

State of Arkansas
Commissioner of State Lands

Tommy Land, Commissioner

September 8, 2021

Jessica C. Whittaker
Administrator
Administrative Rules Review Section
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201
whittakerj@blr.arkansas.gov

Via U.S. Mail and
Electronic Mail

Re: *Act 595 Monthly Written Updates*

Dear Ms. Whittaker:

The Commissioner of State Lands ("COSL") received your email correspondence dated July 21, 2021, regarding Act 595 of 2021 and Arkansas Code Annotated § 25-15-216(a). On behalf of the COSL, I am responding to your correspondence.

It is the position of the COSL that the reporting requirements under Arkansas Code Annotated § 25-15-216 do not legally apply to the COSL; however, the COSL voluntarily complies with the Administrative Procedures Act ("APA") procedures for promulgating its rules and regulations. Based on a thorough review of the legislation enacted during the 2021 Regular Session of the 93rd General Assembly, as well as the Administrative Rules Section of the BLR's report to the ALC Administrative Rules Subcommittee entitled "*Report on the Acts of the 2021 Regular Session Requiring New Rulemaking*," the COSL has identified only one act that requires any rule changes, and rules have already been promulgated to address the required changes.

Act 447 of 2021, effective March 24, 2021, required revisions to implement changes in the practice and procedures relating to the sale of certain tax-delinquent properties. Due to the emergency clause, the COSL first promulgated emergency rules, which were subsequently adopted without change as permanent rules. The final rules were approved by the ALC on August 27, 2021, and have been reported to the Secretary of State and Arkansas State Library.

I appreciate your courtesy and assistance with this matter. Please do not hesitate to contact me at (501) 683-5301 or drogers@cosl.org, if you have questions about this submission or need anything further.

Yours very truly,

A handwritten signature in blue ink that reads "Diane Schratz Rogers".

Diane Schratz Rogers
General Counsel