

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1760

4  
5 By: Representatives Harris, Shoffner, T. Thomas, Elliott, King, Haak, Bush, R. Smith, Womack, J.  
6 Lewellen, Cleveland, Booker, White, Broadway, L. Thomas, W. Walker, Agee, C. Johnson

## For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE 21-2-105 TO CLARIFY THE  
11 ADMINISTRATION OF OATHS; AND FOR OTHER PURPOSES."

## Subtitle

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14 "TO AMEND ARKANSAS CODE 21-2-105 TO  
15 CLARIFY THE ADMINISTRATION OF OATHS."

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

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20 SECTION 1. Arkansas Code 21-2-105 is amended to read as follows:

21 "21-2-105. Administration of oaths generally.

22 (a)(1) The Governor shall take the oath of office before one of the  
23 justices of the Supreme Court or one of the judges of the circuit courts, the  
24 county clerk, or clerk of the circuit court.

25 (2) The justices of the Supreme Court and judges of the circuit  
26 courts, Secretary of State, Treasurer of State, and Auditor of State shall  
27 take their oaths before the Governor or any of the justices of the Supreme  
28 Court or one of the judges of the circuit courts, the clerk of the county  
29 court, or the clerk of the circuit court.

30 (3) All other officers, both civil and military, shall take their  
31 oaths before the Secretary of State or his official designee, any justice or  
32 judge, clerk of the county court, clerk of the circuit court, or justice of  
33 the peace.

34 (b) However, if the officer is serving in or with the armed forces of  
35 the United States, he may take the oath of office before any commissioned  
36 officer in active service of the armed forces of the United States with the

1 rank of second lieutenant or higher in the Army, Air Force or Marine Corps, or  
2 ensign or higher in the Navy or Coast Guard.

3 (c) The oath shall not be rendered invalid by failure to recite a venue  
4 or to state the place of execution of the oath, nor is a special form of jurat  
5 of affidavit, nor any authentication thereof, required, provided it appears on  
6 the instrument that the person taking the oath is a commissioned officer  
7 provided for in this section."  
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9 SECTION 2. All provisions of this act of a general and permanent nature  
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
11 Revision Commission shall incorporate the same in the Code.  
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13 SECTION 3. If any provision of this act or the application thereof to  
14 any person or circumstance is held invalid, such invalidity shall not affect  
15 other provisions or applications of the act which can be given effect without  
16 the invalid provision or application, and to this end the provisions of this  
17 act are declared to be severable.  
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19 SECTION 4. All laws and parts of laws in conflict with this act are  
20 hereby repealed.  
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