

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 2008

By: Representative Clark

"AN ACT TO AMEND ARKANSAS STATUTE 42-406 TO ELIMINATE THE PROHIBITION THAT MEMBERS OF THE STATE POLICE CANNOT ON THEIR OWN TIME EXERCISE THEIR FIRST AMENDMENT RIGHTS IN THE POLITICAL ARENA; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (b) of Section 6 of Act 231 of 1945, the same being Arkansas Statute 42-406(b), is hereby amended to read as follows:

"(b) The Director shall receive all applications for positions as Arkansas State Police and submit same to the Arkansas Police Commission for examination as to the physical fitness and mental qualifications of such applicants, and for such other examinations as the Commission may deem proper. All applications and examinations shall be in writing and shall be kept as a permanent file by the Commission. A list containing the names of all applicants who possess the necessary qualifications as determined by the Commission shall be certified to the Director and from this list, he shall make the final selection for the appointments. No person shall be eligible for a position as a member of the Arkansas State Police or any other position with the Department of Arkansas State Police who has been convicted of a felony in any state or Federal Court or who is known to be a person of immoral character. It is hereby specifically provided that all Arkansas State Police shall be chosen along the lines of Civil Service and shall not be appointed as patronage or political favor. They shall not be at any time detailed to perform work pertaining to political activities affecting either a candidate or measures but shall devote their entire time to the duties herein set forth. Such police shall not be required nor counseled to make, solicit or prescribe contributions toward and for any political campaign of whatsoever nature; neither shall they be required, directly or indirectly, to participate or

assist in any manner in any political campaign of whatsoever nature in behalf of any candidate or measure. The violation of these provisions shall be and is hereby declared sufficient for the removal of any member of the State Police Force, provided, however, that nothing herein shall interfere with the rights of any member of the Arkansas State Police to vote for any candidate or upon any issues as his reason and conscience may dictate. The members of the Arkansas State Police shall hold their offices until and unless removed for cause."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

