

2 State of Arkansas  
3 89th General Assembly  
4 Regular Session, 2013

# A Bill

HOUSE BILL 1859

5  
6 By: Representative Leding

7 Filed with: Arkansas Legislative Council  
8 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

9  
10 AN ACT TO ENCOURAGE THE EFFICIENT ADMINISTRATION OF  
11 STATE AGENCIES; TO REQUIRE STATE AGENCIES TO REVIEW  
12 OLD RULES; AND FOR OTHER PURPOSES.

## Subtitle

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15 TO ENCOURAGE THE EFFICIENT ADMINISTRATION  
16 OF STATE AGENCIES; AND TO REQUIRE STATE  
17 AGENCIES TO REVIEW OLD RULES.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code Title 25, Chapter 15, Subchapter 2, is  
24 amended to add an additional section to read as follows:

25 25-15-220. Rules – Regular review.

26 (a)(1) An agency shall conduct a hearing to review each rule the  
27 agency has adopted once decennially after the adoption of the rule.

28 (2) The hearing shall:

29 (A) Be open to the public;

30 (B) Be held after publication of notice under § 25-15-219;

31 and

32 (C) Allow for public comment.

33 (b) The agency shall consider the following factors at the hearing:

34 (1) The state and federal laws relevant to the rule;

35 (2) The nature and degree of the problem that the agency  
36 addresses with the rule and whether the problem continues to exist;

1           (3) The cost of implementation of the rule and whether less  
2 expensive alternatives exist;

3           (4) Whether other existing rules address the same problem for  
4 the agency;

5           (5) Any benefit or detriment to the community and to private  
6 business caused by the rule;

7           (6) Other reasonable alternatives to the rule; and

8           (7) Any other factor relevant to whether the rule should remain  
9 active.

10          (c) After the public hearing the agency may repeal the rule, amend the  
11 rule, leave the rule unchanged, or adopt a new rule as provided in this  
12 chapter.

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15 Referral requested by: Representative Greg Leding

16 Prepared by: JAW/VJF  
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