

MEMBERS

3. When it is necessary for seniority of incoming members to be determined by lot, the Speaker of the House and the Speaker-designate of the House shall conduct a drawing by lots upon receiving certification from the Secretary of State of the election of membership to each General Assembly. Qualified and certified persons to be seated and officially receive the oath of office may do so only at a time and place prescribed by the House. No person having resigned from public office as a provision to a plea agreement to avoid felony prosecution shall be seated or administered the oath of office. Incoming members with previous legislative tenure shall be placed highest in seniority among the incoming members based upon previous terms of service. Where an equivalence of full terms of service exists, seniority for those with equal terms shall be asserted by drawing lots to determine their numerical standing.

THE SPEAKER

10. Selection.

10.(a) As used in this rule, the term "Speaker-designate" shall mean the member of the House of Representatives selected by the House of Representatives of each General Assembly held preceding the convening of the next-following regular session of the General Assembly, in the following manner:

10.(a)(1) A caucus of the entire House of Representatives shall be held fifteen (15) minutes following sine die adjournment of the fiscal session held in each even-numbered year, at which time the members of the House shall select by secret ballot a member of the House to be known as the Speaker-designate. Each candidate for Speaker-designate shall be allowed fifteen (15) minutes to address the House before the ballot is taken. All members are required to be present for the addresses and for the election. In the event a member is unable to attend, absentee ballots may be requested by a member for himself/herself from the Speaker's Office no sooner than twenty (20) calendar days prior to the scheduled election and must be completed and returned to the Speaker's Office no later than ~~two (2) hours~~ four p.m. (4:00 p.m.) the day before the scheduled election. It is the intent of the Speaker's office to accommodate any and all members for Speaker-designate voting, should a member have a documented emergency arise, the Speaker may direct staff to allow for absentee voting up to two (2) hours prior to the scheduled election. Leave for absence shall be requested immediately before the time of the election. The Speaker shall announce the name and number of votes received by the candidate who received at least a majority of the votes of the membership of the House. Each candidate shall be entitled to verify the number of votes he or she received.

BILLS

38. Any representative may introduce bills, petitions, resolutions and memorials by filing them with the Clerk of the House. (A.C.A. 10-2-112 -- Pre-session filing)

38.(a) Each measure must have an original and eight (8) copies and eight (8) captions of the title either typewritten, photocopied or computer generated copies. (J.R. 18 [B])

38.(b) The Clerk shall take the original and perforate or stamp it as the original.

38.(c) No action shall be taken in the House on any bill, resolution, or amendment that is not physically in the House, nor shall any action be taken in committee on any bill, resolution, or amendment that is not physically in the committee. However, in the House the motion to recall a bill or resolution may be made regardless of the location of the bill or resolution.

38.(m)(a) No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fiftieth (50th) day of a regular session except upon consent of two-thirds (2/3) of the members elected to each house; and, no other bill or resolution except adjournment resolutions and resolutions requesting permission to introduce a bill or resolution shall be filed for introduction in either the House of Representatives or the Senate later than the fifty-fifth (55th) day of a regular session, except upon consent of two-thirds (2/3) of the members elected to each house.

(b)(1) No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fifteenth (15th) day of a fiscal session except upon consent of two-thirds (2/3) of the members elected to each house.

(2) For a fiscal session, a non-appropriation bill shall not be filed for introduction until a concurrent resolution authorizing the introduction of the bill has been approved by a vote of two-thirds (2/3) of the members elected to each house and ~~the concurrent resolution becomes effective.~~

(3) A concurrent resolution authorizing the introduction of a non-appropriation bill in a fiscal session shall not be filed for introduction in either the House of Representatives or the Senate later than the first (1st) day of a fiscal session.

(4) A non-appropriation bill shall not be filed for introduction in either the House of Representatives or the Senate later than the fifteenth (15th) day of a fiscal session.

(c) When the filing deadline for any bills or resolutions ends on Saturday or Sunday, the deadline is extended until the close of business the following Monday. (J.R. 16)

38.(s) Bills imposing new or additional costs to the Arkansas Lottery or a lottery or amending Chapter 115 of Title 23 of the Arkansas Code.

(a) The author of a bill filed in the House of Representatives or the Senate shall have a fiscal impact statement prepared if the bill:

(1) Amends Chapter 115 of Title 23 of the Arkansas Code; or

(2) Imposes a new or increased cost to:

(A) The Arkansas Lottery Commission; or

(B) A lottery.

(b) "Fiscal impact statement" means a realistic written statement of

the:

(1) Purpose of a proposed law or proposed amendment to a law under this chapter; and

(2) Estimated financial cost to the Arkansas Lottery Commission, the lottery, and this state of implementing or complying with the proposed law or proposed rule.

(c) The author of the bill shall file the fiscal impact statement with the chair of the committee to which the bill is referred:

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

(2) At least three (3) days before the bill may be called up for final action in the committee during a fiscal session of the General Assembly; and

(3) At least one (1) day before the bill may be called up for final action in the committee during an extraordinary session of the General Assembly.

(d)(1) A fiscal impact statement under this section shall be developed by the Bureau of Legislative Research within the guidelines adopted by the Arkansas Lottery Commission Legislative Oversight Committee.

(2) The Department of Higher Education or the commission, as applicable, shall assist in the preparation of the fiscal impact statement.

(e)(1)(A) If a bill requiring a fiscal impact statement under this section is called up for final passage in the House of Representatives or the Senate and a fiscal impact statement has not been provided by the author of the bill or by the committee to which the bill was referred, any member of the House of Representatives or the Senate may object to the bill's being called up for final passage until a fiscal impact statement is prepared and made available on the desk of each member of the House of Representatives or the Senate at least one (1) day before the bill's being called up for final passage.

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

(2) If an objection is made without override, the presiding officer of the House of Representatives or the Senate shall cause the bill to be referred to the Bureau of Legislative Research for the preparation of a fiscal impact statement that shall be filed with the presiding officer of the House of Representatives or the Senate not later than five (5) days from the date of the request. (A.C.A. 23-115-103)

45.(a) When a bill has been passed and transmitted to the Senate, it may be recalled from the Senate by the same vote that was necessary to pass the bill.

45.(b) When a bill has been passed and transmitted to the Governor's office, it may be recalled from the Governor's office by the same vote that was necessary to pass the bill.

46. A committee may receive a bill, resolution, amendment, petition and memorial only through the House, and the House may receive same only through a member. (Art.5, Sec. 34 -- No new bill shall be introduced into either house during the last three days of a regular or fiscal session.)

Clarification - Senate Only

47. Amendments to bills and resolutions:

47.(a) When a bill or resolution is under consideration, amendments shall be in order. Upon adoption, amendments shall become a part of the bill or resolution. Amendments to amendments may not be offered. All amendments offered before the House or one of its committees must be typewritten on an approved amendment form and signed by the sponsor. All amendments shall be attached to the original bill, numbered by the Bill Clerk, and shall be placed physically or electronically upon the members' desks before being acted upon by the House.

STANDING, SELECT, AND SPECIAL COMMITTEES

55.(b) All committees shall consider the bills, resolutions, amendments, petitions, and memorials referred to them and in their possession and make one of the following reports in writing to the House:

55.(b)(1) That a bill, resolution, petition or memorial "do pass";

55.(b)(2) That a bill, resolution, petition or memorial "do not pass", in which event the measure shall not be considered unless the vote is expunged;

55.(b)(3) That a bill, resolution, petition or memorial "do pass as amended".

55.(c) No bill, resolution, petition or memorial shall be acted upon by the House without a "do pass" or a "do pass as amended" recommendation. No bills shall be placed on the non-controversial calendar or deemed to be non-controversial in any way unless a motion is adopted in the committee to which the bill was referred. With a quorum present, the motion is considered adopted if there are no negative votes.

~~55.(e)~~(d) The appropriate subject matter standing committees of the House and the Senate may meet as joint committees whenever agreed by said committees, for the purposes of holding public hearings or considering any proposed or pending legislation but upon conclusion of the joint meeting of said committees, each standing committee of the House of Representatives and the Senate shall take such action and report to their respective houses as determined by said committees. Whenever the appropriate subject committees of the House and Senate hold hearings or meetings, the chairperson of the House committee and the chairperson of the Senate committee shall by agreement determine which of them shall preside at the joint meeting.

56. The Speaker of the House shall keep a permanent register of the seniority of the members of the House of Representatives. When it is necessary for the seniority of incoming members to be determined by lot, the Speaker of the House and the Speaker-designate of the House shall conduct a drawing by lots upon receiving certification from the Secretary of State of the election of membership to each General Assembly. Such seniority drawings shall be effective for the purposes of determining legislative license tag numbers, Chamber seating, and State Capitol parking.

57. Seniority shall be based on the total consecutive uninterrupted terms served in the House of Representatives. In the event a member has been elected that has had previous non-continuous service, he/she shall rank ahead of members elected in the year his/her uninterrupted services began. In the

event that two (2) or more members have equal full terms of non-continuous service, their seniority shall be asserted by drawing lots to determine their numerical standing in rank ahead of members elected in the year his/her uninterrupted services begin.

CAUCUS DISTRICTS

82. The four caucus chairpersons shall be selected ~~on the date of the selection of the Speaker designate~~ from among the first- and second-term members of the caucus, and such selection shall be reported to the Speaker of the House prior to September 1, preceding the next regular session.

The First Caucus District shall be composed of the following House of Representatives Districts: 11; 12; 13; 14; 15; 43; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 83; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; and 82 100.

The Second Caucus District shall be composed of the following House of Representatives Districts: 23; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45; 46; 47; 49; 50; 60; 61; 68; and 65; 66; 67; 70; and 72.

The Third Caucus District shall be composed of the following House of Representatives Districts: 62; 63; 64; 65; 66; 67; 69; 83; 68; 71; 75; 76; 77; 78; 79; 80; 81; 84; 85; 86; 87; 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; and 99; and 100.

The Fourth Caucus District shall be composed of the following House of Representatives Districts: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; and 30 69; 73; 74; and 82.

ADDENDUM HOUSE OF REPRESENTATIVES COMMITTEE CHAIRPERSONS MANUAL AND HOUSE COMMITTEE RULES

House Rule 55.(b) and 55.(c)

55.(b) All committees shall consider the bills, resolutions, amendments, petitions, and memorials referred to them and in their possession and make one of the following reports in writing to the House:

55.(b)(1) That a bill, resolution, petition or memorial "do pass";

55.(b)(2) That a bill, resolution, petition or memorial "do not pass", in which event the measure shall not be considered unless the vote is expunged;

55.(b)(3) That a bill, resolution, petition or memorial "do pass as amended".

55.(c) No bill, resolution, petition or memorial shall be acted upon by the House without a "do pass" or a "do pass as amended" recommendation. No bills shall be placed on the non-controversial calendar or deemed to be non-controversial in any way unless a motion is adopted in the committee to which the bill was referred. With a quorum present, the motion is considered

adopted if there are no negative votes.