

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1518

4
5 By: Representatives Fuqua, Vess, and DeLay

For An Act To Be Entitled

9 "AN ACT TO DECLARE THE STATUTORY TEXT OF THE ARKANSAS CODE
10 AS THE STATUTORY LAW OF THE STATE OF ARKANSAS WITH THE
11 EXCEPTION OF ACTS OF THE GENERAL ASSEMBLY NOT CODIFIED
12 BECAUSE THEY WERE DEEMED NOT TO BE OF A GENERAL AND
13 PERMANENT NATURE; AND FOR OTHER PURPOSES."

Subtitle

16 "DECLARE THE STATUTORY TEXT OF ARKANSAS
17 CODE AS THE STATUTORY LAW OF THE STATE
18 OF ARKANSAS WITH THE EXCEPTION OF ACTS
19 OF THE GENERAL ASSEMBLY NOT CODIFIED
20 BECAUSE THERE WERE DEEMED NOT TO BE OF A
21 GENERAL AND PERMANENT NATURE."

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. The statutory text of the Arkansas Code, the same as existed
26 on January 1, 1997, and all acts or parts of acts not codified because they
27 were deemed not to be of a general and permanent nature are hereby declared to
28 be the statutory law of this state.

29
30 SECTION 2. To the extent the statutory text of the Arkansas Code as of
31 January 1, 1997 conflicts with acts of the General Assembly, the language in
32 the Arkansas Code will prevail.

33
34 SECTION 3. All enactments of the Eighty-first General Assembly will
35 prevail over the Arkansas Code as it existed on January 1, 1997. It is
36 anticipated that the codification of the enactments of the Eighty-first

1 General Assembly will be enacted by the Eighty-second General Assembly and
 2 similar enactments by successive General Assemblies.

3

4 SECTION 4. Arkansas Code 1-2-101(c) is repealed.

5 ~~—— (c) Except as otherwise specifically provided, the enactment of this~~
 6 ~~Code by the General Assembly is not intended to alter the substantive law in~~
 7 ~~existence on the effective date of this Code. It is not the purpose of the~~
 8 ~~enactment of this Code to change or alter the effect of any law in existence~~
 9 ~~on December 31, 1987.~~

10

11 SECTION 5. Arkansas Code 1-2-103 is repealed.

12 ~~—— § 1-2-103. Repeal of prior laws by Code - Exceptions.~~

13 ~~—— (a) All acts, codes, and statutes, and all parts of them and all~~
 14 ~~amendments to them of a general and permanent nature in effect on December 31,~~
 15 ~~1987, are repealed unless:~~

16 ~~—— (1) Expressly continued by specific provision of this Code;~~

17 ~~—— (2) Omitted improperly or erroneously as a consequence of~~
 18 ~~compilation, revision, or both, of the laws enacted prior to this Code,~~
 19 ~~including, without limitation, any omissions that may have occurred during the~~
 20 ~~compilation, revision, or both, of the laws comprising this Code; or~~

21 ~~—— (3) Omitted, changed, or modified by the Arkansas Code Revision~~
 22 ~~Commission, or its predecessors, in a manner not authorized by the laws or the~~
 23 ~~constitutions of Arkansas in effect at the time of the omission, change, or~~
 24 ~~modification.~~

25 ~~—— (b) In the event one of the above exceptions should be applicable, the~~
 26 ~~law as it existed on December 31, 1987, shall continue to be valid, effective,~~
 27 ~~and controlling.~~

28

29 SECTION 6. All provisions of this act of a general and permanent nature
 30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 31 Revision Commission shall incorporate the same in the Code.

32

33 SECTION 7. If any provision of this act or the application thereof to
 34 any person or circumstance is held invalid, such invalidity shall not affect
 35 other provisions or applications of the act which can be given effect without
 36 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

2

3 SECTION 8. All laws and parts of laws in conflict with this act are
4 hereby repealed.

5

6 SECTION 9. EMERGENCY. It is found and determined by the General
7 Assembly of the State of Arkansas that the statutory language of the Arkansas
8 Code can be attacked by comparison to the underlying acts of the General
9 Assembly; that designating the text of the Arkansas Code as the paramount law
10 of this state, whether the codification correctly reflects the underlying
11 enactments, will assure the readers that the published code can be relied
12 upon; that until this act becomes effective the statutory law of this state
13 can only be settled through litigation; and that this act should therefor go
14 into effect immediately in order to assure the users of the Arkansas Code that
15 they may rely upon its contents. Therefore an emergency is declared to exist
16 and this act being immediately necessary for the preservation of the public
17 peace, health and safety shall become effective on the date of its approval by
18 the Governor. If the bill is neither approved nor vetoed by the Governor, it
19 shall become effective on the expiration of the period of time during which
20 the Governor may veto the bill. If the bill is vetoed by the Governor and the
21 veto is overridden, it shall become effective on the date the last house
22 overrides the veto.

23

24

25

26

27

28

29

30

31

32

33

34

35