

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1452

By: Representative S. Meeks

For An Act To Be Entitled

AN ACT TO AMEND THE EMERGENCY INTERIM EXECUTIVE AND
JUDICIAL SUCCESSION ACT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE EMERGENCY INTERIM EXECUTIVE
AND JUDICIAL SUCCESSION ACT.

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

SECTION 1. Arkansas Code § 21-1-304(a), concerning additional successor to the Office of Governor, is amended to read as follows:

(a) In the event that the Governor, for any of the reasons specified in the Arkansas Constitution, is not able to exercise the powers and discharge the duties of his or her office, or is unavailable, and in the event the Lieutenant Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives are not able, for any of the reasons specified in the Arkansas Constitution, to exercise the powers and discharge the duties of the Office of Governor, or are unavailable, then the Attorney General, Secretary of State, ~~or~~ Treasurer of State, Auditor of State, or Commissioner of State Lands, in the order named, shall exercise the powers and discharge the duties of the Office of Governor until a new Governor is elected and qualified, or until one (1) of the officers who precedes him or her in the order of succession becomes available.

SECTION 2. Arkansas Code § 21-1-305 is repealed.

~~21-1-305. Emergency interim successors for state officers.~~

~~(a)(1) All state officers, subject to any regulations which the~~



~~Governor or other official authorized under the Arkansas Constitution and this subchapter to exercise the powers and discharge the duties of the Office of Governor may issue, in addition to any deputy authorized pursuant to law to exercise all of the powers and discharge the duties of the office, shall designate by title emergency interim successors, and specify their order of succession.~~

~~(2) The officer shall review and revise, as necessary, designations made pursuant to this subchapter to ensure their current status.~~

~~(3) The officer will designate a sufficient number of emergency interim successors so that there will be not less than three (3) nor more than seven (7) deputies or emergency interim successors or any combination thereof, at any time.~~

~~(b)(1) In the event that any state officer is unavailable following an attack and in the event his or her deputy, if any, is also unavailable, the powers of his or her office shall be exercised, and the duties of his or her office shall be discharged, by his or her designated emergency interim successors in the order specified.~~

~~(2) The emergency interim successors shall exercise the powers and discharge the duties only until:~~

~~(A) Where a vacancy exists, the Governor or other official authorized under the Arkansas Constitution or this subchapter to exercise the powers and discharge the duties of the Office of Governor appoints a successor to fill the vacancy or a successor is otherwise appointed, or elected and qualified as provided by law; or~~

~~(B) An officer or his or her deputy or a preceding named emergency interim successor becomes available to exercise or resume the exercise of the powers and discharge the duties of his or her office.~~

APPROVED: 03/06/2017