

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

As Engrossed: S3/23/11

# A Bill

SENATE BILL 883

5 By: Senator P. Malone  
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## For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING EMERGENCY  
9 RULES PROMULGATED UNDER THE ARKANSAS ADMINISTRATIVE  
10 PROCEDURE ACT; AND FOR OTHER PURPOSES.  
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### Subtitle

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13 TO AMEND ARKANSAS LAW CONCERNING  
14 EMERGENCY RULES PROMULGATED UNDER THE  
15 ARKANSAS 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(b), concerning emergency rules*  
22 *promulgated under the Administrative Procedure Act, is amended to read as*  
23 *follows:*

24 *(b)(1) If an agency finds that imminent peril to the public health,*  
25 *safety, or welfare or compliance with federal laws or regulations requires*  
26 *adoption of a rule upon less than thirty (30) days' notice and states in*  
27 *writing its reasons for that finding, it may proceed without prior notice or*  
28 *hearing, or upon any abbreviated notice and hearing that it may choose, to*  
29 *adopt an emergency rule.*

30 *(2) The rule may be effective for no longer than one hundred*  
31 *twenty (120) days.*

32 *(3) If, after the expiration of the effective period of an*  
33 *emergency rule, an agency wishes to adopt a successive emergency rule that is*  
34 *identical or substantially similar to the expired emergency rule, the agency*  
35 *shall not adopt the successive emergency rule earlier than thirty (30) days*  
36 *after the expiration of the emergency rule.*



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/s/P. Malone