

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **First Extraordinary Session, 1992**  
4 **By: Rules Committee**

# A Bill

Call Item 41

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 19-1-303 RELATING TO FISCAL  
9 IMPACT STATEMENTS ON BILLS WHICH IMPOSE NEW OR ADDITIONAL  
10 COSTS ON COUNTIES OR MUNICIPALITIES; AND FOR OTHER  
11 PURPOSES."

12  
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code 19-1-303 is hereby amended to read as follows:

16 "19-1-303. Bills imposing new or additional costs on municipality or  
17 county.

18 (a) (1) Any bill filed with the Senate that requires an expenditure of  
19 public funds by a municipality or county, or otherwise imposes a new or  
20 increased cost obligation on any municipality or county, shall have a fiscal  
21 impact statement attached to it, prepared by the author of the bill and filed  
22 with the bill at the time of its introduction. A copy of such fiscal impact  
23 statement shall be placed on the desk of each member of the Senate committee  
24 to which the bill is referred before the bill may be called up for final  
25 action in the committee. A copy of it shall also be placed on the desk of each  
26 member of the Senate before a final vote may be taken on it for final passage.

27 (2) If the author of any Senate or House bill affected by this section  
28 shall fail to file a fiscal impact statement, any member of the Senate  
29 committee to which the bill is referred may object to it being called up for  
30 final action in the committee until a fiscal impact statement is made  
31 available to the committee. If such objection is made by a member of the  
32 Senate committee, the chairman of the committee shall refer the bill to the  
33 appropriate state agency or to the legislative staff for the preparation of a  
34 fiscal impact statement, to be returned to the committee in writing not later  
35 than five (5) days from the date of the request.

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1           (3) If any such Senate or House bill is called up for final passage in  
2 the Senate and a fiscal impact statement has not been provided by the author  
3 of the bill, or by the committee to which the bill was referred, any member of  
4 the Senate may object to the bill being called up for final passage until a  
5 fiscal impact statement is prepared and made available on the desk of each  
6 member of the Senate at least one (1) day prior to the bill being called up  
7 for final passage. If such an objection is made, the presiding officer of the  
8 Senate shall cause the bill to be referred to the appropriate state agency or  
9 to the designated legislative staff for the preparation of a fiscal impact  
10 statement, which shall be filed in writing with the Senate not later than five  
11 (5) days from the date of the request.

12           (b)     (1) When any House or Senate bill requiring an expenditure of  
13 public funds or otherwise imposing a new or increased cost obligation on any  
14 municipality or county is pending before any committee of the House of  
15 Representatives, any member of the committee may request that a fiscal impact  
16 statement for such bill be placed on the desk of each member of the committee  
17 before the bill is called up for final action in the committee. If such  
18 request is made, the chairman of the committee shall refer the bill to the  
19 appropriate state agency or to the legislative staff for the preparation of a  
20 fiscal impact statement, to be returned to the committee in writing not later  
21 than five (5) days from the date of the request.

22                   (2) Any time before such bill is read the third time in the House  
23 of Representatives, a member of the House may request that a fiscal impact  
24 statement for the bill be prepared and placed on the desk of each member.  
25 When a member of the House of Representatives so requests a fiscal impact  
26 statement on any bill, the Speaker shall furnish the member a fiscal impact  
27 statement signature form which shows the number of the bill for which the  
28 statement is requested and the date and time the request was made. If the  
29 member returns the form containing the signature of the requesting member and  
30 the signatures of at least nine (9) other House members within thirty (30)  
31 minutes of the time shown on the form, the fiscal impact statement shall be  
32 prepared and placed on the desk of each member of the House before the bill is  
33 read the third time.

34                   (3) If a bill is called up for final passage in the House of  
35 Representatives and a fiscal impact statement has not been provided for the

1 bill, any member of the House in which the bill is being considered may move  
2 that a final vote on the passage of the bill be delayed until a fiscal impact  
3 statement is prepared and made available on the desk of each member of the  
4 House at least one (1) full day prior to the bill being called up for final  
5 passage. If such motion is made and is adopted by a majority vote of the  
6 membership of the House, the Speaker of the House shall cause the bill to be  
7 referred to the appropriate state agency or to the designated legislative  
8 staff for the preparation of a fiscal impact statement, which shall be filed  
9 with the House within five (5) days of the date of the request.

10 (c) Failure of the sponsor of a bill to provide the fiscal impact  
11 statement required in this section shall not prohibit the consideration of it  
12 in the committee to which referred or on the floor of the house in which the  
13 bill is called up for final passage, if no objection to it is made at the time  
14 such action is taken.

15 (d) Nothing in this section shall prohibit a committee to which a bill is  
16 referred or the house in which the bill is being considered from suspending  
17 the requirement of the filing of a fiscal impact statement on any such bill in  
18 the same manner as provided for the suspension of the rules in the house in  
19 which the bill is being considered.

20 (e) Copies of fiscal impact statements prepared in compliance with the  
21 provisions of this section shall be made available, upon request for them, to  
22 representatives of municipal or county governments. A fiscal impact statement  
23 filed or prepared in compliance with this section is declared to be a public  
24 record within the meaning of the Freedom of Information Act of 1967, §  
25 25-19-101 et seq.

26 (f) For the purposes of this section, the term \_fiscal impact  
27 statement\_ means a realistic statement of the estimated financial cost to  
28 municipalities or counties of implementing or complying with a proposed law  
29 and regulations promulgated under it."  
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31 SECTION 2. All provisions of this act of a general and permanent nature  
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
33 Revision Commission shall incorporate the same in the Code.  
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35 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

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6 SECTION 4. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

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