

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

State of Arkansas *As Engrossed: S1/28/19 S2/6/19*
92nd General Assembly **A Bill**
Regular Session, 2019

SENATE BILL 76

By: Senator D. Wallace
By: Representative Sullivan

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING EMERGENCY
TEMPORARY LOCATIONS FOR MEETINGS OF A GOVERNING *BODY*;
TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

*TO AMEND THE LAW CONCERNING EMERGENCY
TEMPORARY LOCATIONS FOR MEETINGS OF A
GOVERNING BODY; AND TO DECLARE AN
EMERGENCY.*

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

SECTION 1. Arkansas Code § 14-14-308 is amended to read as follows:

14-14-308. Emergency temporary location for political subdivisions.

(a)(1)(A) Whenever, due to an emergency ~~resulting from the effects of enemy attack, or the anticipated effects of a threatened enemy attack,~~ it becomes imprudent, inexpedient, or impossible to conduct the affairs of local government at the regular or usual place ~~thereof~~, the governing body of each political subdivision of this state may meet at any place in the county whether *whether* within or without the territorial limits of the political subdivisions on the call of the presiding officer or any two (2) members of the governing body.

(B) The governing body shall proceed to establish and designate by ordinance, resolution, or other manner alternate or substitute sites or places as the emergency temporary location of government where all, or any part, of the public business may be transacted and conducted during



the emergency situation.

(2) The sites or places may be in the county whether within or without the territorial limits of the political subdivisions ~~and may be within or without this state.~~

(b)(1) During the period when the public business is being conducted at an emergency temporary location, the governing body and other officers of a political subdivision of this state shall have and possess and shall exercise at the location all of the executive, legislative, and judicial powers and functions conferred upon the governing body and officers by or under the laws of this state.

~~(2) The powers and functions of the governing body and officers may be exercised without regard to or compliance with time-consuming procedures and formalities prescribed by law and pertaining thereto.~~ All acts of the governing body and officers shall be as valid and binding as if performed within the territorial limits of their political subdivision.

(c) ~~"Political subdivisions" shall mean~~ As used in this section, "political subdivisions" means all duly formed and constituted governing bodies created and established under authority of the Arkansas Constitution and laws of this state.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there are meeting places of governing bodies across the state that are in disrepair; that often a meeting place needs to be closed and relocated temporarily; and that this act is immediately necessary because under current law a meeting place cannot be set up temporarily unless an emergency arises due to an enemy attack. 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/D. Wallace