



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

STEVE CLARK
ATTORNEY GENERAL
OPINION NO. 86-282

(501) 371-2007

July 9, 1986

Honorable W. H. "Bill" Sanson
State Representative
Route 1
Vilonia, Arkansas 72173

Dear Representative Sanson:

This is in response to your inquiry whereby you submitted the following:

1. Is it legal for the spouse of an elected alderman to work for the city utility?
2. If it is legal for said spouse to work for said utility should the Alderman-spouse refrain from voting on any issue that pertains to the utility where the spouse works?

I am aware of no legal prohibition against the wife of an alderman working for the city utility. Ark. Stat. Ann. §19-909 provides in part as follows:

No alderman or member of a city council shall be interested, directly or indirectly, in the profits of any contract for the furnishing of services to the municipality. . . .

Ark. Stat. Ann. §19-909 would only apply if the alderman was indirectly interested in the profits of any contract of employment by his wife. This, however, involves a question of fact which could only be resolved by the judiciary..

The foregoing opinion, which I hereby approve was prepared by Chief Deputy Attorney General Rodney Parham.

Yours truly,


STEVE CLARK
Attorney General

SC:RP:lm