

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: S3/23/17
A Bill

SENATE BILL 726

By: Senators Collins-Smith, Rice

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING PROHIBITED APPEARANCES BY LEGISLATORS; TO AMEND ARKANSAS LAW CONCERNING THE ETHICAL STANDARDS FOR MEMBERS OF THE GENERAL ASSEMBLY ACTING AS ATTORNEYS OR CONSULTANTS; *TO AMEND A PORTION OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1988; AND FOR OTHER PURPOSES.*

Subtitle

TO AMEND ARKANSAS LAW CONCERNING PROHIBITED APPEARANCES BY LEGISLATORS; AND TO AMEND A PORTION OF LAW RESULTING FROM INITIATED ACT 1 OF 1988.

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

SECTION 1. Arkansas Code § 21-8-802, resulting from Initiated Act 1 of 1988 and as amended by Act 449 of 2017, is amended to read as follows:

21-8-802. Prohibited appearances – Exceptions.

(a) ~~No~~ A legislator shall not appear for compensation on behalf of another person, firm, corporation, or entity before any entity of:

(1) State government, if the legislator is a member of the General Assembly;

(2) The legislator's county government, if the legislator is a member of a quorum court;

(3) The legislator's municipal government, if the legislator is a member of a city council or board of directors of a municipality; or

(4) The legislator's school district board of directors, if the



legislator is a member of a school district board of directors.

(b) ~~This~~ Subsection (a) of this section shall not:

(1) Apply to any judicial proceeding or to any hearing or proceeding which is adversarial in nature or character;

(2) Apply to any hearing or proceeding on which a record is made by the entity of state government, entity of county government, entity of municipal government, or school district board of directors;

(3) Apply to an appearance which is a matter of public record;

(4) Apply to ministerial actions; or

(5) Preclude a legislator from acting on behalf of a constituent to determine the status of a matter without accepting compensation.

(c) An appearance which is a matter of public record as provided in subdivision (b)(3) of this section may be made by:

(1)(A) Filing a written statement within twenty-four (24) hours with the agency head of the entity of state government, entity of county government, entity of municipal government, or school district before which an appearance is sought.

(B) In the event that a written statement cannot be provided to the agency head prior to the ~~meeting~~ appearance, telephonic notice ~~must~~ shall be given to the agency head or his or her office; or

(2) Filing a quarterly statement with the agency head of the entity of state government before which an appearance is sought.

(d)(1) A statement filed under subsection (c) of this section shall identify the client on behalf of whom the appearance is made and contain a general statement of the action sought from the governmental body.

(2)(A) The ~~statements~~ statement shall be retained by the agency head and shall be a matter of public record.

(B) If the agency head determines that the release of the client's name would be an unwarranted invasion of individual privacy or would give advantage to competitors for bidding, the agency head may withhold the name until appropriate.

(e) ~~No~~ A member of the General Assembly shall not:

(1) ~~receive~~ Receive any income or compensation as defined in § 21-8-401 et seq., other than income and benefits from the governmental body to which he or she is duly entitled, for lobbying other members of the General Assembly by communicating directly or soliciting others to

communicate with any other member with the purpose of influencing legislative action by the General Assembly; or

(2) Appear as the attorney or consultant of another person, firm, corporation, or entity before:

(A) Either house of the General Assembly;

(B) A committee or task force of either house of the General Assembly; or

(C) A joint committee or task force of the General Assembly.

/s/Collins-Smith