

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 273 of the Regular Session

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

A Bill

SENATE BILL 264

5 By: Senators Lavery, P. Malone
6

For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE ADMINISTRATIVE RULE AND
9 REGULATION REVIEW SUBCOMMITTEE OF THE JOINT BUDGET
10 COMMITTEE FOR THE PURPOSE OF CONDUCTING
11 ADMINISTRATIVE RULE REVIEW DURING REGULAR, FISCAL,
12 AND EXTRAORDINARY SESSIONS OF THE GENERAL ASSEMBLY;
13 AND FOR OTHER PURPOSES.
14

Subtitle

15 TO ESTABLISH THE ADMINISTRATIVE RULE AND
16 REGULATION REVIEW SUBCOMMITTEE OF THE
17 JOINT BUDGET COMMITTEE TO CONDUCT
18 ADMINISTRATIVE RULE REVIEW DURING
19 REGULAR, FISCAL, AND EXTRAORDINARY
20 SESSIONS OF THE GENERAL ASSEMBLY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 10-3-309 is amended to add an additional
27 subsection to read as follows:

28 (g)(1) The Joint Budget Committee shall establish the Administrative
29 Rule and Regulation Review Subcommittee.

30 (2)(A) The Administrative Rule and Regulation Review
31 Subcommittee shall consist of twenty-two (22) members of the General
32 Assembly.

33 (B)(i) Nine (9) members of the Administrative Rule and
34 Regulation Review Subcommittee shall be appointed by the Senate Cochair of
35 the Joint Budget Committee.

36 (ii) The Senate Cochair of the Joint Budget



1 Committee shall designate one (1) of his or her appointees as Senate Cochair
2 of the Administrative Rule and Regulation Review Subcommittee.

3 (C)(i) Nine (9) members of the Administrative Rule and
4 Regulation Review Subcommittee shall be appointed by the House Cochair of the
5 Joint Budget Committee.

6 (ii) The House Cochair of the Joint Budget Committee
7 shall designate one (1) of his or her appointees as House Cochair of the
8 Administrative Rule and Regulation Review Subcommittee.

9 (3) The Cochairs and Co-vice chairs of the Legislative Council
10 shall be ex officio members of the Administrative Rule and Regulation Review
11 Subcommittee.

12 (4)(A) The Administrative Rule and Regulation Review
13 Subcommittee may meet only during a regular, fiscal, or extraordinary session
14 of the General Assembly.

15 (B) The Administrative Rule and Regulation Review
16 Subcommittee shall meet at the call of the Cochairs of the Administrative
17 Rule and Regulation Review Subcommittee.

18 (5)(A) During a regular, fiscal, or extraordinary session of the
19 General Assembly, the Administrative Rule and Regulation Review Subcommittee
20 may perform the functions assigned to the Legislative Council under this
21 section.

22 (B) Actions taken by the Administrative Rule and
23 Regulation Review Subcommittee under subdivision (g)(5)(A) of this section
24 have the same effect as actions taken by the Legislative Council under this
25 section.

26 (C) If the Administrative Rule and Regulation Review
27 Subcommittee meets during a regular, fiscal, or extraordinary session of the
28 General Assembly, the Administrative Rule and Regulation Review Subcommittee
29 shall file a report of its actions with the Legislative Council as soon as
30 practicable.

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32 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly of the State of Arkansas that the Legislative Council
34 conducts continuing review of administrative rules during the interim to
35 allow the General Assembly to take remedial steps to correct abuses of
36 rulemaking authority or clarify legislative intent at legislative sessions;

1 that this review ceases during a regular, fiscal, or extraordinary session of
2 the General Assembly, creating a gap in this vital legislative function; and
3 that legislative review of administrative rules should be possible during a
4 regular, fiscal, or extraordinary session to allow the General Assembly to
5 maintain awareness of agency actions and be prepared to correct abuses of
6 rulemaking authority or clarify legislative intent when the General Assembly
7 is in session. Therefore, an emergency is declared to exist and this act
8 being immediately necessary for the preservation of the public peace, health,
9 and safety shall become effective on:

10 (1) The date of its approval by the Governor;

11 (2) If the bill is neither approved nor vetoed by the Governor,
12 the expiration of the period of time during which the Governor may veto the
13 bill; or

14 (3) If the bill is vetoed by the Governor and the veto is
15 overridden, the date the last house overrides the veto.

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18 **APPROVED: 03/15/2011**
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