

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Mahony**

A Bill

HOUSE BILL 1072

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH RULES OF STATUTORY CONSTRUCTION IN
9 INSTANCES INVOLVING MULTIPLE ENACTMENTS ON THE SAME
10 SUBJECT DURING THE SAME LEGISLATIVE SESSION; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "TO ESTABLISH RULES OF STATUTORY CONSTRUCTION IN INSTANCES
15 INVOLVING MULTIPLE ENACTMENTS ON THE SAME SUBJECT DURING
16 THE SAME SESSION."

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

20 SECTION 1. When identical acts are enacted by the General Assembly
21 *during the same session, the act which the Governor signs last shall be deemed*
22 *to have repealed the earlier enactment.*

24 SECTION 2. When more than one act concerning the same subject matter
25 is enacted by the General Assembly during the same session, whether or not
26 specifically amending the same sections of the Arkansas Code or an uncodified
27 act, all of the enactments shall be given effect except to the extent of
28 irreconcilable conflicts in which case the conflicting provision of the last
29 *enactment shall prevail. The last enactment is the one which the Governor*
30 *signed last.*

32 SECTION 3. All provisions of this act of a general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. Emergency. It is hereby found and determined by the General Assembly that it is not uncommon that multiple acts are enacted each session by the General Assembly dealing with the same subject matter; that it is unclear as to which law prevails in that instance; this act establishes rules of construction to clarify the confusion and should therefore be given immediate effect. Therefore, an emergency is hereby declared to exist, and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/J. Mahony

1

2