

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1859

By: Representative Leding

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

For An Act To Be Entitled

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

Subtitle

TO ENCOURAGE THE EFFICIENT ADMINISTRATION
OF STATE AGENCIES; AND TO REQUIRE STATE
AGENCIES TO REVIEW OLD RULES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

25-15-220. Rules – Regular review.

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

(2) The hearing shall:

(A) Be open to the public;

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

and

(C) Allow for public comment.

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

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

(2) The nature and degree of the problem that the agency
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

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