

Stricken language would be deleted from and underlined language would be added to present law.

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*