

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/5/19
A Bill

HOUSE BILL 1393

By: Representative Della Rosa

For An Act To Be Entitled

AN ACT TO ENSURE THE ARKANSAS ETHICS COMMISSION HAS SUFFICIENT TIME AND RESOURCES TO COMPLETE CERTAIN ONGOING INVESTIGATIONS; TO ADDRESS ADMINISTRATIVE LIMITATIONS ON THE ARKANSAS ETHICS COMMISSION; AND FOR OTHER PURPOSES.

Subtitle

TO ENSURE THE ARKANSAS ETHICS COMMISSION HAS SUFFICIENT TIME AND RESOURCES TO COMPLETE CERTAIN ONGOING INVESTIGATIONS; AND TO ADDRESS ADMINISTRATIVE LIMITATIONS ON THE ARKANSAS ETHICS COMMISSION.

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

SECTION 1. Arkansas Code § 7-6-218(b)(5)(A), concerning investigations and hearings conducted by the Arkansas Ethics Commission, is amended to read as follows:

(5)(A)(i) The Except as provided in subdivision (b)(5)(A)(iii) of this section, the Arkansas Ethics Commission shall complete its investigation of a complaint filed pursuant to this section and take final action within two hundred ten (210) days of the filing of the complaint.

(ii) If Except as provided in subdivision (b)(5)(A)(iii) of this section, if a hearing under subdivision (b)(2) of this section or other hearing of adjudication is conducted, all action on the complaint by the Arkansas Ethics Commission shall be completed within two hundred forty (240) days.



(iii) If the Arkansas Ethics Commission requires additional time to complete its investigation under subdivision (b)(5)(A)(i) of this section or to complete its hearing or action under subdivision (b)(5)(A)(ii) of this section and gives written notice to the person who is under investigation or the subject of the hearing or action, the Arkansas Ethics Commission may extend the time to complete the investigation, hearing, or action by no more than sixty (60) days.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is paramount to our democracy that the participants in the democracy be held accountable for ethics violations; that the Arkansas Ethics Commission has inadequate staffing and funding to complete pending investigations of complaints filed in 2018; and that this act is immediately necessary because the integrity of our governmental system is at risk without adequate completion of pending investigations. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Della Rosa

APPROVED: 3/21/19