

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 169

By: Senator E. Williams

For An Act To Be Entitled

AN ACT PERMITTING THE USE OF ROOMS OR FACILITIES OWNED, OPERATED, OR OTHERWISE UTILIZED BY STATE AGENCIES AND POLITICAL SUBDIVISIONS FOR MEETINGS OF SPECIFIC GOVERNMENTAL BODIES; AMENDING THE ARKANSAS CONSTITUTION UNDER THE AUTHORITY OF ARKANSAS CONSTITUTION, ARTICLE 19, § 30; AND FOR OTHER PURPOSES.

Subtitle

PERMITTING THE USE OF ROOMS OR FACILITIES BELONGING TO STATE AGENCIES OR POLITICAL SUBDIVISIONS FOR MEETINGS OF SPECIFIC GOVERNMENTAL BODIES; AND AMENDING THE ARKANSAS CONSTITUTION UNDER ARKANSAS CONSTITUTION, ARTICLE 19, § 30.

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

SECTION 1. Pursuant to the authority under Arkansas Constitution, Article 19, § 30(d)(1), Arkansas Constitution, Article 19, § 30(b)(2)(B), concerning the definition of "gift", is amended to read as follows:

(B) "Gift" does not include:

(i)(a) Informational material such as books, reports, pamphlets, calendars, or periodicals informing a person elected or appointed to an office under subsection (a) of this section regarding his or her official duties.

(b) Payments for travel or reimbursement for any



expenses are not informational material;

(ii) Gifts that are not used and which, within thirty (30) days after receipt, are returned to the donor;

(iii) Gifts from the spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin of a person elected or appointed to an office under subsection (a) of this section, or the spouse of any of these persons, unless the person is acting as an agent or intermediary for any person not covered by this subdivision (b)(2)(B)(iii);

(iv) Anything of value that is readily available to the general public at no cost;

(v)(a)(1) Food or drink available at a planned activity to which a specific governmental body is invited, including without limitation a governmental body to which a person elected or appointed to an office under subsection (a) of this section is not a member.

(2) If a committee of the General Assembly is invited to a planned activity under subdivision (b)(2)(B)(v)(a)(1) of this section, only members of the committee of the General Assembly may accept food or drink at the planned activity.

(b)(1) As used in this subdivision (b)(2)(B)(v), "planned activity" means an event for which a written invitation is distributed electronically or by other means by the lobbyist, person acting on behalf of a lobbyist, or a person employing or contracting with a lobbyist to the members of the specific governmental body at least twenty-four (24) hours before the event.

(2) As used in this subdivision (b)(2)(B)(v), "planned activity" does not include food or drink available at a meeting of a specific governmental body for which the person elected or appointed to an office under subsection (a) of this section is entitled to receive per diem for attendance at the meeting.

(c) A lobbyist, a person acting on behalf of a lobbyist, or a person employing or contracting with a lobbyist shall not offer or pay for food or drink at more than one (1) planned activity in a seven-day period;

(vi)(a) Payments by regional or national organizations for travel to regional or national conferences at which the State of Arkansas is

requested to be represented by a person or persons elected or appointed to an office under subsection (a) of this section.

(b) As used in this subdivision (b)(2)(B)(vi), “travel” means transportation, lodging, and conference registration fees.

(c) This section does not prohibit the acceptance of:

(1) Food, drink, informational materials, or other items included in the conference registration fee; and

(2) Food and drink at events coordinated through the regional or national conference and provided to persons registered to attend the regional or national conference;

(vii) Campaign contributions;

(viii) Any devise or inheritance;

(ix) Salaries, benefits, services, fees, commissions, expenses, or anything of value in connection with:

(a) The employment or occupation of a person elected or appointed to an office under subsection (a) of this section or his or her spouse so long as the salary, benefit, service, fee, commission, expense, or anything of value is solely connected with the person’s employment or occupation and is unrelated to and does not arise from the duties or responsibilities of the office to which the person has been elected or appointed; or

(b) Service as an officer, director, or board member of a corporation, a firm registered to do business in the state, or other organization that files a state and federal tax return or is an affiliate of an organization that files a state and federal tax return by a person elected or appointed to an office under subsection (a) of this section or his or her spouse so long as the salary, benefit, service, fee, commission, expense, or anything of value is solely connected with the person’s service as an officer, director, or board member and is unrelated to and does not arise from the duties or responsibilities of the office to which the person has been elected or appointed; ~~and~~

(x) A personalized award, plaque, or trophy with a value of one hundred fifty dollars (\$150) or less; and

(xi)(a) The use of one (1) or more rooms or facilities owned, operated, or otherwise utilized by a state agency or political

subdivision of the state for the purpose of conducting a meeting of a specific governmental body.

(b) As used in this subdivision (b)(2)(B)(xi):

(1) "Rooms or facilities" includes without limitation property belonging to a state agency or political subdivision used in connection with a meeting of a specific governmental body such as projectors, microphones, and computer equipment; and

(2) "State agency" means every department, division, office, board, commission, and institution of this state, including state-supported institutions of higher education.

APPROVED: 02/21/2017