

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

Subtitle of Senate Bill No. 883

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

Amendment No. 1 to Senate Bill No. 883

Amend Senate Bill No. 883 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 25-15-204(b), concerning emergency rules promulgated under the Administrative Procedure Act, is amended to read as follows:

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

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

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



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

By: Senator P. Malone
MBM/BGS - 03/22/11 09:10
MBM399

Secretary