

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/28/03

A Bill

HOUSE BILL 2825

5 By: Representative Hathorn
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For An Act To Be Entitled

9 AN ACT TO AMEND THE PROCESS FOR APPEALS FROM AN
10 ORDER BY THE PROFESSIONAL BAIL BOND COMPANY AND
11 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD; AND
12 FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO AMEND THE PROCESS FOR APPEALS
15 FROM AN ORDER BY THE PROFESSIONAL BAIL
16 BOND COMPANY AND PROFESSIONAL BAIL
17 BONDSMAN LICENSING BOARD.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 17-19-209(g), concerning an appeal from an
24 order by the Professional Bail Bond Company and Professional Bail Bondsman
25 Licensing Board, is amended to read as follows:

26 (g)(1) A party may appeal from any order of the board as a matter of
27 right and shall be taken to the Circuit Court of Pulaski County by filing
28 written notice of appeal to the court and by filing a copy of the notice with
29 the board.

30 ~~(2) Upon filing of the notice of appeal therein, the court shall~~
31 ~~have full jurisdiction and shall operate as a stay of the order or action~~
32 ~~appealed from, unless otherwise ordered by the court.~~

33 ~~(3)~~(2) Within thirty (30) days after filing the copy of a notice
34 of appeal with the board, the board shall make, certify, and deposit in the
35 office of the clerk of the court in which the appeal is pending a full and
36 complete transcript of all proceedings had before the board and all evidence



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1 before the board in the matter, including all of the board's files therein.

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SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that an appeal from an order by the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board to the County Circuit of Pulaski County operates as a stay which may cause an injustice to occur; that the stay shouldn't be automatic, but rather after a hearing. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/ Hathorn