

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Mahony**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO REQUIRE FISCAL IMPACT STATEMENTS ON REGULATIONS
9 THAT IMPOSE NEW OR ADDITIONAL COST OBLIGATIONS FOR
10 EDUCATION ON THE STATE OR LOCAL SCHOOL DISTRICTS; TO
11 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

14 "TO REQUIRE FISCAL IMPACT STATEMENTS ON REGULATIONS
15 IMPOSING NEW OR ADDITIONAL COST OBLIGATIONS FOR
16 EDUCATION."

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

20 SECTION 1. No regulation imposing a new or increased cost obligation
21 for education on the state or any local school district shall be valid unless,
22 thirty-five (35) days prior to its adoption by a board, commission, agency,
23 department, officer, or other authority of the government of the State of
24 Arkansas, excepting the General Assembly, the courts, and the Governor, the
25 board, commission, agency, department, officer, or other authority has filed a
26 fiscal impact statement with the Secretary of State and the Joint Interim
27 Committee on Education of the Arkansas General Assembly.

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29 SECTION 2. As used in this act, unless the context otherwise requires,
30 "fiscal impact statement" means a realistic statement of the purpose of a
31 proposed regulation promulgated under a law and the estimated financial cost
32 to the state or any local school district of implementing or complying with
33 the proposed regulation. The fiscal impact statement shall be developed with
34 the guidance and approval of the Office of Tax Research of the Bureau of
35 Legislative Research.

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SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly that the State of Arkansas and local school districts face fiscal uncertainty as a result of having rules and regulations imposed upon them without their knowledge of possible fiscal impact and that such fiscal uncertainty can have adverse effects on the financial stability of the State of Arkansas and local school districts and that the immediate passage of this act is necessary to provide greater economic stability. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

