district board of health;  
23 (R) Member of a levee board or levee improvement district  
24 board; and  
25 (S) Member of the Career Education and Workforce  
26 Development Board.

27 (2) As used in this section, "civil office" does not include a  
28 position that a county official may be appointed to on an advisory board  
29 or task force established to assist:

- 30 (A) The Governor;  
31 (B) The General Assembly;  
32 (C) A state agency;  
33 (D) A state department;  
34 (E) A county office;  
35 (F) A county department; or  
36 (G) A subordinate service district.

1 (3) As used in this section, "civil office" does not include a  
 2 position in which a county official is required to serve by law and that  
 3 is related to the county official's duties, including without limitation:

4 (A) A member of an intergovernmental cooperation council;

5 (B) A member of a county equalization board;

6 (C) A member of a regional solid waste management district  
 7 board;

8 (D) A member of a planning and development district board;

9 (E) A member of the Arkansas Commission on Law Enforcement  
 10 Standards and Training;

11 (F) A member of the Electronic Recording Commission;

12 (G) A member of a county hospital board;

13 (H) A member of the Arkansas Workforce Development Board;

14 (I) A member of the State Board of Election Commissioners;

15 (J) A member of the Criminal Justice Institute Advisory  
 16 Board for Law Enforcement Management Training and Education;

17 (K) A member of the Board of Trustees of the Arkansas  
 18 Public Employees' Retirement System;

19 (L) A special judge appointment under Arkansas  
 20 Constitution, Article 7, § 36;

21 (M) A member of the Arkansas Emergency Telephone Services  
 22 Board or any successor board; and

23 (N) A member of the Professional Bail Bond Company and  
 24 Professional Bail Bondsman Licensing Board.

25 (c) This section does not prevent a person:

26 (1) From being elected or appointed to an office under  
 27 subdivision (a)(1) of this section if he or she held a civil office before  
 28 January 1, 2017; or

29 (2) From continuing to hold a civil office the person held  
 30 before appointment or election to an office under subdivision (a)(1) of  
 31 this section.

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34 /s/Holcomb