

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/23/11

A Bill

SENATE BILL 883

5 By: Senator P. Malone
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For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING EMERGENCY
9 RULES PROMULGATED UNDER THE ARKANSAS ADMINISTRATIVE
10 PROCEDURE ACT; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO AMEND ARKANSAS LAW CONCERNING
15 EMERGENCY RULES PROMULGATED UNDER THE
16 ARKANSAS ADMINISTRATIVE PROCEDURE ACT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 25-15-204(b), concerning emergency rules*
22 *promulgated under the Administrative Procedure Act, is amended to read as*
23 *follows:*

24 *(b)(1) If an agency finds that imminent peril to the public health,*
25 *safety, or welfare or compliance with federal laws or regulations requires*
26 *adoption of a rule upon less than thirty (30) days' notice and states in*
27 *writing its reasons for that finding, it may proceed without prior notice or*
28 *hearing, or upon any abbreviated notice and hearing that it may choose, to*
29 *adopt an emergency rule.*

30 *(2) The rule may be effective for no longer than one hundred*
31 *twenty (120) days.*

32 *(3) If, after the expiration of the effective period of an*
33 *emergency rule, an agency wishes to adopt a successive emergency rule that is*
34 *identical or substantially similar to the expired emergency rule, the agency*
35 *shall not adopt the successive emergency rule earlier than thirty (30) days*
36 *after the expiration of the emergency rule.*



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/s/P. Malone

APPROVED: 04/01/2011