

ARKANSAS SENATE
88th General Assembly - Regular Session, 2011
Amendment Form

Subtitle of Senate Bill No. 881

TO AMEND ARKANSAS LAW CONCERNING RULES PROMULGATED UNDER THE
ARKANSAS ADMINISTRATIVE PROCEDURE ACT.

Amendment No. 1 to Senate Bill No. 881

Amend Senate Bill No. 881 as originally introduced:

Delete everything following the enacting clause and substitute the following:
"SECTION 1. Arkansas Code § 25-15-204(e), concerning the effective date of rules adopted by state agencies, is amended to read as follows:

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

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

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

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

(a) The final rule;

(b) Copies of all written comments submitted to the agency regarding the rule;

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

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

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

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

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



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator P. Malone

MBM/BGS - 03/22/11 08:41

MBM397

Secretary