



STATE OF ARKANSAS

*House of Representatives*



# Newsletter From Rep. Matthew J. Shepherd District 97

September 6, 2019

## Letter to Members from Speaker Shepherd

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STATE OF ARKANSAS

*House of Representatives*

NINETY-SECOND GENERAL ASSEMBLY  
STATE CAPITOL  
500 WOODLANE STREET, SUITE 350  
LITTLE ROCK, ARKANSAS 72201-1089  
(501) 682-7771

MATTHEW J. SHEPHERD, SPEAKER

September 6, 2019

Dear Colleagues:

As you are aware by now, Representative Mickey Gates recently entered a plea of nolo contendere to a felony charge of failure to pay or file tax return, more specifically Arkansas Code § 26-18-202.

Accordingly, I, along with our legal staff, have taken the last few weeks to review the Arkansas Constitution and applicable Arkansas law.

Upon review of legal authority and careful consideration, I have asked Representative Gates to resign from serving in the House of Representatives. He indicated to me that he does not intend to do so. Thus, I intend to file a resolution for the immediate removal of Representative Gates from the House. The resolution proceeds under the authority of Article 5, Section 12 of the Arkansas Constitution and will cite, in part, Act 894 of the 2019 Regular Session, which this General Assembly adopted, which provides:

"If a person has pleaded guilty or nolo contendere to or has been found guilty of a public trust crime, he or she shall not:

- (1) File as a candidate for a constitutional office;
- (2) Run as a candidate for a constitutional office; or
- (3) Hold a constitutional office."

I have informed Representative Gates of my intentions.

Upon filing of the resolution, the House will convene in House Caucus to consider the resolution. As we move forward, we will notify you of the date for said caucus. We will continue to forward updates as this matter develops.

I am saddened that it has come to the filing of a resolution, but we must abide by the laws that we pass and uphold the trust of the people of Arkansas.

Sincerely,

A handwritten signature in black ink, appearing to read "MJS", written over a horizontal line.

Matthew J. Shepherd  
Speaker of the House  
District 6