

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H2/18/13
A Bill

SENATE BILL 217

By: Senator Irvin

By: Representative Jean

For An Act To Be Entitled

AN ACT CONCERNING THE SALARY OF A MUNICIPAL OFFICIAL
WHOSE PROFESSIONAL LICENSE OR REGISTRATION IS
SUSPENDED; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE SALARY OF A MUNICIPAL
OFFICIAL WHOSE PROFESSIONAL LICENSE OR
REGISTRATION IS SUSPENDED.

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

SECTION 1. Arkansas Code § 14-42-113 is amended to read as follows:

14-42-113. Salaries of officials – Salary withheld if professional license or registration suspended.

(a)(1) Except as provided in subsection (b) of this section, the salary of an official of a city of the first class, a city of the second class, or an incorporated town may be increased during the term for which the official has been elected or appointed and may be decreased during the term only if requested by the official.

(2) When any city official whose salary was decreased pursuant to ~~subsection~~ subdivision (a)(1) of this section leaves office ~~prior to~~ before the expiration of his or her term, his or her successor shall receive a salary not less than the salary for the office immediately ~~prior to~~ before its being decreased pursuant to ~~subsection~~ subdivision (a)(1) of this section.

(b)(1) The salary of an elected official of a city of the first class,



a city of the second class, or an incorporated town shall be withheld if:

(A) The elected official is required to hold a professional license or registration as a qualification of his or her position; and

(B) The elected official's professional license or registration is suspended.

(2) Upon suspending the professional license or registration of an elected official of a city of the first class, a city of the second class, or an incorporated town, the agency, board, commission, or other authority that issues the professional license or registration at issue shall notify in writing the appropriate municipality or incorporated town.

(3) Upon learning that an elected official's required professional license or registration has been suspended, the governing body of a city of the first class, city of the second class, or incorporated town shall petition a court of competent jurisdiction for an order mandating that the elected official's salary be withheld may cease paying the elected official's salary from the date of suspension.

(4)(A) Upon restoration of his or her professional license or registration, an elected official of a city of the first class, a city of the second class, or an incorporated town may petition ~~a court of competent jurisdiction for an order mandating that the elected official's salary resume~~ the governing body of the city or town for a resumption of salary, and the governing body shall initiate measures to ensure that the elected official's salary is resumed.

(B) An elected official who receives an order for the resumption of his or her salary under subdivision (b)(4)(A) of this section shall not receive his or her salary for the period that the salary was withheld.

(5)(A) As used in this subsection, "salary" means the compensation paid to an elected official of a city of the first class, a city of the second class, or an incorporated town for service in that position.

(B) "Salary" includes without limitation any benefits provided to the elected official by virtue of his or her position, including without limitation:

(i) Health insurance;

(ii) Retirement contributions; and

(iii) Retirement benefits.

/s/ Irvin

APPROVED: 03/28/2013