

Stricken language would be deleted from and underlined language would be added to present law.
Act 961 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/14/17 H3/22/17

A Bill

HOUSE BILL 2008

By: Representative Sturch

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING RESTRICTIONS ON
PUBLIC EMPLOYMENT; TO AMEND THE LAW CONCERNING
CONSTITUTIONAL OFFICERS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING RESTRICTIONS
ON PUBLIC EMPLOYMENT; AND TO AMEND THE
LAW CONCERNING CONSTITUTIONAL OFFICERS.

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

SECTION 1. Arkansas Code § 21-1-402(a), concerning restrictions on other employment, is amended to read as follows:

(a)(1) Subject to any restriction or condition prescribed by the Arkansas Constitution and except as provided under ~~subdivision~~ subdivisions (a)(2) and (3) of this section, and unless the person resigns ~~prior to~~ before entering into the employment, ~~no~~ a person elected to a constitutional office, after being elected to the constitutional office and during the term for which elected, ~~may~~ shall not enter into employment with:

(A) Any state agency;

(B) Any public school district of this state in a noncertified position;

(C) Any vocational education school funded by the state;

or

(D) Any education service cooperative.

(2)(A) A constitutional officer who was employed by a state agency, a public school district of this state in a licensed or nonlicensed



position, a state-supported vocational education school, an education service cooperative, or a state-supported college or university and who receives the prior approval of the Joint Budget Committee during a legislative session or the Legislative Council between legislative sessions, and the Governor, may:

(i) Transfer employment to or become reemployed by another state agency, public school district of this state, state-supported vocational education school, an educational service cooperative, or a state-supported college or university;

(ii) Change positions under his or her current employer; or

(iii) Upon retirement from a state agency, public school district of this state, state-supported vocational education school, an education service cooperative, or a state-supported college or university, enter into part-time or temporary employment with a state agency, public school district of this state, state-supported vocational education school, an educational service cooperative, or a state-supported college or university.

(B) Employment under this subdivision (a)(2) shall not be approved if the employment will violate §§ 19-11-701 – 19-11-709.

(3) If a constitutional officer is credentialed or certified as a tutor, teacher, professor, or adjunct professor, he or she is not prohibited from employment as a tutor, teacher, professor, or adjunct professor with a public school district, educational service cooperative, state-supported vocational education school, or state-supported college or university in this state.

~~(3)~~(4) Subject to any restriction or condition prescribed by the Arkansas Constitution, any constitutional officer who was employed by a state agency prior to being elected a constitutional officer may continue the employment, but the employment shall not thereafter be reclassified unless it is the result of a general reclassification affecting all positions of the class and grade equally, nor shall the constitutional officer receive any pay increase for that employment other than the cost-of-living increases authorized by the General Assembly without the prior approval of the Joint Budget Committee during a legislative session, the Legislative Council between legislative sessions, and the Governor.

/s/Sturch

APPROVED: 04/05/2017