

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

As Engrossed: S3/23/11

A Bill

SENATE BILL 881

5 By: Senator P. Malone
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING RULES
9 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 RULES
15 PROMULGATED UNDER THE ARKANSAS
16 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(e), concerning the effective date*
22 *of rules adopted by state agencies, is amended to read as follows:*

23 *(e)(1)(A) Each rule adopted by an agency is effective ~~ten (10)~~ thirty*
24 *(30) days after filing of the final rule unless a later date is specified by*
25 *law or in the rule itself.*

26 *(B) A final rule shall not be filed until the thirty-day*
27 *public comment period required under subdivision (a)(1)(A) of this section*
28 *has expired.*

29 *(C)(i) After the expiration of the thirty-day public*
30 *comment period and before the effective date of the rule, the agency*
31 *promulgating the rule shall take appropriate measures to make the final rule*
32 *known to the persons who may be affected by the rule.*

33 *(ii) Appropriate measures shall include without*
34 *limitation posting the following information on the agency's website:*

35 *(a) The final rule;*

36 *(b) Copies of all written comments submitted*



1 to the agency regarding the rule;

2 (c) A summary of all written and oral comments
3 submitted to the agency regarding the rule and the agency's response to those
4 comments; and

5 (d) The proposed effective date of the final
6 rule.

7 (2)(A)(i) However, an emergency rule may become effective
8 immediately upon filing or at a stated time less than ~~ten (10)~~ thirty (30)
9 days after filing if the agency finds that this effective date is necessary
10 because of imminent peril to the public health, safety, or welfare.

11 (ii) The agency's finding and a brief statement of
12 the reasons for the finding shall be filed with the rule.

13 (B) The agency shall take appropriate measures to make
14 emergency rules known to the persons who may be affected by the emergency
15 rules.

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17 /s/P. Malone
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20 **APPROVED: 04/01/2011**
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