

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1676

By: Representative D. Ferguson

For An Act To Be Entitled

AN ACT TO REQUIRE EQUAL REPRESENTATION OF WOMEN AND MEN ON STATE BOARDS AND COMMISSIONS; TO ENCOURAGE CONSTITUTIONAL OFFICERS TO GIVE EQUAL OPPORTUNITIES TO MEN AND WOMEN WHEN MAKING APPOINTMENTS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE EQUAL REPRESENTATION OF WOMEN AND MEN ON STATE BOARDS AND COMMISSIONS; AND TO ENCOURAGE CONSTITUTIONAL OFFICERS TO GIVE EQUAL OPPORTUNITIES TO MEN AND WOMEN WHEN MAKING APPOINTMENTS.

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

SECTION 1. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

25-1-125. Equal representation required in appointments.

(a) The General Assembly finds that:

(1) There is a higher population of women in the United States than men as evidenced by the following sources:

(A) According to the 2010 United States Census, one hundred fifty-one million seven hundred eighty-one thousand three hundred twenty-six (151,781,326) men and one hundred fifty-six million nine hundred sixty-four thousand two hundred twelve (156,964,212) women; and

(B) According to the 2000 United States Census, one hundred thirty-eight million fifty-three thousand five hundred sixty-three



(138,053,563) men and one hundred forty three million, three hundred sixty-eight thousand three hundred forty three (143,368,342) women;

(2) Estimates indicate that in Arkansas men are outnumbered by women by a ratio of ninety-seven (97) to one hundred (100);

(3) Despite outnumbering men in population, women are underrepresented in holding appointed public offices in Arkansas;

(4) A government of the people, by the people, for the people cannot exist without equal representation of the diverse characteristics of its population;

(5) The constitutional officers of this state hold a duty to preserve and obey the constitution that grants them their power and authority; and

(6) The Arkansas Constitution Article 2, § 3 states "equality of all persons before the law is recognized, and shall ever remain inviolate".

(b)(1) Except as provided for in subdivision (b)(2) and subsection (c) of this section, each appointing official shall make his or her appointments in a manner that effectuates:

(A) An equal number of men and women on each board or commission; and

(B) An equal number of men and women from the total number of all persons holding appointed positions on boards or commissions.

(2) If there is an odd number of positions on the board or commission, the appointing official shall make his or her appointment in the manner that will effectuate:

(A) A particular sex holding no more than one (1) position more than the underrepresented sex on the particular board or commission; and

(B) An equal number of men and women from the total of all persons holding appointed positions on boards or commissions.

(c) If one (1) of the sexes is underrepresented on the date this act becomes effective, each person holding an appointed position may continue to serve the remainder of his or her term.

(d) As used in this section:

(1) "Appointed position" means a person holding an appointed office or membership on a board or commission;

(2) "Appointing official" means the person or other authority designated by law with the duty or power to make an appointment to a board or

commission of this state; and

(3) "Board or commission" means the:

- (A) Arkansas Board of Podiatric Medicine;
- (B) Arkansas Economic Development Council;
- (C) Arkansas Higher Education Coordinating Board;
- (D) Arkansas State Board of Dental Examiners;
- (E) State Board of Optometry;
- (F) Arkansas State Board of Pharmacy;
- (G) Arkansas State Claims Commission;
- (H) State Highway Commission;
- (I) Arkansas State Medical Board;
- (J) Arkansas Racing Commission;
- (K) Board of Trustees of Arkansas Tech University;
- (L) Board of Trustees of the Arkansas State University

System;

- (M) Board of Corrections;
- (N) State Board of Education;
- (O) Arkansas State Game and Fish Commission;
- (P) Board of Trustees of Henderson State University;
- (Q) Parole Board;
- (R) Arkansas Public Service Commission;
- (S) Board of Trustees of Southern Arkansas University;
- (T) State Banking Board;
- (U) State Board of Health;
- (V) Board of Trustees of the University of Arkansas;
- (W) Board of Trustees of the University of Central

Arkansas; and

- (X) Workers' Compensation Commission.