

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

As Engrossed: S12/11/03  
**A Bill**

Call Item 4

SENATE BILL 8

5 By: Senator Glover  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO REQUIRE FINANCIAL IMPACT STATEMENTS FOR  
10 BILLS RELATING TO EDUCATION THAT HAVE A FISCAL  
11 IMPACT ON SCHOOL DISTRICT EXPENDITURES; AND FOR  
12 OTHER PURPOSES.

**Subtitle**

15 AN ACT TO REQUIRE FINANCIAL IMPACT  
16 STATEMENTS FOR BILLS RELATING TO  
17 EDUCATION THAT HAVE A FISCAL IMPACT ON  
18 SCHOOL DISTRICT EXPENDITURES.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 10-2-127 is amended to read as follows:  
24 10-2-127. Fiscal impact statement.

25 (a)(1) As used in this section, unless the context otherwise requires,  
26 "fiscal impact statement" means a realistic written statement of the purpose  
27 of a proposed law, or a regulation promulgated under a law, and the estimated  
28 financial cost to the state or any local school district of implementing or  
29 complying with the proposed law or regulation.

30 (2) The fiscal impact statement shall be *developed with the*  
31 ~~guidance of the Office of Tax Research~~ of the Office of Economic and Tax  
32 Policy of the Bureau of Legislative Research and with the approval with the  
33 assistance of the Department of Education within the guidelines adopted by  
34 the House Committee on Education and the Senate Committee on Education, as  
35 applicable.

36 (b) Any bill filed in the House or Senate that will impose a new or



1 increased cost obligation for education in grades kindergarten through twelve  
2 (K-12) on the state or any local school district shall have a fiscal impact  
3 statement attached to it prepared ~~by the author of the bill~~ and filed with  
4 the chair of the committee to which the bill is referred:

5 (1) At least ~~seven (7)~~ three (3) days before the bill may be  
6 called up for final action in the committee during a regular session of the  
7 General Assembly; and

8 (2) At least one (1) day before the bill may be called up for  
9 final action in the committee during a special session of the General  
10 Assembly.

11 ~~(e) If the author of any House or Senate bill affected by this section~~  
12 ~~shall fail to comply with subsection (b) of this section, any member of the~~  
13 ~~House or Senate committee to which the bill is referred may object and~~  
14 ~~thereby prevent its being called up for final action in the committee until a~~  
15 ~~fiscal impact statement is made available. An affirmative vote of two thirds~~  
16 ~~(2/3) of a quorum present and voting shall override the objection.~~

17 ~~(d)(1)(A)(c)(1)(A)~~ If any such House or Senate bill is called up for  
18 final passage in the House or Senate and a fiscal impact statement has not  
19 been provided by the author of the bill or by the committee to which the bill  
20 was referred, any member of the House or Senate may object to the bill's  
21 being called up for final passage until a fiscal impact statement is prepared  
22 and made available on the desk of each member of the House or Senate at least  
23 one (1) day prior to the bill's being called up for final passage.

24 (B) An affirmative vote of two-thirds (2/3) of a quorum  
25 present and voting shall override the objection.

26 (2) If an objection is made without override, the presiding  
27 officer of the House or Senate shall cause the bill to be referred to the  
28 ~~Office of Tax Research~~ the Office of Economic and Tax Policy of the Bureau of  
29 Legislative Research for the preparation of a fiscal impact statement, which  
30 shall be filed with the presiding officer not later than five (5) days from  
31 the date of the request.

32 ~~(e) Failure of the author of a bill to provide the fiscal impact~~  
33 ~~statement required in this section shall not prohibit consideration of the~~  
34 ~~bill in the committee to which it is referred or on the floor of the house in~~  
35 ~~which the bill is called up for final passage, if no objection to it is made~~  
36 ~~at the time the action is taken.~~

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  
36

*/s/ Glover*