

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S3/20/19  
**A Bill**

HOUSE BILL 1395

By: Representatives Holcomb, Capp, Maddox

By: Senator B. Ballinger

### **For An Act To Be Entitled**

AN ACT TO AMEND THE LAW CONCERNING COUNTY OFFICIALS  
AND CIVIL OFFICE-HOLDING; AND FOR OTHER PURPOSES.

### **Subtitle**

TO AMEND THE LAW CONCERNING COUNTY  
OFFICIALS AND CIVIL OFFICE-HOLDING.

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

SECTION 1. Arkansas Code Title 14, Chapter 14, Subchapter 1, is amended to add an additional section to read as follows:

14-14-115. Civil office-holding.

(a)(1) A person elected or appointed to any of the following county offices shall not be elected or appointed to another civil office during the term for which he or she has been elected:

- (A) County judge;
- (B) Justice of the peace;
- (C) Sheriff;
- (D) Circuit clerk;
- (E) County clerk;
- (F) Assessor;
- (G) Coroner;
- (H) Treasurer;
- (I) County surveyor; or
- (J) Collector.

(2) An elected county official under subdivision (a)(1) of this



section may run for a civil office during the term for which he or she has been elected.

(b)(1) As used in this section, "civil office" means any one (1) of the following elected or appointed positions, including without limitation:

- (A) County election commissioner;
- (B) Member of the Parole Board;
- (C) Member of a school board;
- (D) Prosecuting attorney or deputy prosecuting attorney;
- (E) Constable;
- (F) Sheriff or deputy sheriff;
- (G) Chief of police or city police officer;
- (H) City attorney;
- (I) City council member;
- (J) Member of a drainage improvement district board;
- (K) Member of a public facilities board;
- (L) Member of a soil conservation district board;
- (M) Member of a county library board;
- (N) Member of a rural development authority;
- (O) Member of a rural waterworks facilities board or regional water distribution board;
- (P) Member of an airport commission;
- (Q) Member of a county or district board of health;
- (R) Member of a levee board or levee improvement district board; and
- (S) Member of the Career Education and Workforce Development Board.

(2) As used in this section, "civil office" does not include a position that a county official may be appointed to on an advisory board or task force established to assist:

- (A) The Governor;
- (B) The General Assembly;
- (C) A state agency;
- (D) A state department;
- (E) A county office;
- (F) A county department; or
- (G) A subordinate service district.

(3) As used in this section, "civil office" does not include a position in which a county official is required to serve by law and that is related to the county official's duties, including without limitation:

- (A) A member of an intergovernmental cooperation council;
- (B) A member of a county equalization board;
- (C) A member of a regional solid waste management district board;
- (D) A member of a planning and development district board;
- (E) A member of the Arkansas Commission on Law Enforcement Standards and Training;
- (F) A member of the Electronic Recording Commission;
- (G) A member of a county hospital board;
- (H) A member of the Arkansas Workforce Development Board;
- (I) A member of the State Board of Election Commissioners;
- (J) A member of the Criminal Justice Institute Advisory Board for Law Enforcement Management Training and Education;
- (K) A member of the Board of Trustees of the Arkansas Public Employees' Retirement System;
- (L) A special judge appointment under Arkansas Constitution, Article 7, § 36;
- (M) A member of the Arkansas Emergency Telephone Services Board or any successor board; and
- (N) A member of the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board.

(c) This section does not prevent a person:

- (1) From being elected or appointed to an office under subdivision (a)(1) of this section if he or she held a civil office before January 1, 2017; or
- (2) From continuing to hold a civil office the person held before appointment or election to an office under subdivision (a)(1) of this section.

/s/Holcomb