

1 State of Arkansas  
2 87th General Assembly  
3 House Caucus, 2009

HR 1034

4  
5 By: Representative Moore  
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7

8 **HOUSE RESOLUTION**

9 TO AMEND THE RULES OF THE HOUSE OF  
10 REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL  
11 ASSEMBLY.  
12

13 **Subtitle**

14 TO AMEND THE RULES OF THE HOUSE OF  
15 REPRESENTATIVES OF THE EIGHTY-SEVENTH  
16 GENERAL ASSEMBLY.  
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18

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL  
20 ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. The Rules of the House of Representatives of the Eighty-  
23 Seventh General Assembly of the State of Arkansas are amended to read as  
24 follows:

25 MEMBERS

26 1. Every representative shall be present within the House during the  
27 session of the House and every member shall be present at each committee  
28 meeting of which he/she is a member, unless excused or necessarily prevented.  
29 It is the policy of the Arkansas General Assembly, as a term-limited body, to  
30 encourage legislators to learn as much as possible by attending meetings of  
31 committees of which they are not a member. Prior signed and documented  
32 approval must be obtained from the chairperson of a committee for a visiting  
33 non-committee member to enjoy certain privileges offered to regular members.

34 2. For the purpose of seating in the House Chamber for an upcoming  
35 regular session of the General Assembly, the Speaker of the House shall, on  
36 the first Friday following the November General Election, declare all House



1 Chamber seats vacant and representatives and representatives-elect must  
2 select in the order of their seniority any seat not occupied after  
3 notification by the Chief Clerk of available seats. Absence or failure to  
4 select a seat at the assigned selection time will automatically allow the  
5 Speaker to assign the member to his or her same seat if it is available or  
6 the member or member-elect to a seat selected by the Speaker. Immediately  
7 following the selection of a seat by a member or member-elect or assignment  
8 of a seat by the Speaker, the member or member-elect's signature or Speaker's  
9 signature is required. Following all seat selections or assignments, member  
10 or member-elect's signatures or the Speaker's signature shall represent final  
11 movement. The Chief Clerk shall furnish voting machine and desk keys.

12 3. When it is necessary for seniority of incoming members to be  
13 determined by lot, the Speaker of the House and the Speaker-designate of the  
14 House shall conduct a drawing by lots upon receiving certification from the  
15 Secretary of State of the election of membership to each General Assembly.  
16 Qualified and certified persons to be seated and officially receive the oath  
17 of office may do so only at a time and place prescribed by the House. No  
18 person having resigned from public office as a provision to a plea agreement  
19 to avoid felony prosecution shall be seated or administered the oath of  
20 office. Incoming members with previous legislative tenure shall be placed  
21 highest in seniority among the incoming members based upon previous terms of  
22 service. Where an equivalence of terms of service exists, seniority for  
23 those with equal terms shall be asserted by drawing lots to determine their  
24 numerical standing.

25 4. A majority of all representatives elected to the House shall be  
26 necessary to transact business. When less than a quorum of House members  
27 shall assemble, those present shall be authorized to send for the absent  
28 representatives or adjourn. Penalties may be decided by a majority of the  
29 representatives present. (Art. 5, Sec. 11)

30 5. Each representative is expected to vote on each question put before  
31 the House unless he/she has an immediate personal interest.

32 6. Any representative shall have the right to explain his/her vote on  
33 any bill or other question before the House, in writing. Such explanation  
34 shall not be entered upon the Journal, but shall be filed with the Chief  
35 Clerk.

36 7. Every bill or resolution in the possession of the House or of any

1 committee thereof shall be made available to any member for his/her  
2 examination.

3 8. No member at any time shall take from the House or any committee  
4 any bill or other paper belonging to the House, without consent of the  
5 Speaker, subject to the will of the House.

6 9. It shall be the duty of each representative to know, practice and  
7 preserve Parliamentary Law.

8

9

#### THE SPEAKER

10 10. Selection.

11 10.(a) As used in this rule, the term "Speaker-designate" shall mean  
12 the member of the House of Representatives selected by the House of  
13 Representatives of each General Assembly held preceding the convening of the  
14 next-following regular session of the General Assembly, in the following  
15 manner:

16 10.(a)(1) A caucus of the entire House of Representatives shall be  
17 held on the fourth Wednesday in March of each even numbered year at which  
18 time the members of the House shall select by secret ballot a member of the  
19 House to be known as the Speaker-designate. Each candidate for Speaker-  
20 designate shall be allowed fifteen (15) minutes to address the House before  
21 the ballot is taken. All members are required to be present for the  
22 addresses and for the election. In the event a member is unable to attend,  
23 absentee ballots may be requested by a member for himself/herself from the  
24 Speaker's Office no sooner than twenty (20) calendar days prior to the  
25 scheduled election and must be completed and returned to the Speaker's Office  
26 no later than two (2) hours before the scheduled election. Leave for absence  
27 shall be requested immediately before the time of the election. The Speaker  
28 shall announce the name and number of votes received by the candidate who  
29 received at least a majority of the votes of the membership of the House.  
30 Each candidate shall be entitled to verify the number of votes he or she  
31 received.

32 10.(a)(2) The candidate receiving a majority vote of the membership of  
33 the House of Representatives shall be declared the winner of such election  
34 for Speaker-designate of the House of Representatives of the next-following  
35 General Assembly.

36 10.(a)(3) If no candidate receives a majority vote of the membership

1 of the House of Representatives, the names of the two (2) candidates  
2 receiving the highest number of votes cast shall be placed on a run-off  
3 ballot and distributed among the membership of the House of Representatives  
4 in the same manner provided above.

5 10.(a)(4) If it is determined that the Speaker-designate will not  
6 serve as a member of the House of Representatives of the next-following  
7 General Assembly due to death, resignation, failure to be a candidate for  
8 reelection in the party primary election, or failure to be reelected as a  
9 party candidate in the Primary Election, a vacancy in the position of  
10 Speaker-designate shall exist and be filled at the caucus of the entire House  
11 of Representatives-elect held on the Friday of the week designated for the  
12 biennial Institute of Legislative Procedure (House Legislative Orientation),  
13 and the Speaker of the House of Representatives shall be elected upon  
14 convening of the next regular session.

15 10.(a)(5) It is the intent of this subsection that the Speaker-  
16 designate be the Speaker of the House of Representatives of the next-  
17 following General Assembly, subject to selection by the membership of the  
18 House upon convening of the regular session.

19 10.(a)(6) Petitions seeking pledge signatures of members of the House  
20 of Representatives for a particular candidate seeking selection as Speaker-  
21 designate shall not be circulated among the members of the House of  
22 Representatives.

23 10.(b) At the beginning of each session the members of the House of  
24 Representatives shall choose from its own membership a presiding officer  
25 designated as the Speaker of the House of Representatives.

26 11. Duties. The duties of the Speaker of the House shall be to:

27 11.(a) Take the chair each day at the hour fixed on the preceding day  
28 at adjournment. After the opening prayer and pledge of allegiance, he/she  
29 shall immediately call the members to order, and on the appearance of a  
30 quorum, cause the Journal of the preceding day to be read;

31 11.(b) Have control of the area set aside for use by the House and, in  
32 case of disturbance therein, shall have the authority to have the areas  
33 cleared. He/she or his/her designee shall supervise and control the  
34 temporary employees while the legislature is in session and the permanent  
35 employees during the biennium (A.C.A. 10-2-125 -- Employees of the House of  
36 Representatives);

1 11.(c) Preserve order and decorum;

2 11.(d) Sign all acts, proceedings and orders of the House. All writs,  
3 warrants and subpoenas issued by the House shall be signed and attested by  
4 him/her and the Clerk (J.R. 10; A.C.A. 21-10-101 thru 21-10-108);

5 11.(e) Decide, with assistance of the Parliamentarian, all points of  
6 order, subject to appeal by any representative;

7 11.(f) Appoint and confirm all representatives to certain committees  
8 and to appoint and confirm committee chairpersons and vice chairpersons in  
9 accordance with the House Rules and Statutes;

10 11.(g) Assign all bills to their appropriate committee;

11 11.(h) The Speaker shall not be required to vote, but may do so at  
12 his/her discretion. If the Speaker allows a substitute Speaker, neither the  
13 Speaker nor the substitute Speaker, if voting, shall be struck during the  
14 sounding of the ballot.

15 11.(i) State the question to the House before each vote is taken;

16 11.(j) Appoint, at the beginning of each session, a member of the  
17 House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve  
18 during the absences of the Speaker and shall perform the Speaker's duties.  
19 The Speaker Pro Tempore shall not serve more than ten (10) consecutive  
20 legislative days without the consent of the House, or beyond adjournment.  
21 The Speaker of the House may appoint Assistant Speakers Pro Tempore, one (1)  
22 from each House Caucus District;

23 11.(k) Supervise and direct the preparation of the daily House  
24 calendar (J.R. 12);

25 11.(l) Administer the Oath of Office to the Chief Clerk and the  
26 Parliamentarian at the beginning of each legislative session;

27 11.(m) Vacate the Speaker's office by January 1 of the calendar year  
28 that a new General Assembly is to convene (odd-numbered years) so as to allow  
29 the Speaker-designate the privilege of the use of the office in preparation  
30 for the forthcoming General Assembly;

31 11.(n) Vacate the Speaker's premises by December 15 in the even-  
32 numbered years; and

33 11.(o) Keep a permanent register of the seniority of the members of  
34 the House of Representatives.

35 11.(p) When either body shall request a conference, and appoint a  
36 committee for that purpose, the other body shall also appoint a committee of

1 equal number to confer, and such conference shall be held at any time and  
2 place agreed on by the chairpersons.

3  
4 COORDINATOR OF HOUSE LEGISLATIVE SERVICES

5 12. The Coordinator of House Legislative Services shall be appointed  
6 by the Speaker of the House with the approval of the House Management  
7 Committee. (Art. 5, Sec.11)

8 13. The duties of the Coordinator of House Legislative Services shall  
9 be to:

10 13.(a) Coordinate and supervise the activities of all temporary and  
11 permanent House employees, i.e., Chief Clerk, Chief Fiscal Officer, Executive  
12 Secretary, Assistant Executive Secretary, House Information Officer, and  
13 House Properties Manager;

14 13.(b) Keep or cause to be kept all fiscal accounts and records;

15 13.(c) Approve, by co-signing with the Speaker of the House,  
16 disbursements of all House funds;

17 13.(d) Acquire stationery, postage and other supplies and equipment  
18 for the House of Representatives and its members; (A.C.A. 10-3-602 -- Joint  
19 Committee on Legislative Printing Requirements and Specifications)

20 13.(e) Approve for disbursement all interim expense funds;

21 13.(f) Act as travel supervisor;

22 13.(g) Act as purchasing agent;

23 13.(h) Act as custodian of House properties; and

24 13.(i) Review and approve all requests for employee leave.

25  
26 THE CHIEF CLERK

27 14. The Chief Clerk shall be appointed by the Speaker-designate by  
28 November 1 of the even-numbered years, subject to confirmation by a majority  
29 vote of the membership of the House. (Article 5, Sec. 11)

30 15. The duties of the Chief Clerk shall be to (A.C.A. 10-2-102):

31 15.(a) Have custody of all bills, papers and records of the House and  
32 not to permit them to be taken out of his/her custody except by the  
33 provisions established in House Rule #8. Staff must sign a receipt for all  
34 bills taken from the Clerk;

35 15.(b) Keep the Journal of the proceedings of the House, and, under  
36 the direction of the Speaker, subject to the will of the House, correct

1 errors in the Journal;

2 15.(c) Keep the necessary records for the House;

3 15.(d) Supervise the engrossment and enrollment of bills and to  
4 certify their passage, with the assistance of the appropriate committee (J.R.  
5 6 thru 9);

6 15.(e) Transmit bills, other documents, and messages to the Senate, as  
7 required and secure a receipt thereof and to receive communications from the  
8 Senate and receipts of bills, documents and messages (J.R. 3 and 5)  
9 (J.R. 19);

10 15.(f) Attend every session of the House, call or delegate the reading  
11 of the roll and the reading of all bills, resolutions and other papers as  
12 directed by the Speaker;

13 15.(g) Supervise and have control of session House employees, subject  
14 to the direction of the House Management Committee and the Speaker or his/her  
15 designee (A.C.A. 10-2-125 -- Employees of the House of Representatives);

16 15.(h) Clear the House Chamber and pertinent support areas of all  
17 unauthorized persons thirty (30) minutes prior to the convening of the House;  
18 and

19 15.(i) Be responsible for the distribution of all literature within  
20 the House Chamber and other House premises. One copy of such literature  
21 which is distributed in the House Chamber and House premises must bear the  
22 signature of a representative authorizing distribution and the signed copy  
23 must be filed with the Chief Clerk.

24 15.(j) The Secretary of the Senate and the Clerk of the House are  
25 authorized, subject to approval by the appropriate designated committee, to  
26 correct obvious errors occurring in documents originating in the House and  
27 the Senate respectively, provided that each such correction is noted on the  
28 bill jacket and is documented by a "correction note" at the end of the  
29 official daily Journal for the date on which the correction was made. (J.R.  
30 23)

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#### PARLIAMENTARIAN

33 16. The duties of the Parliamentarian shall be to (Art. 5, Sec. 11):

34 16.(a) Convene the first session of the House at the time prescribed  
35 by law. The Parliamentarian shall call the members to order, call the roll,  
36 preserve order and decorum, and decide all questions of order subject to

1 appeal by any representative pending the election of the Speaker. The  
2 Parliamentarian of the previous House shall serve as the official  
3 Parliamentarian until the appointment of a new Parliamentarian. In the  
4 absence of a Parliamentarian of the previous House, the Speaker of the House  
5 shall designate a temporary Parliamentarian to convene the first session of  
6 the House;

7 16.(b) Assist the Speaker in deciding all points of order;

8 16.(c) Advise the Speaker on the proprieties of motions and the  
9 numbers of votes necessary for passage;

10 16.(d) Assist the Speaker in the supervision of the preparation of the  
11 daily House calendar;

12 16.(e) Assist the Speaker in the selection of a Chaplain for the day;

13 16.(f) Assist the Speaker in the assignment of bills to their  
14 appropriate committee;

15 16.(g) Sit as an ex-officio non-voting member of the House Rules  
16 Committee, and serve as secretary and advisor to the House Committee on the  
17 Journal; Engrossed and Enrolled Bills;

18 16.(h) Prepare and distribute the House Rules and amendments thereto,  
19 under the supervision of the Speaker and the House Rules Committee; and

20 16.(i) Have an adequate knowledge of Parliamentary Law and the Rules  
21 of the Arkansas House of Representatives.

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#### PARLIAMENTARY PRACTICE

24 17. When a question is under debate, motions shall have precedence in  
25 the following order (the request for a quorum call is always in order; the  
26 Chairperson is not compelled to accept any motion):

27 17.(a) To fix the time to which the House will adjourn (non-debatable)  
28 (majority of a quorum);

29 17.(a)(1) (A majority of a quorum is a majority of those voting when  
30 at least a majority of the members are present and voting;)

31 17.(b) To adjourn (non-debatable) (majority of a quorum);

32 17.(c) To take a recess (non-debatable) (majority of a quorum);

33 17.(d) Postpone temporarily; lay on the table (non-debatable)

34 (majority of a quorum) To take from the table (non-debatable) (majority of a  
35 quorum) (when the motion to take from the table is adopted, the proposition

36 takes the same position it held when the motion to lay on the table was



- 1 adopted);
- 2 17.(e) Immediate consideration (non-debatable) (2/3 of a quorum);
- 3 17.(f) Previous question (non-debatable) (5 seconds) (majority of a
- 4 quorum);
- 5 17.(g) Limit or extend debate (non-debatable) (2/3 of a quorum);
- 6 17.(h) To expunge (debatable) (2/3 of membership) (67);
- 7 17.(i) Postpone to a day certain (debatable) (majority of a quorum);
- 8 17.(j) Committee of the Whole, go into (non-debatable) (majority of a
- 9 quorum);
- 10 17.(k) Refer (debatable) (majority of a quorum);
- 11 17.(l) Amend (debatable) (majority of a quorum);
- 12 ~~17.(m) Substitute motion (debatable) (majority of a quorum);~~
- 13 17.~~(n)~~(m) Postpone indefinitely (debatable) (majority of membership);
- 14 17.~~(o)~~(n) Take out of proper order (non-debatable) (2/3 of a quorum);
- 15 17.~~(p)~~(o) Special order of business (debatable) (2/3 of a quorum); and
- 16 17.~~(q)~~(p) To suspend the rules (non-debatable) (2/3 of a quorum).
- 17 18. A motion to adjourn shall always be in order, when the Floor can
- 18 be obtained for that purpose, except when the previous question has been
- 19 ordered.
- 20 19. The motion to recess, when the Floor can be obtained for that
- 21 purpose, must specify the time which shall elapse and the time for
- 22 reconvening. It may be amended to alter specific time.
- 23 20. Previous question:
- 24 20.(a) When any debatable question is before the House, any member may
- 25 move the previous question. It shall be seconded by five (5) members whether
- 26 the question shall be stated. When the previous question shall have been
- 27 adopted, the proponents shall be allowed fifteen (15) minutes in which to
- 28 debate it, and the opponents of the main question shall be allowed fifteen
- 29 (15) minutes, after which time a vote upon the main question shall be taken.
- 30 20.(b) Pending a vote on the main question, one (1) motion to refer is
- 31 permitted. A motion to refer under this rule applies to House resolutions as
- 32 well as to House bills, to Senate bills and to Senate amendments to a House
- 33 bill, and to a motion to amend the Journal. The motion to refer under this
- 34 rule is non-debatable and may not be laid upon the table.
- 35 21. A motion to postpone to a day certain may not specify the hour; a
- 36 special order is necessary to specify the hour; the motion may be amended and

1 it is debatable within narrow limits only, confined to the merit of the  
2 motion itself.

3 22. The simple motion to refer is debatable within its narrow limits,  
4 but the merits of the proposition to which it is proposed to refer may not be  
5 brought into the debate. The motion to refer with instructions is debatable  
6 (majority vote of a quorum). When a question is raised about the proper  
7 referral of a bill to committee, if the Speaker admits error in the referral  
8 of the bill to a committee, the bill may be re-referred by a majority vote of  
9 a quorum; however, if the Speaker does not admit error in the referral of the  
10 bill to committee, the bill may only be re-referred by a two-thirds (2/3)  
11 vote of a quorum. When a bill is re-referred to a committee, any previous  
12 committee recommendation is automatically stripped from the bill.

13 22.(a) When a motion is under consideration, only two (2) substitutes  
14 to that motion shall be in order. Only a motion applicable to the main  
15 motion and of a higher precedence upon recognition may be substituted for the  
16 motion under consideration. A substitute to the third degree shall not be in  
17 order. Unless specified otherwise by the presenter of the motion at the time  
18 the motion is made, a substitute motion shall apply to the main motion.

19 23. The motion to postpone indefinitely opens to debate all the merits  
20 of the proposition to which it is applied. It may not be applied to the  
21 motion to refer, or to suspend the rules, or to motions relating to the order  
22 of business.

23 23.(a) The motion for indefinite postponement and possible  
24 consideration by a joint interim committee shall be as follows: "Mr. Speaker,  
25 I move that consideration of \_\_\_\_\_ be postponed indefinitely and that  
26 consideration be given by the joint interim committee on \_\_\_\_\_ for a study  
27 of \_\_\_\_\_." (majority of membership).

28 24. The motion to limit or extend debate must specify time  
29 limitations. A substitute motion specifying a lesser time may be accepted.

30 25. Reconsideration:

31 25.(a) When a proposition has been made and carried or lost, it shall  
32 be in order for any member of the majority on the same or succeeding  
33 legislative day to move for the reconsideration thereof, or give notice of  
34 his/her intentions to do so and such motion shall take precedence over other  
35 questions except consideration of a conference report or a motion to adjourn:  
36 Provided, the motion or proposition shall only be considered during the

1 period reserved for regular bills. The notice shall not be withdrawn after  
2 the said succeeding legislative day without the consent of the House, and  
3 thereafter any member may call it up for consideration: Provided, the notice  
4 to reconsider must be disposed of within three (3) legislative days following  
5 the day the vote was taken; provided, that such notice to reconsider cannot  
6 be given after the 57th day of a regular session or during a special session  
7 or fiscal session during which times a motion to reconsider must be disposed  
8 of immediately.

9 25.(b) The provisions of the rule that the motion may be made "by any  
10 member of the majority" is construed, in case of a tie, to mean the member of  
11 the prevailing side, and the same construction applies in the case of a two-  
12 thirds (2/3) vote. Where the yeas and nays have not been ordered recorded in  
13 the Journal, any member, irrespective of whether he/she voted with the  
14 majority or not, may make the motion to reconsider or give notice thereof;  
15 but a member who was absent or who was paired in favor of the majority  
16 contention and did not vote may not make a motion.

17 25.(c) A bill in the possession of the House is not considered passed  
18 or an amendment agreed to if a motion to reconsider is pending; the effect of  
19 the motion being to suspend the original proposition. A notice or motion to  
20 reconsider shall not be allowed unless the bill is in the House. A bill  
21 shall not leave the House once notice of reconsideration is given. When the  
22 motion to reconsider is decided in the affirmative, the question immediately  
23 recurs on the motion reconsidered. However, prior to consideration of the  
24 question at hand, the Speaker shall have the title, expressing the main  
25 contents of the proposition being reconsidered, read to the House. When the  
26 motion to reconsider is defeated, a second motion to reconsider may not be  
27 made.

28 25.(d) The motion to reconsider is agreed to by a majority of a  
29 quorum, even though the vote reconsidered requires a majority or more of the  
30 membership. Upon reconsideration when a proposition has been voted twice and  
31 either carried or lost it is considered "Clinched".

32 25.(e) A notice to reconsider is not debatable. A motion to  
33 reconsider is debatable when the item to which it applies is debatable.

34 25.(f) No bill, petition, memorial, or resolution referred to a  
35 committee or reported there-from for recommitment shall be brought back into  
36 the House on a motion to reconsider.

1           25.(g) The "Clincher" motion is two (2) motions in one (1); it is a  
2 motion to reconsider and to lay on the table. Having prevailed, the  
3 proposition shall not be again considered except by expunging the record.  
4 The "Clincher" motion is adopted by a majority of the membership. The  
5 Speaker shall accept a "Sound the Ballot" request after the "Clincher" has  
6 been adopted and before the next order of business is called.

7           25.(h) No "Clincher" motion shall be entertained on a bill passed  
8 during the morning hour or which has been represented to be non-controversial  
9 regardless of when passed. Prior to the 60th day of a session, no bill  
10 passed during the morning hour, or a bill appearing on the non-controversial  
11 bill calendar which has passed, shall be transmitted to the Senate until the  
12 expiration of the morning hour of the day next following its passage in which  
13 the House is in session.

14           26. No dilatory motion shall be entertained by the Speaker.

15           27. Two-thirds (2/3) of a quorum may suspend the rules, other than  
16 rules that require a two-thirds (2/3) or three-fourths (3/4) vote of the  
17 membership. (J.R. 14 - Suspending Joint Rules)

18           28. No standing rule or order shall be revised without one (1) day's  
19 notice being given thereof.

20           29. In every case not provided for in the House rules, the Speaker,  
21 the Parliamentarian, and the members shall be guided by Mason's Manual of  
22 Legislative Procedure. Each member of the Rules Committee may be furnished a  
23 copy of the current edition and of each new or revised edition of Mason's  
24 Manual of Legislative Procedure and additional copies may be available to  
25 other members from the Parliamentarian, upon approval of the Rules Committee.

#### 26 27    DAILY ORDER OF BUSINESS

28           30. The House shall convene at 1:30 p.m., unless otherwise ordered by  
29 the House membership.

30           31. The daily order of business shall be:

31           (a) Prayer

32           (b) Pledge of Allegiance

33           (c) Roll Call

34           (d) Leaves of absence

35           (e) Reading and approval of the previous day's Journal

36           (f) Reports from select committees

- 1 (g) Reports from standing committees  
2 (h) Unfinished business  
3 (i) Executive communications  
4 (j) Introduction, reading and advancement of bills and resolutions  
5 31.(k)1. Senate communications and amendments to House bills  
6 2. Introduction, reading and advancement of bills and joint  
7 resolutions  
8 3. Bills and resolutions from the Senate on first reading  
9 4. Bills and resolutions from the Senate on second reading  
10 5. Senate bills and joint resolutions on third reading  
11 31.(l) Announcement of committee meetings, and  
12 31.(m) Adjournment.  
13 32.(a) Introduction and reading of bills and resolutions may be  
14 ordered by the Speaker of the House at his/her discretion.  
15 32.(b) The following types of resolutions shall be considered for  
16 passage during the time set aside for the consideration of members' own  
17 amendments to their own bills: a memorial resolution, a concurrent memorial  
18 resolution, and a resolution or a concurrent resolution that commends,  
19 congratulates, or recognizes an individual, group, or other entity.  
20 Notwithstanding Rule 25 (h), a concurrent resolution or concurrent memorial  
21 resolution that is subject to this rule may be transmitted to the Senate on  
22 the same day that it is passed. A joint resolution proposing a  
23 Constitutional amendment shall be placed on the regular House calendar and is  
24 subject to Rule 25 (h).  
25 33. Items "(a)" through "(h)" shall take no more than one (1) hour of  
26 House time each day unless extended by a majority vote of the House members  
27 present. These items may not be extended on those designated Senate days  
28 beyond the one (1) hour limit. (J.R. 12 – Senate days)  
29 34. Unfinished business items, except items "(a)" through "(g)", take  
30 up where the House left the day before when it adjourned. Items "(a)"  
31 through "(g)" begin new each day.  
32 35. Privileged matters may interrupt the order of business. These  
33 privileged matters are:  
34 35.(a) Appropriation bills and revenue bills, sponsored by the  
35 committees on Budget, Revenue and Taxation and the Committee on Rules (J.R.  
36 15);



1           36.(i) The General Assembly of Arkansas shall not pass any local or  
2 special act. This amendment shall not prohibit the repeal of local or  
3 special acts. (Amendment 14)

4           36.(j) No bill shall be passed by either house containing more than  
5 one subject, which shall be expressed in the title, and the subtitle. (J.R.  
6 4)

7           36.(k) In making appropriations for any ~~biennial period~~ fiscal year,  
8 the General Assembly shall first pass the General Appropriation Bill provided  
9 for in Section 30 of Article 5 of the Constitution, and no other  
10 appropriation bill may be enacted before that shall have been done. (As added  
11 to Article 5, Sec. 40 by Amendment No. 19)

12           36.(l) No money shall be drawn from the treasury except in pursuance  
13 of specific appropriation made by law, the purpose of which shall be  
14 distinctly stated in the bill, and the maximum amount which may be drawn  
15 shall be specified in dollars and cents; and no appropriation shall be for a  
16 longer period than ~~two (2) years~~ one (1) fiscal year. (Art. 5, Sec. 29)

17           The general appropriation bill shall embrace nothing but appropriations  
18 for the ordinary expense of the executive, legislative and judicial  
19 departments of the State; all other appropriations shall be made by separate  
20 bills, each embracing but one (1) subject. (Art.5, Sec. 30)

21           No state tax shall be allowed, or appropriation of money made, except  
22 to raise means for the payment of the just debts of the State, for defraying  
23 the necessary expenses of government, to sustain common schools, to repel  
24 invasion and suppress insurrection, except by a majority of two-thirds (2/3)  
25 of both houses of the General Assembly. (Art. 5, Sec. 31)

26           None of the rates for property, excise, privilege or personal taxes,  
27 now levied shall be increased by the General Assembly except after the  
28 approval of the qualified electors voting thereon at an election, or in case  
29 of emergency, by the votes of three-fourths (3/4) of the members elected to  
30 each House of the General Assembly. (Art. 5, Sec. 38 added by Amend. 19,  
31 Sec. 2)

32           Excepting monies raised or collected for educational purposes, highway  
33 purposes, to pay Confederate pensions and the just debts of the State, the  
34 General Assembly is hereby prohibited from appropriating or expending more  
35 than the sum of Two and One-Half Million Dollars for all purposes, for any  
36 ~~biennial period~~ fiscal year; provided the limit herein fixed may be exceeded

1 by the votes of three-fourths (3/4) of the members elected to each House of  
2 the General Assembly. (Art. 5, Sec. 39 added by Amend. 19, Sec. 3)

3 36.(m)(a) No appropriation bill shall be filed for introduction in  
4 either the House of Representatives or the Senate later than the fiftieth  
5 (50th) day of a regular session except upon consent of two-thirds (2/3) of  
6 the members elected to each house; and, no other bill or resolution except  
7 adjournment resolutions and resolutions requesting permission to introduce a  
8 bill or resolution shall be filed for introduction in either the House of  
9 Representatives or the Senate later than the fifty-fifth (55th) day of a  
10 regular session, except upon consent of two-thirds (2/3) of the members  
11 elected to each house. ~~When the filing deadline for any bills or resolutions~~  
12 ~~ends on Saturday or Sunday, the deadline is hereby extended until the close~~  
13 ~~of business the following Monday. (J.R. 16)~~

14 (b)(1) No appropriation bill shall be filed for introduction in  
15 either the House of Representatives or the Senate later than the fifteenth  
16 (15th) day of a fiscal session except upon consent of two-thirds (2/3) of the  
17 members elected to each house.

18 (2) For a fiscal session, a non-appropriation bill shall not be  
19 filed for introduction until a concurrent resolution authorizing the  
20 introduction of the bill has been approved by a vote of two-thirds (2/3) of  
21 the members elected to each house and the concurrent resolution becomes  
22 effective.

23 (3) A concurrent resolution authorizing the introduction of a  
24 non-appropriation bill in a fiscal session shall not be filed for  
25 introduction in either the House of Representatives or the Senate later than  
26 the first (1st) day of a fiscal session.

27 (4) A non-appropriation bill shall not be filed for introduction  
28 in either the House of Representatives or the Senate later than the fifteenth  
29 (15th) day of a fiscal session.

30 (c) When the filing deadline for any bills or resolutions ends on  
31 Saturday or Sunday, the deadline is extended until the close of business the  
32 following Monday. (J.R. 16)

33 36.(n) The Joint Committee on Constitutional Amendments shall consist  
34 of the members of the Senate Committee on State Agencies and Governmental  
35 Affairs and the members of the House Committee on State Agencies and  
36 Governmental Affairs. No proposed constitutional amendment can be



1 recommended to either House of the General Assembly except upon the  
2 affirmative vote of a majority of the members of the Senate Committee on  
3 State Agencies and Governmental Affairs and an affirmative vote of a majority  
4 of the members of the House Committee on State Agencies and Governmental  
5 Affairs. No resolution proposing a constitutional amendment shall be filed  
6 in either the House of Representatives or the Senate after the thirty-first  
7 (31st) day of each regular session of the General Assembly. All resolutions  
8 proposing constitutional amendments shall be referred to the Joint Committee  
9 on State Agencies and Governmental Affairs. Other resolutions proposing  
10 constitutional amendments shall not be reported to or considered by either  
11 House of the General Assembly until the original recommendations of the Joint  
12 Committee on State Agencies and Governmental Affairs are disposed of. A  
13 resolution proposing a constitutional amendment may be considered only during  
14 a regular session. (J.R. 21)

15 36.(o)(a) Any proposed legislation affecting any publicly supported  
16 retirement system or pension plan to be considered by the General Assembly at  
17 a regular ~~biennial~~ session shall be introduced in the General Assembly during  
18 the first fifteen (15) calendar days of a regular ~~biennial~~ session.  
19 (A.C.A. 10-2-115)

20 36.(o)(b) No such bill shall be introduced after the fifteenth day of  
21 a regular ~~biennial~~ session unless its introduction is first approved by a  
22 three-fourths (3/4) vote of the full membership of each House of the General  
23 Assembly. (A.C.A. 10-2-115)

24 36.(o)(c) A bill affecting any publicly supported retirement system or  
25 systems shall not be introduced or considered at any special session or  
26 fiscal session of the General Assembly unless the introduction and  
27 consideration of the bill is first approved by a three-fourths (3/4) vote of  
28 the full membership of each House of the General Assembly. (A.C.A. 10-2-115)

29 36.(p) Definition. -- As used in this subchapter, unless the context  
30 otherwise requires, "fiscal impact statement" means a realistic statement of  
31 the estimated financial cost of implementing or complying with the proposed  
32 law, regulation, rule, policy, order, or administrative law upon  
33 municipalities or counties to which the proposed law, regulation, rule,  
34 policy, order or administrative law applies. (A.C.A. 19-1-301)

35 Before adoption of regulation, etc. -- No regulation, rule, policy,  
36 order, or administrative law which would have a fiscal impact on any

1 municipality or county in this state shall be valid unless 30 days prior to  
2 its adoption by a board, commission, agency, department, office or other  
3 authority of the government of the State of Arkansas, except the General  
4 Assembly, the Courts and the Governor, such board, commission, agency,  
5 department, officer or other authority shall file a fiscal impact statement  
6 with the Secretary of State. Any municipality or county which will be  
7 affected by the proposed regulations, rule, policy, order or administrative  
8 law upon request shall immediately be furnished with a copy of the fiscal  
9 impact statement by the board, commission, agency, department, officer or  
10 other authority. (A.C.A. 19-1-302)

11 Bills imposing new or additional costs on municipality or county.

12 36.(p) 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 chairperson 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. (A.C.A. 19-1-303)

22 36.(p) 2. Any time before such bill is read for the third time in the  
23 House of Representatives, any member of the House may request that a fiscal  
24 impact statement for the bill be prepared and placed on the desk of each  
25 member. When a member of the House of Representatives so requests a fiscal  
26 impact statement on any bill, the Speaker shall furnish the member a fiscal  
27 impact statement signature form which shows the number of the bill for which  
28 the statement is requested and the date and time the request was made. If  
29 the member returns the form containing the signature of the requesting member  
30 and the signatures of at least nine (9) other House members within thirty  
31 (30) minutes of the time shown on the form, the fiscal impact statement shall  
32 be prepared and placed on the desk of each member of the House before the  
33 bill is read the third time. (A.C.A. 19-1-303)

34 36.(p) 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  
36 bill, any member of the house in which the bill is being considered may move

1 that a final vote on the passage of the bill be delayed until a fiscal impact  
2 statement is prepared and made available on the desk of each member of the  
3 House at least one (1) full day prior to the bill being called up for final  
4 passage. If such motion is made and is adopted by a majority vote of the  
5 membership of the House, the Speaker of the House shall cause the bill to be  
6 referred to the appropriate state agency or to the designated legislative  
7 staff for the preparation of a fiscal impact statement, which shall be filed  
8 with the House within five (5) days of the date of the request. (A.C.A. 19-1-  
9 303)

10 36.(p) 4. Failure of the sponsor of a bill to provide the fiscal  
11 impact statement required in this rule shall not prohibit the consideration  
12 of it in the committee to which referred or on the Floor of the house in  
13 which the bill is called up for final passage, if no objection to it is made  
14 at the time such action is taken. (A.C.A. 19-1-303)

15 36.(p) 5. Nothing in this rule shall prohibit a committee to which a  
16 bill is referred or the house in which the bill is being considered from  
17 suspending the requirement of the filing of a fiscal impact statement on any  
18 such bill in the same manner as provided for the suspension of the rules in  
19 the house in which the bill is being considered. (A.C.A. 19-1-303)

20 36.(p) 6. Copies of the fiscal impact statements prepared in  
21 compliance with the provisions of this rule shall be made available, upon  
22 request for them, to representatives of municipal or county governments. A  
23 fiscal impact statement filed or prepared in compliance with this rule is  
24 declared to be a public record within the meaning of the Freedom of  
25 Information Act of 1967, § 25-19-101 et seq. (A.C.A. 19-1-303)

26 36.(p) 7. For the purposes of this rule, 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. (A.C.A. 19-1-303)

30  
31 Bills imposing new or additional costs on education

32 36.(q)(a)(1) As used in this section, unless the context otherwise  
33 requires, "fiscal impact statement" means a realistic written statement of  
34 the purpose of a proposed law, or a regulation promulgated under a law, and  
35 the estimated financial cost to the state or any local school district of  
36 implementing or complying with the proposed law or regulation.

1 (2) The fiscal impact statement shall be developed by the Office of  
2 Economic and Tax Policy of the Bureau of Legislative Research with the  
3 assistance of the Department of Education within the guidelines adopted by  
4 the House Committee on Education and the Senate Committee on Education, as  
5 applicable.

6 (b) Any bill filed in the House of Representatives or Senate that will  
7 impose a new or increased cost obligation for education in grades  
8 kindergarten through twelve (K-12) on the State of Arkansas or any local  
9 school district shall have a fiscal impact statement attached to it prepared  
10 and filed with the chair of the committee to which the bill is referred:

11 (1) At least three (3) days before the bill may be called up for final  
12 action in the committee during a regular session or fiscal session of the  
13 General Assembly; and

14 (2) At least one (1) day before the bill may be called up for final  
15 action in the committee during a special session of the General Assembly.

16 (c)(1)(A) If any such House or Senate bill is called up for final  
17 passage in the House or Senate and a fiscal impact statement has not been  
18 provided by the author of the bill or by the committee to which the bill was  
19 referred, any member of the House or Senate may object to the bill's being  
20 called up for final passage until a fiscal impact statement is prepared and  
21 made available on the desk of each member of the House or Senate at least one

22 (1) day prior to the bill's being called up for final passage.

23 (B) An affirmative vote of two-thirds (2/3) of a quorum present and  
24 voting shall override the objection.

25 (2) If an objection is made without override, the presiding officer of  
26 the House or Senate shall cause the bill to be referred to the office for the  
27 preparation of a fiscal impact statement which shall be filed with the  
28 presiding officer not later than five (5) days from the date of the request.

29 36.(r) Bills imposing new or additional costs and restrictions on  
30 inmate population patterns or affecting programs or services of the  
31 Department of Corrections.

32 (a) Each of the following bills introduced in the General Assembly  
33 shall have a cost impact statement attached to the bill prior to the  
34 committee to which the bill is referred taking action in regard to the bill:

35 (1) Bills which affect inmate population patterns at facilities of the  
36 Department of Correction by imposing restrictions on inmate release, or by

1 increased intake into the department of inmates based on felony convictions;  
2 and

3 (2) Bills which affect programs or services of the department.

4 (b) In addition, copies of the cost impact statement shall be  
5 furnished on the desk of each member of the Senate and of the House of  
6 Representatives at least one (1) day prior to the date on which the bill is  
7 on third reading and debated for final passage in the respective houses.

8 (c) Cost impact statements required under this section shall be  
9 prepared, upon referral thereof by the Speaker of the House of  
10 Representatives, with respect to House bills, and by the President of the  
11 Senate upon recommendation of the Senate Rules Committee, with respect to  
12 Senate bills, at the time of introduction thereof, to:

13 (1) The Director of the Department of Correction, who shall either  
14 personally prepare, or cause appropriate officials of the department to  
15 prepare, a cost impact statement to be approved by the director before  
16 submission to the house in which the request was made; or

17 (2) Any other state agency which has information available upon which  
18 to base a cost impact statement.

19 (d) The cost impact statement shall be furnished to the Governor and  
20 to the President of the Senate and the Speaker of the House of  
21 Representatives who shall cause copies thereof to be prepared for  
22 distribution upon the desks of the members of the House and Senate at least  
23 twenty-four (24) hours prior to consideration of any such bill by committee  
24 or twenty-four (24) hours prior to the bill's being called up for third  
25 reading and final passage.

26 (e) The cost impact statement shall be certified by the director, or  
27 the director of the appropriate agency to which the bill is referred for  
28 preparation of an impact statement, and shall be returned and filed as  
29 required in this section within not more than five (5) days from the date of  
30 receipt thereof unless additional time in which to prepare the statement is  
31 granted by the requesting official. (A.C.A. 12-28-103)

32 37.(a) The first reading of a bill shall be for information and unless  
33 otherwise ordered by the House, it shall be placed on the second reading  
34 calendar. (Every bill shall be read at length on three different days in  
35 each house, unless the rules be suspended by two-thirds (2/3) of the House,  
36 when the same may be read a second or third time on the same day; (Art.5,

1 Sec. 22)

2 37.(b) No bill shall be read and considered either a first, second or  
3 third time which does not contain a bill number, at least one author, a title  
4 expressing the main contents of the bill, a subtitle, an enacting clause and  
5 at least one section which shall be expressed in the title and the subtitle.  
6 The Speaker shall not entertain a motion to suspend this rule.

7 38. Second reading

8 38.(a) A bill shall be read a second time and the Speaker shall assign  
9 the bill to its appropriate committee.

10 38.(b) A bill or resolution may not be divided for assignment to  
11 committee although it may contain certain matters properly within the  
12 jurisdiction of several committees.

13 38.(c) Before consideration by a committee, any representative may  
14 attach an amendment to the bill which shall be referred to the committee with  
15 the bill, without debate. It is the author's responsibility to have the  
16 amendment properly numbered by the Bill Clerk, not the committee staff. An  
17 amendment must be properly filed by the author and properly numbered by the  
18 Bill Clerk prior to being voted on by the House.

19 38.(d) In order to amend a bill, it shall be necessary to adopt a  
20 motion to place the bill back on second reading for the purpose of submitting  
21 an amendment.

22 38.(e) When a bill has a committee recommendation, it is the author's  
23 responsibility to place the bill on the calendar for consideration.

24 39. A bill shall not be called for a third reading and final passage  
25 until a photocopied, printed copy, or electronic copy of same shall have been  
26 placed on every representative's desk for twenty-four (24) hours.

27 The twenty-four (24) hour period begins when a bill is initially  
28 introduced and read across the desk. No bill or resolution may be brought up  
29 for a third reading and final passage on the Floor of the House until it has  
30 been on the calendar of the House for at least one (1) day.

31 40. A calendar of bills and resolutions to be considered in the order  
32 of business during any legislative day shall be printed and placed on the  
33 members' desks prior to the adjournment of the preceding legislative day.  
34 Calendared items are considered to be a motion for passage.

35 41. A bill ordered to be engrossed or enrolled shall be typed or  
36 photocopied.

1           42. A bill having been rejected may not be brought up again during the  
2 same legislative session unless it be an appropriation bill. Appropriation  
3 bills may be considered a total of two times during any calendar day.  
4 Following a second consideration during the same calendar day, a motion to  
5 reconsider or a motion to expunge must be adopted before an appropriation  
6 bill may be considered.

7           43. When a bill has been passed and transmitted to the Senate, it may  
8 be recalled from the Senate by the same vote that was necessary to pass the  
9 bill.

10          44. A committee may receive a bill, resolution, amendment, petition  
11 and memorial only through the House, and the House may receive same only  
12 through a member. (Art.5, Sec. 34 -- No new bill shall be introduced into  
13 either house during the last three days of ~~the~~ a regular or fiscal session.)

14          45. Amendments to bills and resolutions:

15          45.(a) When a bill or resolution is under consideration, amendments  
16 shall be in order. Upon adoption, amendments shall become a part of the bill  
17 or resolution. Amendments to amendments may not be offered. All amendments  
18 offered before the House or one of its committees must be typewritten on an  
19 approved amendment form and signed by the sponsor. All amendments shall be  
20 attached to the original bill, numbered by the Bill Clerk, and shall be  
21 placed upon the members' desks before being acted upon by the House.

22          45.(b) When a House bill has been amended in the Senate, upon return  
23 of said bill to the House, the Speaker shall re-refer the bill, together with  
24 the Senate amendment(s), to the committee to which the bill was originally  
25 referred, for review. Concurrence in the Senate amendment shall not be  
26 considered by the House until the committee report is received by the House.  
27 When a House bill is amended and passed by the Senate and is returned to the  
28 House, the bill shall be reprinted with the Senate amendments included  
29 therein and specifically identified and shall be placed on each member's desk  
30 before final action is taken on the bill by the House. When the Senate  
31 amendment is before the House, the same number of votes will be required to  
32 concur in the Senate amendment as was required in the original passage of the  
33 bill in the House. Amendments containing an emergency clause require sixty-  
34 seven (67) votes.

35          45.(c) Fifty-one (51) votes shall be required to adopt a House  
36 amendment to a House or Senate bill. When a House bill has been amended in

1 the House, it shall not be acted upon until it has been engrossed and such  
2 engrossed bill has been printed and placed on each member's desk.

3 45.(d) Every amendment proposed must be germane to the subject of the  
4 proposition to be amended.

5 45.(e) All appropriation bills and other bills which are required to  
6 be submitted to the Budget Committee, or to another designated committee of  
7 the House and Senate, which are amended on the Floor of either House of the  
8 General Assembly by an amendment which was not recommended favorably by the  
9 Budget Committee, or by any other committee of the House and Senate to which  
10 referred, shall be re-referred to such committee of the House and Senate for  
11 consideration and recommendation before said bill may be considered for final  
12 passage or concurrence by the House of Representatives.

13 45.(f) Members' own House bills and Senate bills on which a House  
14 member is the lead sponsor may be amended with their own amendments beginning  
15 at a specific time set aside by the House. Senate bills may be amended in  
16 accordance with the applicable rules provided for amending members' own House  
17 bills with their own amendments.

18 45.(g) Members' own amendments to their own House bills and Senate  
19 bills with House sponsors must be signed only by the sponsor of the bill  
20 whose name is listed first in the list of sponsors.

21 45.(h) Members' own amendments to their own House bills and Senate  
22 bills on which there are House sponsors must be presented to the House Bill  
23 Clerk only by the sponsor of the House or Senate bill whose name is listed  
24 first in the list of sponsors.

25 45.(i) After acceptance, the House Bill Clerk shall furnish the  
26 sponsor with a stamped and numbered copy of the members' signed amendment.

27 45.(j) The sponsor shall present a stamped, numbered and signed copy  
28 of a proposed amendment to the Calendar Clerk in order to have the bill and  
29 amendment placed on the "Members' Own Bill/Own Amendment Calendar".

30 45.(k) A House or Senate bill to be amended by a member with his/her  
31 own amendment shall only be placed on the "Members' Own Bill/Own Amendment  
32 Calendar" by the sponsor whose name is listed first on the bill.

33 45.(l) An objection by any member, written or oral, to the Speaker of  
34 the House or his/her designee, shall cause a member's own amendment to  
35 his/her own bill to not be considered and to be removed from the "Members'  
36 Own Bill/Own Amendment Calendar" and automatically placed on the same day's



1 regular amendment calendar for consideration.

2 45.(m) A member's own House bill or Senate bill amended with a  
3 member's own amendment shall be transmitted directly to Engrossing after  
4 having been amended.

5 45.(n) No House or Senate bills having been amended shall be  
6 considered by any committee or the full House until such bills have been  
7 engrossed, proofed and reported "correctly engrossed". The Speaker or  
8 presiding officer shall not accept a motion to suspend this rule.

9 45.(o) Members' own House bills or Senate bills to be amended with  
10 their own amendments shall be placed on the "Members' Own Bill/Own Amendment  
11 Calendar" no later than 4:30 p.m. the day preceding the day they are to be  
12 considered.

13 45.(p) When a bill has a committee recommendation and is subsequently  
14 amended to change the title, and/or the list of sponsors and/or an emergency  
15 clause, such amendment shall not cause the bill to be re-referred to  
16 committee.

17 45.(q) Members' own House bills may be withdrawn at a specific time  
18 set aside by the House by placing them on the "Withdrawal Calendar" no later  
19 than 4:30 p.m., the day preceding the day they are to be withdrawn. House  
20 bills for withdrawal may be placed on the "Withdrawal Calendar" only by the  
21 member whose name is listed first as author of the bill. The member  
22 requesting withdrawal may recommend the bill to be studied by the same  
23 committee to which the bill was assigned at the time of request for  
24 withdrawal.

25 45.(r) Budget bills sponsored by members but recommended to be amended  
26 to delete the sponsor and substitute the Joint Budget Committee as sponsor  
27 may be amended during the period set aside to amend "Members Own Bills with  
28 their Own Amendments".

29 45.(s) The Rules governing members amending their own bills with their  
30 own amendments shall be in effect for House and Senate Budget bills so far as  
31 they are applicable.

32 45.(t) Budget bills to be amended deleting the sponsor and  
33 substituting the Joint Budget Committee shall be placed on the Joint Budget  
34 Calendar by the Joint Budget Calendar Clerk.

35 45.(u) The House Chairman of the Joint Budget Committee shall sign all  
36 amendments deleting the sponsor and substituting the Joint Budget Committee

1 as sponsor.

2

3

### RESOLUTIONS

4 46. Resolutions shall follow the same procedure as bills.

5 47. A House resolution shall be directed at some matter for the sole  
6 action of the House and may be introduced in extraordinary sessions, lack of  
7 germaneness notwithstanding. Fifty-one (51) votes shall be required to adopt  
8 a House resolution.

9 48. Joint resolutions are for incidental, unusual, or informal  
10 objectives of legislation (i.e., as extending the thanks of the State to  
11 individuals; invitations to celebrities to visit the State), or to submit  
12 proposed amendments to the United States Constitution, ratifying United  
13 States Constitutional amendments and proposing amendments to the Arkansas  
14 Constitution.

15 49. Concurrent resolutions shall be a means of expressing fact,  
16 principles, opinions, purposes, and all other matters requiring concurrence  
17 of both houses except the subject matter provided for in the joint  
18 resolution. A concurrent resolution is binding on neither house until agreed  
19 to by both.

20 50. Resolutions of Inquiry:

21 50.(a) All resolutions of inquiry addressed to the heads of executive  
22 departments shall be reported to the House within one (1) week after  
23 presentation.

24 50.(b) A House resolution authorizing a committee to request  
25 information is treated as a resolution of inquiry.

26 50.(c) A resolution of inquiry from a committee shall have a  
27 privileged status to report.

28

29

### STANDING, SELECT, AND SPECIAL COMMITTEES

30 (Interim Committees) (A.C.A. 10-3-201 thru 10-3-220)

31 51. The committees of the House of Representatives shall consist of  
32 ten (10) standing committees, seven (7) select committees, and three (3)  
33 special committees. The standing committees shall be five (5) Class "A"  
34 committees and five (5) Class "B" committees. The seven (7) select  
35 committees shall be five (5) joint select committees and two (2) House select  
36 committees. The three (3) special committees shall be two (2) joint

1 committees and one (1) House committee. The House standing, joint select,  
2 select and special committees are as follows:

3 51.(a) HOUSE STANDING COMMITTEES

4 Class "A" Committees

5 Education

6 Judiciary

7 Public Health, Welfare and Labor

8 Public Transportation

9 Revenue and Taxation

10 Class "B" Committees

11 Aging, Children and Youth, Legislative and Military Affairs

12 Agriculture, Forestry and Economic Development

13 City, County and Local Affairs

14 Insurance and Commerce

15 State Agencies and Governmental Affairs

16 51.(b) JOINT SELECT COMMITTEES

17 (1) Joint Budget -- (to consist of twenty four (24) members of the  
18 House and twenty four (24) members of the Senate, and the immediate past co-  
19 chairs of the Legislative Council and ex-officio members in accordance with  
20 A.C.A. 10-3-502.). (A.C.A. 10-3-501 thru 10-3-509) The House members of the  
21 Joint Budget Committee shall be known as the House Budget Committee.

22 (2) Joint Committee on Energy -- (to consist of fifteen (15) members  
23 of the House, fifteen (15) House alternates, and ten (10) members of the  
24 Senate). (A.C.A. 10-3-801 thru 10-3-822)

25 (3) Joint Committee on Public Retirement and Social Security Programs  
26 -- (to consist of ten (10) members of the House, ten (10) House alternates,  
27 and ten (10) members of the Senate). (A.C.A. 10-3-701 thru 10-3-703)

28 (4) Joint Performance Review Committee -- (to consist of twenty (20)  
29 members of the House and ten (10) members of the Senate). (A.C.A. 10-3-901  
30 thru 10-3-903)

31 (5) Joint Committee on Advanced Communications and Information  
32 Technology -- (to consist of ten (10) members of the House, ten (10) House  
33 alternates, and seven (7) members of the Senate). (A.C.A. 10-3-1701 thru 10-  
34 3-1707)

35 51.(c) HOUSE SELECT COMMITTEES

36 House Rules Committee shall consist of no more than fifteen (15)

1 members.

2 House Management Committee shall consist of the Speaker and no more  
3 than six (6) additional members.

4 51.(d) SPECIAL COMMITTEES

5 (1) Joint Interim Committee on Legislative Facilities -- (to consist  
6 of fourteen (14) members of the General Assembly, as follows:

7 51.(d)(1)(a) The chairperson of the House Budget Committee;

8 51.(d)(1)(b) Two (2) members of the House of Representatives appointed  
9 by the Speaker;

10 51.(d)(1)(c) The chairperson of the House Management Committee and two  
11 (2) additional members of the House Management Committee to be designated by  
12 its chairperson;

13 51.(d)(1)(d) The Speaker of the House of Representatives or his or her  
14 designee; and

15 51.(d)(1)(e) Seven (7) members of the Senate to be named by the Senate  
16 Committee on Committees. (A.C.A. 10-3-1101 thru 10-3-1111)

17 51.(2) House Committee on the Journal; Engrossed and Enrolled Bills  
18 shall consist of not more than five (5) members. The House Committee on the  
19 Journal; Engrossed and Enrolled Bills shall not be considered a standing or  
20 select committee. The committee shall consist of the Speaker of the House of  
21 Representatives or his or her designee who shall be chairperson, the  
22 chairperson of the House Rules Committee who shall be the vice chairperson,  
23 the chairperson of the House Management Committee, and two (2) members of the  
24 House appointed by the Speaker of the House; and, the House Parliamentarian  
25 shall serve as secretary and advisor to the committee. The chairperson of the  
26 committee shall receive an allowance in accordance with A.C.A. 10-2-215.

27 51.(3) Joint Committee on Legislative Printing Requirements and  
28 Specifications -- (to consist of the chairperson and vice chairperson of the  
29 House Management Committee, the chairperson and vice chairperson of the  
30 Senate Efficiency Committee, the Speaker of the House of Representatives or  
31 his or her designee and the President Pro Tempore of the Senate). (A.C.A. 10-  
32 3-601 thru 10-3-605)

33 52.(a) STANDING COMMITTEES

34 52.(a)(1) Members of the standing committees shall be selected by  
35 House District Caucuses of members-elect on the Friday following the November  
36 General Election with each caucus selecting five (5) members for each "A"

1 standing committee and five (5) members for each "B" standing committee. The  
2 members-elect of the Second District Caucus shall select up to three (3)  
3 members for each standing committee from within the Pulaski County membership  
4 and the remaining members for each standing committee from without the  
5 Pulaski County membership; this provision may be waived by majority vote of  
6 the members-elect from without Pulaski County. Standing committee membership  
7 shall be confirmed at the same time that representatives are administered the  
8 oath of office.

9 52.(a)(2) Each member of the House who is serving a first or second  
10 term in the House shall be entitled to serve as a non-voting member of one of  
11 the ten (10) joint interim committees designated as "A" and "B" committees.  
12 The non-voting members of each of the ten (10) joint interim committees shall  
13 be selected by the four (4) House caucuses at a time designated by the  
14 Speaker sometime before the adjournment of each regular session. Each caucus  
15 shall select not to exceed three (3) first or second term members to serve as  
16 non-voting members of each of the ten (10) joint interim committees  
17 designated as "A" and "B" committees. The non-voting members shall be  
18 entitled to attend meetings of the committees, to serve on subcommittees of  
19 the committee, to participate in the deliberations of the committee or  
20 subcommittee, and to receive per diem and mileage for attending meetings of  
21 the committee or subcommittee, but shall not have a vote in the committee or  
22 a subcommittee.

23 52.(a)(3) Members of the House of Representatives who are committee  
24 chairpersons or vice-chairpersons or select seniority members who have been  
25 assigned an office or other premises shall vacate the office or other  
26 premises by December 15 following the General Election in the even-numbered  
27 years.

28 52.(a)(4) Each standing committee shall consist of twenty (20)  
29 members. Each member of the House shall serve on two (2) standing  
30 committees, one (1) of which shall be a Class "A" committee and one (1) of  
31 which shall be a Class "B" committee. From within each standing committee  
32 there shall be created three (3) permanent subcommittees consisting of eight  
33 (8) members. Each member of the House shall serve on two (2) permanent  
34 subcommittees, one (1) from a Class "A" standing committee and one (1) from a  
35 Class "B" standing committee. The Speaker and the chairperson of each  
36 standing committee shall jointly appoint from the membership of the standing

1 committee six (6) persons for each permanent subcommittee available, provided  
2 further the chairperson and vice chairperson of each standing committee shall  
3 be ex-officio, voting members of each permanent subcommittee created from  
4 within their standing committee. The permanent subcommittees of the standing  
5 committees may meet after having first obtained prior approval of the  
6 standing committee chairperson.

7 52.(a)(5) A signed report from the chairperson of a caucus district  
8 will represent final movement to a standing committee. A signed report from  
9 the chairperson of a standing committee will represent final movement to a  
10 permanent subcommittee. There shall be no transfers from one standing  
11 committee to another or from one permanent subcommittee to another during the  
12 biennium following initial biennial appointment and or confirmation. After  
13 selection of standing committee members and permanent subcommittee members, a  
14 vacancy occurring on a standing committee or permanent subcommittee during  
15 the biennium because of the death, resignation, impeachment, etc., of a  
16 member, shall be temporarily filled by the Speaker of the House assigning the  
17 newly elected member, for the remainder of the biennium, to the "A" and "B"  
18 standing committees, and the permanent subcommittees previously held by their  
19 predecessor. At the end of the biennium, the temporary positions held on the  
20 "A" and "B" committees and the permanent subcommittees will be declared  
21 vacant and will be available for choosing in accordance with House rules.  
22 The newly elected member does not automatically assume a chairmanship or  
23 vice-chairmanship, which vacancies shall be filled in the same manner as the  
24 original appointment.

25 52.(b) SELECT COMMITTEES

26 52.(b)(1) The Speaker shall appoint all members and all alternates on  
27 all House select committees and all Joint Select Committees except the Joint  
28 or House Budget Committee. The Speaker shall appoint ex-officio members in  
29 accordance with the law.

30 52.(b)(2) The House Budget Committee shall consist of six (6) members  
31 of the House of Representatives and two (2) alternates chosen from each  
32 caucus district on the first Friday following the November General Election  
33 before each regular biennial session. At the time the alternates are  
34 selected, one (1) shall be designated as first alternate and the other as  
35 second alternate. The selections shall be made by caucus of the House  
36 members-elect residing within each caucus district. Members-elect chosen for

1 membership on the House Budget Committee shall select one (1) of their number  
2 to serve as chairperson-elect and one (1) to serve as vice chairperson-elect.  
3 The term of office of the members shall be from January 1 of odd-numbered  
4 years through December 31 of the following even-numbered year. Vacancies in  
5 either a member or alternate member position shall be filled in the same  
6 manner as the initial member or alternate member position was filled. House  
7 Budget Committee membership shall be confirmed at the same time that  
8 representatives are administered the oath of office. Prior to confirmation,  
9 however, members-elect chosen to serve on the House Budget Committee shall  
10 conduct pre-session budget hearings, either standing alone or in conjunction  
11 with the Legislative Council.

12 52.(b)(3) No member of the House of Representatives shall serve on  
13 more than one (1) select committee. The Legislative Council, the Legislative  
14 Joint Auditing Committee, the House Budget Committee, the House Committee on  
15 the Journal; Engrossed and Enrolled Bills, and the House Management Committee  
16 are excluded therefrom.

17 52.(c)(1) The Speaker of the House shall appoint a chairperson and a  
18 vice chairperson of each standing committee and each select committee who  
19 shall serve at the pleasure of the Speaker. The Speaker, in consultation  
20 with the chairperson of each standing committee, shall appoint from the  
21 membership of each permanent subcommittee, a chairperson and vice  
22 chairperson, provided however that the vice chairperson of the standing  
23 committee may be the chairperson of a permanent subcommittee. No member of  
24 the House, with the exception of each House standing committee vice  
25 chairperson, shall be chairperson or vice chairperson of more than one (1)  
26 standing committee, select committee, or permanent subcommittee.

27 52.(c)(2) The rules or proceedings of the House of Representatives  
28 shall be observed in all select committees, standing committees, and  
29 subcommittees of the House so far as they may be applicable.

30 52.(c)(3) The House Committee on the Journal; Engrossed and Enrolled  
31 Bills shall serve as the supervisory committee over the preparation of the  
32 Journal and engrossing and enrolling of bills.

33 52.(c)(4) After the membership of a standing committee or a permanent  
34 subcommittee is established, no member shall be removed from any standing  
35 committee or any permanent subcommittee during the biennium for which he/she  
36 was selected. All appointees selected by the Speaker serve at his/her

1 discretion.

2 53. Committee Operations.

3 53.(a) Each committee of the House shall be provided a secretary who  
4 shall maintain a current record of all bills, resolutions, amendments,  
5 petitions, memorials, or other matters filed in committee. A record of  
6 committee actions (committee reports, committee adopted amendments, etc.)  
7 shall be filed with the Chief Clerk of the House as the first priority upon  
8 adjournment of the committee. The secretary shall post, on a bulletin board  
9 and/or electronically, a current list of all measures pending before the  
10 committee.

11 53.(b) All committees shall consider the bills, resolutions,  
12 amendments, petitions, and memorials referred to them and make one of the  
13 following reports in writing to the House:

14 53.(b)(1) That a bill, resolution, petition or memorial "do pass";

15 53.(b)(2) That a bill, resolution, petition or memorial "do not pass",  
16 in which event the measure shall not be considered unless the vote is  
17 expunged;

18 53.(b)(3) That a bill, resolution, petition or memorial "do pass as  
19 amended". No bill, resolution, petition or memorial shall be acted upon  
20 without a "do pass" or a "do pass as amended" recommendation. No bills shall  
21 be placed on the non-controversial calendar or deemed to be non-controversial  
22 in any way unless a motion is adopted in the committee to which the bill was  
23 referred. With a quorum present, the motion is considered adopted if there  
24 are no negative votes.

25 53.(c) The appropriate subject matter standing committees of the House  
26 and the Senate may meet as joint committees whenever agreed by said  
27 committees, for the purposes of holding public hearings or considering any  
28 proposed or pending legislation but upon conclusion of the joint meeting of  
29 said committees, each standing committee of the House of Representatives and  
30 the Senate shall take such action and report to their respective houses as  
31 determined by said committees. Whenever the appropriate subject committees  
32 of the House and Senate hold hearings or meetings, the chairperson of the  
33 House committee and the chairperson of the Senate committee shall by  
34 agreement determine which of them shall preside at the joint meeting.

35 54. The Speaker of the House shall keep a permanent register of the  
36 seniority of the members of the House of Representatives. When it is



1 necessary for the seniority of incoming members to be determined by lot, the  
2 Speaker of the House and the Speaker-designate of the House shall conduct a  
3 drawing by lots upon receiving certification from the Secretary of State of  
4 the election of membership to each General Assembly. Such seniority drawings  
5 shall be effective for the purposes of determining legislative license tag  
6 numbers, Chamber seating, and State Capitol parking.

7 55. Seniority shall be based on the total consecutive uninterrupted  
8 terms served in the House of Representatives. In the event a member has been  
9 elected that has had previous non-continuous service, he/she shall rank ahead  
10 of members elected in the year his/her uninterrupted services began. In the  
11 event that two (2) or more members have equal terms of non-continuous  
12 service, their seniority shall be asserted by drawing lots to determine their  
13 numerical standing in rank ahead of members elected in the year his/her  
14 uninterrupted services begin.

15 56. Seniority ranking for new members elected for the first time to  
16 serve in the General Assembly shall be determined by lot.

17 57. The chairperson shall appoint the clerk or clerks or other  
18 employees of his/her committee, subject to committee approval, who shall be  
19 paid at the public's expense, the House having first provided therefor.

20 58. Meetings and Hearings:

21 58.(a) All committee and subcommittee meetings including but not  
22 limited to hearings at which public testimony is to be taken, (normally  
23 called "public hearings") shall be open to the public (Art. 5, Sec. 13) and  
24 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,  
25 resolutions, and other proposals to be considered at such meetings shall be  
26 posted in a designated place at least eighteen (18) hours in advance; but in  
27 case of an emergency, a two-thirds (2/3) majority of the membership of the  
28 committee may bring bills up for consideration upon notice of not less than  
29 two (2) hours.

30 58.(b) Special meetings of a standing committee may be called by the  
31 chairperson of the committee or by a majority of the members of the committee  
32 for conducting any business of the committee; provided, a special meeting of  
33 the committee may not conflict with regularly scheduled meetings of any  
34 standing committee; provided further, special meetings shall be subject to  
35 the same procedures regarding the publishing of agendas and notices of  
36 meetings that apply to regular standing committee meetings. (J.R. 22 – Joint

1 Committees)

2 58.(c) The Speaker of the House shall establish a regular schedule of  
3 committee meetings in order that each Class "A" committee shall meet at a  
4 scheduled time on the mornings of Tuesday and Thursday of each legislative  
5 week, and all Class "B" committees shall meet at a scheduled time on the  
6 mornings of Wednesday and Friday of each legislative week.

7 58.(d) The Speaker of the House shall establish a schedule of House  
8 standing and select committee meetings so as to minimize conflicts.

9 59.(a) All persons wishing to offer testimony to a committee hearing  
10 shall be given a reasonable opportunity to do so as determined by a majority  
11 of the committee. An oral or written statement shall not be a prerequisite  
12 to offer testimony before a committee.

13 59.(b)(1) The testimony must be given in a manner by which the  
14 committee has the opportunity to ask questions of persons offering testimony.

15 59.(b)(2) Testimony in a committee meeting or on the House floor from  
16 cell phones, personal data assistants or other electronic devices shall not  
17 be allowed, except that video testimony may be permitted.

18 60. All contested elections cases entertained by the House shall be  
19 referred to the Rules Committee which shall make its final recommendation not  
20 later than two (2) weeks from the first day of the session.

21 61. No committee shall sit while the House is in session except the  
22 Committee on Rules or a Conference Committee, which shall notify the House.

23 62. The following subject areas shall be within the jurisdiction of  
24 each of the respective House standing committees:

25 62.(1) Committee on Education – matters pertaining to public  
26 kindergarten, elementary, secondary, and adult education, vocational  
27 education, vocational-technical schools, vocational rehabilitation, higher  
28 education, private educational institutions, similar legislation, and  
29 resolutions germane to the subject matter of the committee;

30 62.(2) Committee on Judiciary – matters pertaining to state and local  
31 courts, court clerks and stenographers and other employees of the courts,  
32 civil and criminal procedures, probate matters, civil and criminal laws,  
33 similar matters, and resolutions germane to the subject matter of the  
34 committee;

35 62.(3) Committee on Public Health, Welfare and Labor – matters  
36 pertaining to public health, mental health, mental retardation, public

1 welfare, human relations and resources, environmental affairs, water and air  
2 pollution, labor and labor relations, contractors and contracting, similar  
3 legislation, and resolutions germane to the subject matter of the committee;

4 62.(4) Committee on Public Transportation – matters pertaining to  
5 roads and highways, city streets, county roads, road vehicles, highway  
6 safety, airports and air transportation, common and contract carriers, mass  
7 transit, similar legislation, and resolutions germane to the subject matter  
8 of the committee;

9 62.(5) Committee on Revenue and Taxation – matters pertaining to the  
10 levy, increase, reduction, collection, enforcement and administration of  
11 taxes and other revenue-producing measures, and resolutions germane to the  
12 subject matter of the committee;

13 62.(6) Committee on Aging, Children and Youth, Legislative and  
14 Military Affairs – matters pertaining to the aged, child custody, adoptions,  
15 problems of aging; children and youth, military, veterans, legislative  
16 affairs, memorials, other matters whenever the subject matter is not germane  
17 to the subject matter of any other standing committee and resolutions germane  
18 to the subject matter of the committee;

19 62.(7) Committee on Agriculture, Forestry and Economic Development –  
20 matters pertaining to agriculture, livestock, forestry, industrial  
21 development, natural resources, oil and gas, publicity and parks, levee and  
22 drainage, rivers and harbors, similar legislation and resolutions germane to  
23 the subject matter of the committee;

24 62.(8) Committee on City, County and Local Affairs – matters  
25 pertaining to city and municipal affairs, county affairs, local improvement  
26 districts, water districts, interlocal government cooperation, similar  
27 legislation and resolutions germane to the subject matter of the committee;

28 62.(9) Committee on Insurance and Commerce – matters pertaining to  
29 banks and banking, savings and loan associations, stock, bonds, and other  
30 securities, securities dealers, insurance, public utilities, partnerships and  
31 corporations, home mortgage financing and housing, similar legislation and  
32 resolutions germane to the subject matter of the committee;

33 62.(10) Committee on State Agencies and Governmental Affairs – matters  
34 pertaining to state government and state agencies, except where the subject  
35 matter relates more appropriately to another committee, proposed amendments  
36 to the Constitution of the State of Arkansas or the Federal government,

1 election laws and procedures, Federal and interstate relations, similar  
2 legislation, and resolutions germane to the subject matter of the committee;

3 62.(10)(a) The following permanent subcommittees are hereby created  
4 from within each standing committee:

5 62.(10)(a)(1) For the House standing committee on Aging, Children and  
6 Youth, Legislative and Military Affairs, the following permanent  
7 subcommittees are created:

- 8 (1) Aging
- 9 (2) Children and Youth
- 10 (3) Legislative, Military and Veterans Affairs

11 62.(10)(a)(2) For the House standing committee on Agriculture,  
12 Forestry and Economic Development, the following permanent subcommittees are  
13 created:

- 14 (1) Agriculture, Forestry and Natural Resources
- 15 (2) Small Business and Economic Development
- 16 (3) Parks and Tourism

17 62.(10)(a)(3) For House standing committee on City, County and Local  
18 Affairs, the following permanent subcommittees are created:

- 19 (1) Planning
- 20 (2) Finance
- 21 (3) Local Government Personnel

22 62.(10)(a)(4) For the House standing committee on Education, the  
23 following permanent subcommittees are created:

- 24 (1) Early Childhood
- 25 (2) Kindergarten Through Twelve, Vocational/Technical  
26 Institutions
- 27 (3) Higher Education

28 62.(10)(a)(5) For the House standing committee on Insurance and  
29 Commerce, the following permanent subcommittees are created:

- 30 (1) Financial Institutions
- 31 (2) Insurance
- 32 (3) Utilities

33 62.(10)(a)(6) For the House standing committee on Judiciary, the  
34 following permanent subcommittees are created:

- 35 (1) Courts/Civil Law
- 36 (2) Corrections/Criminal Law

1 (3) Juvenile Justice/Child Support

2 62.(10)(a)(7) For the House standing committee on Public Health,  
3 Welfare and Labor, the following permanent subcommittees are created:

4 (1) Human Services

5 (2) Health Services

6 (3) Labor and Environment

7 62.(10)(a)(8) For the House standing committee on Public  
8 Transportation, the following permanent subcommittees are created:

9 (1) Motor Vehicle and Highways

10 (2) Public Transportation and Rail

11 (3) Waterways and Aeronautics

12 62.(10)(a)(9) For the House standing committee on Revenue and  
13 Taxation, the following permanent subcommittees are created:

14 (1) Sales, Use, Miscellaneous Taxes and Exemptions

15 (2) Income Taxes—Personal and Corporate

16 (3) Complaints and Remediation

17 62.(10)(a)(10) For the House standing committee on State Agencies and  
18 Governmental Affairs, the following permanent subcommittees are created:

19 (1) State Agencies and Reorganization

20 (2) Constitutional Issues

21 (3) Elections

22 63.(a) Committee on Rules:

23 63.(a)(1) All proposed action touching the rules, joint rules, and  
24 order of business shall be referred to the Committee on Rules.

25 63.(a)(2) It shall always be in order to call up, for consideration, a  
26 report from the Committee on Rules.

27 63.(a)(3) The Committee on Rules shall present to the House reports  
28 concerning rules, joint rules, and order of business on the third day after  
29 convening of the House. The permanent rules shall be adopted by a majority  
30 of the members and thereafter they may be changed only by a vote of sixty-  
31 seven (67) members.

32 63.(a)(4) The Speaker shall refer to the Committee on Rules, any  
33 matters dealing with alcohol, cigarettes, movies, pornography, tobacco,  
34 tobacco products, coin operated amusement devices, vending machines,  
35 lobbying, code of ethics, bingo, lotteries, raffles, racing, race tracks,  
36 pari-mutuel betting and similar legislation.

1           63.(a)(5) Rules of the preceding General Assembly shall automatically  
2 be adopted as temporary rules of the current assembly and may be amended or  
3 suspended by a majority vote of the membership.

4           63.(b) House Budget Committee. All appropriation bills coming before  
5 the House shall be assigned to and considered by the House Budget Committee.

6           64. No committee shall transact business without a quorum (a majority  
7 of the committee membership present). The request for a quorum call is  
8 always in order. All final action on bills, and on proposed amendments to  
9 bills, shall be decided by a majority vote of the total membership of the  
10 committee. Provided, however, that the Speaker of the House shall not be  
11 included for the purpose of determining what is a majority of a standing  
12 committee, unless present at the time of the vote. A member of the committee  
13 must be present at the time of the vote for his/her vote to be counted on any  
14 matter considered by the committee (no pairs, no proxies).

15           64.(a) A bill, resolution or amendment in a House committee, having  
16 been rejected twice, shall not be placed on the committee calendar again or  
17 considered again during the same legislative session unless the vote is  
18 expunged (two-thirds of the membership of the committee). The motion to  
19 expunge shall be placed on the committee agenda, by a committee member, and  
20 placed at the bottom of the active list. A bill or resolution may be amended  
21 before a second consideration; but, unless expunged, even an amended bill  
22 having failed twice shall not be placed on the calendar or considered.

23           65. Upon written request by the author of a bill directed to the  
24 chairperson of the committee, a bill shall be considered by the full  
25 committee within ten (10) days of the time of such request, but the  
26 committees may delay final action on a bill by a majority vote of the  
27 committee.

28           66. No bill shall be introduced with a committee as the author of said  
29 bill unless that committee has voted unanimously to sponsor the bill.

30           67. Committee Records and Reports:

31           67.(a) The chairperson of each committee of the House shall keep or  
32 cause to be kept a separate record for each committee meeting in which there  
33 shall be entered:

34           67.(a) 1. The time and place of each hearing and each meeting of the  
35 committee.

36           67.(a) 2. The number and title of the bill with one of the following

1 three recommendations: "do pass", "do pass as amended", or "do not pass". If  
2 a committee recommends a bill "do pass as amended" and any of the amendments  
3 recommended by the committee are not adopted on the Floor, the bill shall be  
4 re-referred to the same committee for further consideration and  
5 recommendation.

6 67.(a) 3. A summary of each bill's major provision which may be  
7 several paragraphs in length in case of major bills or simply the title of  
8 the bill in the case of minor bills.

9 67.(a) 4. The reason for the committee's action on the bill, including  
10 a brief minority report, if requested by any two (2) committee members.

11 67.(a) 5. A record of how every member voted on each bill when action  
12 is taken by the committee, including votes on a motion to postpone  
13 consideration on the bill and a recorded vote on any other motion, if  
14 requested by any two (2) committee members.

15 67.(a) 6. A list of all people testifying before a committee on each  
16 bill, the interest that they represent, and an indication of their position  
17 on the bill.

18 67.(b) Such records for each separate committee meeting shall be  
19 approved by the chairperson before the expiration of a seven (7) day period,  
20 with the exception of those records referred to in (a) 1. and 2., hereinabove  
21 which shall be filed immediately with the Clerk of the House.

22 67.(c) Other reports may be filed with the Clerk of the House.

23 68. Consent Calendar – Supplemental Calendar. In addition to the  
24 regular calendar of the House of Representatives, there shall be a consent  
25 calendar on which shall be placed bills that have been recommended "do pass"  
26 by committee, which are deemed by the committee or by the Speaker to be non-  
27 controversial, and may be used for other non-controversial matters such as  
28 resolutions and amendments to bills proposed by the author of the bill, if  
29 the Speaker deems such matter to be non-controversial. The Speaker of the  
30 House shall maintain the consent calendar. On Thursday of each week, and  
31 such other times as the Speaker may deem advisable, the House shall consider  
32 bills and other matters on the consent calendar. Provided, that a list of  
33 bills and other matters on the consent calendar which are to be considered on  
34 a particular day shall be circulated among the members of the House of  
35 Representatives the day prior to the date on which the consent calendar is to  
36 be considered. If as many as five (5) members object to a bill or other

1 matter on the consent calendar being considered as non-controversial, the  
2 Speaker of the House shall remove the same from the consent calendar and  
3 shall place it on the regular calendar of the House business. When deemed  
4 advisable, in addition to the regular calendar and the consent calendar, the  
5 Speaker may provide for a supplemental calendar on which shall be placed  
6 bills and resolutions and other matters as requested by the members for  
7 consideration. The list of bills, resolutions and other matters on the  
8 supplemental calendar for consideration on a particular day shall be  
9 circulated among the members of the House. If as many as five (5) members  
10 object to a bill, resolution or any other matter on the supplemental calendar  
11 the same shall be removed and placed on the regular House calendar for  
12 consideration consistent with the wishes of the House. No bill or resolution  
13 may be placed for consideration on any more than one (1) House calendar.

14 69. A vote of two-thirds (2/3) of the elected membership of the House  
15 of Representatives shall be necessary to remove a bill from a committee. A  
16 bill may be reported by a committee at any time as provided by the House  
17 Rules except for bills introduced after the fiftieth (50th) day of the  
18 Regular Session, or during a special session, which shall, upon written  
19 request by the author, be acted on at the next regular meeting of the  
20 committee, but committees may delay final action on a bill by a majority vote  
21 of the committee.

22 70.(a) Except as provided in subsection (b), no action may be taken in  
23 the House Committee on Public Health, Welfare and Labor or on the Floor of  
24 the House of Representatives on any bill that provides for licensure of any  
25 profession, occupation or class of health care providers not currently  
26 licensed or expands the scope of practice of any profession, occupation, or  
27 class of health care providers unless the House Committee on Public Health,  
28 Welfare and Labor has initiated a study of the feasibility of such  
29 legislation at least thirty (30) days prior to convening the next legislative  
30 session.

31 70.(b) A bill providing for the licensure of any profession,  
32 occupation, or class of health care providers not currently licensed or  
33 expanding the scope of any practice of any profession, occupation, or class  
34 of health care providers may be acted upon without the initiation of a  
35 feasibility study required in subsection (a) upon a two-thirds (2/3) vote of  
36 the House Public Health, Welfare and Labor Committee membership.



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## COMMITTEE OF THE WHOLE

71. All measures involving a tax or an appropriation of money, or property, may be first considered in a Committee of the Whole, amendments can be offered in the Committee of the Whole.

72. The Speaker of the House, in setting the calendar of budgets or appropriation bills to be considered in the House shall, from time to time, confer with the chairperson of the House Budget Committee on the appropriation bills pending and may designate specific days or times to be set aside in the House to be devoted solely to consideration of appropriation bills and other budget matters. At least by the end of business on the previous day before any appropriation bill is to be considered by the House, the chairperson of the House Budget Committee shall cause to be prepared and placed on each member's desk a listing of appropriation bills to be considered in the Committee of the Whole or the House, broken down as follows:

72.(a) Appropriation bills sponsored by the Joint Budget Committee or the House Budget Committee, prepared in accordance with Legislative Council recommendations;

72.(b) All other appropriation bills sponsored by the Joint Budget Committee or the House Budget Committee which were not considered by the Legislative Council;

72.(c) Bills introduced by members of the House (or Senate) that shall have been recommended by the Joint Budget Committee or the House Budget Committee "do pass" or "do pass as amended"; and

72.(d) Appropriation bills amended in the Senate without Joint Budget Committee or House Budget Committee action. The aforementioned list of appropriation bills shall include the number of the bill, the author of the bill, and the name and agency and/or program for which the appropriation is to be made. In the event the Joint Budget Committee or the House Budget Committee recommendations in regard to the appropriation shall differ, in any respect, from the recommendations made by the Legislative Council in regard thereto, said list shall identify each such change in the appropriation bill which differs from the recommendation of the Legislative Council.

73. In forming a Committee of the Whole House, the Speaker may leave his/her chair after appointing a chairperson to preside, who shall have the

1 same power as the Speaker to preserve order. A majority of a quorum is  
2 required to resolve the House into a Committee of the Whole.

3 74. When the House resolves itself into the Committee of the Whole,  
4 non-members who are to participate in the matters to be discussed may be  
5 invited into the House Chambers by the proponents or opponents of the  
6 proposals to be discussed but all such non-members shall leave at the time  
7 the committee arises.

8 75. A Committee of the Whole cannot report a measure without a quorum  
9 of its members present.

10 76. The rules and proceedings of the House shall be observed in  
11 Committee of the Whole House so far as they may be applicable. Decisions  
12 will be made by voice or standing votes.

13 77. No motion which has as its effect the limiting of debate in the  
14 Committee of the Whole shall be entertained by the chairperson. The motion  
15 for the disposition of any matter referred to the committee shall be,  
16 "Mr./Ms. Chairman, I move the committee do now rise and report". If the  
17 committee had no specific report, the motion should be to rise and report  
18 progress.

19

20 LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE

21 78. Legislative Council.

22 78.(a) Twenty (20) of the House members of the Legislative Council  
23 shall be selected by members-elect of the House Caucus Districts. Each  
24 caucus shall select five (5) members. The selections shall occur on the  
25 Friday following the November General Election. Following the selections,  
26 the newly selected House of Representative members of the Legislative Council  
27 shall select one (1) of their number as Legislative Council co-chair and one  
28 (1) of their number as Legislative Council co-vice-chair. However no more  
29 than one (1) member selected by caucus shall reside within the same county.  
30 The term of office of the members shall be from January 1 of odd-numbered  
31 years to December 31 of the following even-numbered year. Legislative  
32 Council membership shall be confirmed at the same time that representatives  
33 are administered the oath of office.

34 78.(b) In order that there may be no House vacancies on the  
35 Legislative Council at any time, at the time of selection of the House  
36 members to the Council there shall be selected in each Caucus District a

1 first alternate and a second alternate for each member selected from that  
2 district. In the event that any House member or House alternate of the  
3 Legislative Council resigns from the Council, is disqualified from serving on  
4 the Council, dies, or for any other reason there becomes a permanent vacancy  
5 in a House position on the Council, the House members of the Caucus District  
6 from which the member or alternate was selected shall choose a replacement  
7 member or alternate to serve the remainder of the term. When a vacancy  
8 occurs in a House member position on the Council or a House alternate  
9 position on the Council, that person's alternate shall serve until a signed  
10 report from the Caucus chairperson designating otherwise is filed with the  
11 Speaker. The Speaker shall notify the Council chairperson of all changes in  
12 membership on the Council.

13 78.(c) Ex-officio members in accordance with A.C.A. 10-3-301.

14 79. Legislative Joint Auditing Committee.

15 79.(a) House members of the Legislative Joint Auditing Committee shall  
16 be selected by members-elect of each House Caucus District. The selections  
17 shall occur on the Friday following the November General Election. Following  
18 the selections, the newly selected House of Representative members of the  
19 Legislative Joint Auditing Committee shall select one (1) of their number as  
20 Legislative Joint Auditing Committee co-chair and one (1) of their number as  
21 Legislative Joint Auditing Committee co-vice-chair. Each caucus shall select  
22 five (5) members. However no more than two (2) members shall reside within  
23 the same county. The term of office of the members shall be from January 1  
24 of odd-numbered years to December 31 of the following even-numbered year.  
25 Legislative Joint Auditing Committee membership shall be confirmed at the  
26 same time that representatives are administered the oath of office.

27 79.(b) In order that there may be no House vacancies on the  
28 Legislative Joint Auditing Committee at any time, at the time of selection of  
29 the House members to the Committee there shall be selected in each Caucus  
30 District a first alternate and a second alternate for each member selected  
31 from that District. In the event that any House member or House alternate of  
32 the Legislative Joint Auditing Committee resigns from the Committee, is  
33 disqualified from serving on the Committee, dies, or for any other reason  
34 there becomes a permanent vacancy in a House position on the Committee, the  
35 House membership of the Caucus District from which the member or alternate  
36 was selected shall choose a replacement member or alternate to serve the

1 remainder of the term. When a vacancy occurs in a House member position on  
2 the Committee or a House alternate position on the Committee, that person's  
3 alternate shall serve until a signed report from the Caucus chairperson  
4 designating otherwise is filed with the Speaker. The Speaker shall notify  
5 the Committee chairperson of all changes in membership on the Committee.

6 79.(c) Ex-officio members in accordance with A.C.A. 10-3-403 thru 10-  
7 3-404.

#### 8 CAUCUS DISTRICTS

9 80. The four caucus chairpersons shall be selected on the date of the  
10 selection of the Speaker-designate from among the first- and second-term  
11 members of the caucus.

12 The First Caucus District shall be composed of the following House of  
13 Representatives Districts: 13; 14; 15; 48; 51; 52; 53; 54; 55; 56; 57; 58;  
14 59; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; and 82.

15 The Second Caucus District shall be composed of the following House of  
16 Representatives Districts: 28; 29; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40;  
17 41; 42; 43; 44; 45; 46; 47; 49; 50; 60; 61; 68; and 70.

18 The Third Caucus District shall be composed of the following House of  
19 Representatives Districts: 62; 63; 64; 65; 66; 67; 69; 83; 84; 85; 86; 87;  
20 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; and 100.

21 The Fourth Caucus District shall be composed of the following House of  
22 Representatives Districts: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 16; 17;  
23 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; and 30.

#### 24 DEBATE

25 81. When a representative desires to speak or to have the attention of  
26 the House, he/she shall rise from his/her seat and respectfully address  
27 himself/herself to "Mr./Madam Speaker", (or in the Committee of the Whole,  
28 "Mr./Madam Chairperson") and upon recognition, he/she may address the House  
29 from his/her seat or the "well" of the House. Representatives must be at  
30 their seats before obtaining recognition. Any representative who receives  
31 recognition from the Chair must confine himself/herself to the question  
32 before the House, or a privileged motion. No representative shall proceed  
33 until recognized by the Speaker. When two (2) or more representatives arise  
34 at once, the Speaker shall name the member who shall be first to speak.  
35

36 82. When a representative desires to interrupt a representative having

1 the Floor, he/she shall first obtain recognition of the Speaker and  
2 permission of the representative occupying the Floor; and when so recognized  
3 and such permission is obtained, he/she may ask questions of the  
4 representative occupying the Floor; but shall not propound a series of  
5 interrogatives or otherwise badger the representative having the Floor.

6 83. No representative shall occupy more than thirty (30) minutes in  
7 debate on any question in the House. The representative reporting a measure  
8 under consideration from a committee or the author may open and close debate.  
9 If debate shall extend beyond one (1) day, the author or sponsor shall be  
10 entitled to thirty (30) minutes to close. The right to close may not be  
11 automatically exercised after limited debate, the previous question or  
12 immediate consideration is voted.

13 84. No representative shall speak more than once on the same question  
14 without leave of the House. One (1) mover, proposer or introducer of the  
15 question pending may speak the second time and close, but not until every  
16 representative choosing to speak shall have been heard.

17 85. A representative having the Floor may not yield it to another for  
18 any purpose including making a motion; but, if he/she desires to allow a  
19 motion to be made, he/she must yield the Floor.

20  
21 DECORUM

22 86. No person other than a member of the Arkansas General Assembly,  
23 designated legislative staff, or on special and certain occasions those  
24 persons specifically invited by the Speaker of the House, shall be permitted  
25 on the Floor of the House Chamber while the House is in session or in brief  
26 recess. ~~A pool arrangement~~ Arrangements for photographers ~~the media~~ shall be  
27 established, the direction and control of which shall be regulated by the  
28 Speaker of the House. No one in the House Chamber other than a member of the  
29 Legislature may advocate or oppose passage of a measure while the House is in  
30 session. No legislative aides, lobbyists or unauthorized persons shall be  
31 permitted access to the House Floor, lounges or House support areas. This  
32 Rule shall be enforced by the Speaker of the House and/or the House  
33 Management Committee. The House Management Committee and the Rules Committee  
34 shall recommend punishment to the House for violation of this Rule.

35 (A.C.A. 10-2-110 -- Disorderly Conduct)

36 87. The House Chamber during regular, fiscal and special sessions and

1 during the interim shall be used only for the legislative business of the  
2 House and for the caucus meetings of its members, except upon occasions where  
3 the House, by resolution, agrees to take part in any ceremonies to be  
4 observed therein; and the Speaker shall not entertain a motion for suspension  
5 of this rule.

6 88. No representative shall use intemperate language with reference to  
7 the House or its members.

8 89. If any representative, in speaking or otherwise, transgresses the  
9 rules of the House, the Speaker shall or any representative may, call him/her  
10 to order. He/she shall immediately be seated unless permitted, on a motion  
11 of another representative, to explain. The House shall, if called upon,  
12 decide on the issue without debate. If the decision is in favor of the  
13 representative called to order, he/she shall be free to continue; and, if the  
14 dispute shall warrant, a representative shall be open to censure or such  
15 punishment as the House shall impose.

16 90. Normal conformity to good manners and taste shall be expected of  
17 each member of the House. Representatives shall avoid references to  
18 personalities and extend to each representative courtesies which they wish  
19 for themselves.

20 91. Introduction of and recognition of family, constituents, or groups  
21 shall not become excessive. Members should be extremely reluctant in using  
22 the time of the House for these personal courtesies. If deemed appropriate by  
23 the Speaker of the House, he/she shall make all introductions from  
24 information provided to the Speaker by a member or appropriate House staff.

25 92. The smoking of cigarettes, cigars and pipes or other tobacco  
26 products shall not be permitted in the Chamber of the House of  
27 Representatives or in the members' private work area.

28 93. A Roll Call shall not be interrupted by a motion or other order of  
29 business from the time the Speaker calls up the ballot until he/she casts up  
30 the ballot and announces the result of said ballot.

31

32

#### VOTING

33 94. No person not a representative shall cast a vote for a  
34 representative.

35 95. Any question or motion, except final passage of a bill or final  
36 action on a joint resolution, may be put to the House by a voice vote at the

1 discretion of the Speaker.

2 96. Any five (5) representatives shall have the right to call for the  
3 ayes and nays and have the result entered on the Journal. (Art. 5, Sec. 12)

4 97. Any representative who will be absent from the House may pair  
5 his/her vote with a representative who shall be present.

6 97.(a) These representatives must be casting opposite votes.

7 97.(b) Dated pairs reflecting the bill number are counted when signed  
8 by both representatives,

9 (1) in the presence of each other, and witnessed by another  
10 representative, or

11 (2) when the member who will not be present for the vote signs  
12 the pair form in the presence of a person authorized by law to take  
13 acknowledgements and who verifies the identity of the signer.

14 97.(c) Pairs shall be presented to the Speaker only on the day of the  
15 vote for which the representatives are paired is to be taken.

16 97.(d) Pairs shall be announced by the Speaker immediately prior to  
17 the Roll Call from a Pair Form presented to the Speaker by the representative  
18 present. At the time of the announcement the Speaker shall (1) determine  
19 that the member who is required to be present is present, and (2) provide the  
20 membership with an opportunity to express procedural objections to the pairs.

21 97.(e) The representative may not cast his/her vote by other methods  
22 when he/she is paired.

23 98. The demand to "Sound the Ballot" (a device to determine how each  
24 representative voted) may be accomplished by any five (5) members rising and  
25 requesting the Speaker to have the names called and the way the member voted  
26 repeated. When contested, any representative (except a representative voting  
27 by pair vote and the Speaker and a substitute Speaker) who is not present and  
28 in his seat shall have his/her vote eliminated.

29 99. After a voice vote, the Speaker or any five (5) representatives  
30 that doubt the result may call for a division of the House.

31 99.(a) Representatives voting aye shall stand at their seats until  
32 counted.

33 99.(b) Then, representatives voting no shall stand at their seats  
34 until counted.

35 99.(c) No representative shall be counted that is not at his/her  
36 assigned voting station (his/her seat on the House Floor).

1           99.(d) The Speaker or his/her designee shall be responsible for  
2 counting the vote and the Speaker shall announce the result of the vote.

3           100. The Electronic Voting System shall have the same force and effect  
4 as a Roll Call. (Not less than a majority of the members of each House of  
5 the General Assembly may enact a law.) (Art. 5, Sec. 37 as added by Amend.  
6 19, Sec. 1)

7           101. The Speaker, with three (3) representatives, is sufficient to  
8 adjourn, or recess to a time certain, or sine die. (Neither house shall,  
9 without the consent of the other, adjourn for more than three (3) days, nor  
10 to any other place than that in which the two (2) houses shall be sitting.)  
11 (Art. 5, Sec. 28)

12           (Governor's power to adjourn) In cases of disagreement between the two  
13 (2) houses of the General Assembly, at a regular or special session, with  
14 respect to the time of adjournment, the Governor may, if the facts be  
15 certified to him/her by the presiding officers of the two (2) houses, adjourn  
16 them to a time not beyond the day of their next meeting; and, on account of  
17 danger from an enemy or disease, to such other place of safety as he/she may  
18 think proper. (Art. 6, Sec. 20)

19           102. Vetoes. (Art. 6, Secs. 15 thru 17; A.C.A. 10-2-116)

20           103. Extraordinary sessions of the General Assembly. (Art. 6, Sec. 19)

21           104. Homestead exemption increase (3/4 vote) (Art. 16, Sec. 16 as  
22 added by Amend. 59)

23           105. Workmen's Compensation Laws (Art. 5, Sec. 32 as amended by Amend.  
24 26)

25           106. *It shall be a violation of the Rules of the House for any member*  
26 *of the House to accept a campaign contribution during the period beginning*  
27 *thirty (30) days before and ending thirty (30) days after any regular session*  
28 *of the General Assembly. If there is an extended recess of the General*  
29 *Assembly, the period shall end thirty (30) days after the beginning of the*  
30 *recess. It shall also be a violation of the Rules of the House for any member*  
31 *of the House to accept a campaign contribution during any extended session of*  
32 *the General Assembly or during any special session or fiscal session of the*  
33 *General Assembly.*

34           107. All Roll Call votes on bills, emergency clauses on bills,  
35 resolutions, and amendments in the House of Representatives shall be entered  
36 by the House into the General Assembly's Internet web site.



1           108.(a)(1) Except as provided in subdivisions 108.(a)(2) and (c) of  
2 this section, the House of Representatives, when in session, shall recess on  
3 January 20 of any year in which the inauguration of an individual to the  
4 office of President of the United States is scheduled to occur.

5           (2) If the inauguration of an individual to the office of  
6 President of the United States is scheduled to occur on January 21 of any  
7 year, the House of Representatives shall recess on that date rather than  
8 January 20.

9           (b) The House of Representatives shall recess without regard to the  
10 party affiliation of the individual scheduled for inauguration as President  
11 of the United States.

12           (c) This section shall not apply if a recess under this section would  
13 occur on a date the House of Representatives shall recess in observance of  
14 the birthday of Dr. Martin Luther King, Jr. under § 10-2-128.

15  
16  
17                                   ADDENDUM

18                                   HOUSE OF REPRESENTATIVES

19                                   COMMITTEE CHAIRPERSONS MANUAL

20                                   AND

21                                   HOUSE COMMITTEE RULES

22  
23 A committee chairperson is a member appointed by the Speaker of the House to  
24 function as the parliamentary head of a standing, select, special or joint  
25 committee.

26  
27 1) The chairperson (or vice chairperson in his or her absence) shall call the  
28 committee to order at the appointed time.

29  
30 2) The presider shall determine a quorum present either by declaration,  
31 without objection, or by calling the roll (for quorum purposes only a roll  
32 call will be required if there is one objection by a committee member to the  
33 declaration of the presence of a quorum).

34  
35 3) The presider shall maintain order of the committee meeting.

36

1 4) The presider shall decide all questions of order subject to appeal to the  
2 Speaker of the House who may refer the question to the Rules Committee whose  
3 decision may be appealed to the full House.

4  
5 5) The presider shall supervise and direct the staff of the committee.

6  
7 6) The presider shall prepare, or supervise the preparation of, and sign all  
8 reports of the committee and submit them to the full House.

9  
10 House Rule 53.(b)

11 53.(b) All committees shall consider the bills, resolutions, amendments,  
12 petitions, and memorials referred to them and make one of the following  
13 reports in writing to the House:

14 53.(b)(1) That a bill, resolution, petition or memorial “do pass”;

15 53.(b)(2) That a bill, resolution, petition or memorial “do not pass”, in  
16 which event the measure shall not be considered unless the vote is expunged;

17 53.(b)(3) That a bill, resolution, petition or memorial “do pass as  
18 amended”. No bill, resolution, petition or memorial shall be acted upon  
19 without a “do pass” or a “do pass as amended” recommendation. No bills shall  
20 be placed on the non-controversial calendar or deemed to be non-controversial  
21 in any way unless a motion is adopted in the committee to which the bill was  
22 referred. With a quorum present, the motion is considered adopted if there  
23 are no negative votes.

24  
25 7) A quorum (one more than half the total membership of the committee) must  
26 be present to transact official House committee business.

27  
28 (House Rule 64) No committee shall transact business without a quorum (a  
29 majority of the committee membership present). All final action on bills or  
30 resolutions, and on proposed amendments to bills or resolutions, shall be  
31 decided by a majority vote of the total membership of the committee.  
32 Provided, however, that the Speaker of the House shall not be included for  
33 the purpose of determining what is a majority of a standing committee, unless  
34 present at the time of the vote. A member of the committee must be present  
35 at the time of the vote for his/her vote to be counted on any matter  
36 considered by the committee (no pairs, no proxies).

1

2 8) (House Rule 52. (c)(2)) The rules or proceedings of the House of  
 3 Representatives shall be observed in all select committees, standing  
 4 committees, and subcommittees of the House so far as they may be applicable.

5

6 The precedence of motions so far as they are applicable shall be as listed in  
 7 House Rule 17(a) – (q):

8

9 (House Rule 17) When a question is under debate, motions shall have  
 10 precedence in the following order (the request for a quorum call is always in  
 11 order; the chairperson is not compelled to accept any motion):

12 17(a) To fix the time to which the House will adjourn (non-debatable)  
 13 (majority of a quorum);

14 17(a)(1) (A majority of a quorum is a majority of those voting when at least  
 15 a majority of the members are present and voting);

16 17(b) To adjourn (non-debatable) (majority of a quorum);

17 17(c) To take a recess (non-debatable) (majority of a quorum);

18 17(d) Postpone temporarily; lay on the table (non-debatable) (majority of a  
 19 quorum) To take from the table (non-debatable) (majority of a quorum) when  
 20 the motion to take from the table is adopted, the proposition takes the same  
 21 position it held when the motion to lay on the table was adopted);

22 17(e) Immediate consideration (non-debatable) (2/3 of a quorum);

23 17(f) Previous question (non-debatable) (5 seconds) (majority of a quorum);

24 17(g) Limit or extend debate (non-debatable) (2/3 of a quorum);

25 17(h) To expunge (debatable) (2/3 of membership) (67);

26 17(i) Postpone to a day certain (debatable) (majority of a quorum);

27 17(j) Committee of the Whole, go into (non-debatable) (majority of a  
 28 quorum);

29 17(k) Refer (debatable) (majority of a quorum);

30 17(l) Amend (debatable) (majority of a quorum);

31 ~~17.(m) Substitute motion (debatable) (majority of a quorum);~~

32 17.~~(n)~~(m) Postpone indefinitely (debatable) (majority of membership);

33 17.~~(o)~~(n) Take out of proper order (non-debatable) (2/3 of a quorum);

34 17.~~(p)~~(o) Special order of business (debatable) (2/3 of a quorum); and

35 17.~~(q)~~(p) To suspend the rules (non-debatable) (2/3 of a quorum).

36

1 9) (House Rule 58(a)) All committee and subcommittee meetings including but  
2 not limited to hearings at which public testimony is to be taken, (normally  
3 called "public hearings") shall be open to the public (Art. V, Sec. 13) and  
4 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,  
5 resolutions, and other proposals to be considered at such meetings shall be  
6 posted in a designated place at least eighteen (18) hours in advance; but in  
7 case of an emergency, a two-thirds (2/3) majority of the membership of the  
8 committee may bring bills or resolutions up for consideration upon notice of  
9 not less than two (2) hours.

10  
11 10) (House Rule 58(b)) Special meetings of a standing committee may be  
12 called by the chairperson of the committee or by a majority of the members of  
13 the committee for conducting any business of the committee; provided, a  
14 special meeting of the committee may not conflict with regularly scheduled  
15 meetings of any standing committee; provided further, special meetings shall  
16 be subject to the same procedures regarding the publishing of agendas and  
17 notices of meetings that apply to regular standing committee meetings. (J.R.  
18 21 – Joint Committee)

19  
20 11) (House Rule 59) All persons wishing to offer testimony to a committee  
21 hearing shall be given a reasonable opportunity to do so as determined by a  
22 majority of the committee. An oral or written statement shall not be a  
23 prerequisite to offer testimony before a committee.

24  
25 12) (House Rule 61) No committee shall sit while the House is in session  
26 except the Committee on Rules or a Conference Committee, which shall notify  
27 the House.

28  
29 13) (House Rule 64(a)) A bill, resolution or amendment in a House committee,  
30 having been rejected twice, shall not be placed on the committee calendar  
31 again or considered again during the same legislative session unless the vote  
32 is expunged (two-thirds of the membership of the committee). The motion to  
33 expunge shall be placed on the committee agenda, by a committee member, and  
34 placed at the bottom of the active list. A bill or resolution may be amended  
35 before a second consideration; but, unless expunged, even an amended bill  
36 having failed twice shall not be placed on the calendar or considered. Notice

1 of reconsideration not permitted in committee.

2

3 14) (House Rule 45(a)) When a bill or resolution is under consideration,  
4 amendments shall be in order. Upon adoption, amendments shall become a part  
5 of the bill or resolution. Amendments to amendments may not be offered. All  
6 amendments offered before the House or one of its committees must be  
7 typewritten on an approved amendment form and signed by the sponsor. All  
8 amendments shall be attached to the original bill or resolution, numbered by  
9 the Bill Clerk, and shall be placed upon the members' desks before being  
10 acted upon by the House.

11

12 House Rule 36(e)) All amendments shall be entered on a separate sheet of paper  
13 noting the line or lines to be changed and the words to be deleted or  
14 inserted.

15

16 15) (House Rule 66) No bill or resolution shall be introduced with a  
17 committee as the author of said bill or resolution unless that committee has  
18 voted unanimously to sponsor the bill or resolution.

19

20 16) (House Rule 67) Committee Records and Reports

21 67(a) The chairperson of each committee of the House shall keep or cause to  
22 be kept a separate record for each committee meeting in which there shall be  
23 entered:

24 67(a) 1. The time and place of each hearing and each meeting of the  
25 committee.

26 67(a) 2. The number and title of the bill or resolution with one of the  
27 following three recommendations: "do pass", "do pass as amended", or "do not  
28 pass". If a committee recommends a bill or resolution "do pass as amended"  
29 and any of the amendments recommended by the committee are not adopted on the  
30 floor, the bill or resolution shall be re-referred to the same committee for  
31 further consideration and recommendation.

32 67(a) 3. A summary of each bill or resolution's major provisions which may  
33 be several paragraphs in length in case of major bills or resolutions or  
34 simply the title of the bill or resolution in the case of minor bills or  
35 resolutions.

36 67(a) 4. The reason for the committee's action on the bill or resolution,

1 including a brief minority report, if requested by any two (2) committee  
2 members.

3 67(a) 5. A record of how every member voted on each bill or resolution when  
4 action is taken by the committee, including votes on a motion to postpone  
5 consideration on the bill or resolution and a recorded vote on any other  
6 motion, if requested by any two (2) committee members.

7 67(a) 6. A list of all people testifying before a committee on each bill or  
8 resolution, the interest that they represent, and an indication of their  
9 position on the bill or resolution.

10

11 17) (House Rule 67(b)) Such records for each separate committee meeting  
12 shall be approved by the chairperson before the expiration of a seven (7) day  
13 period, with the exception of those records referred to in (a) 1. and 2.,  
14 hereinabove which shall be filed immediately with the Clerk of the House.

15

16 18) (House Rule 22 part) When a question is raised about the proper referral  
17 of a bill or resolution to committee, if the Speaker admits error in the  
18 referral of the bill or resolution to a committee, the bill or resolution may  
19 be re-referred by a majority vote of a quorum; however, if the Speaker does  
20 not admit error in the referral of the bill or resolution to committee, the  
21 bill or resolution may only be re-referred by a two-thirds (2/3) vote of a  
22 quorum. When a bill or resolution is re-referred to a committee, any  
23 previous committee recommendation is automatically stripped from the bill or  
24 resolution. When a motion is under consideration, only two (2) substitutes  
25 to that motion shall be in order. Only a motion applicable to the main  
26 motion and of a higher precedence upon recognition may be substituted for the  
27 motion under consideration. A substitute to the third degree shall not be in  
28 order. Unless specified otherwise by the presenter of the motion at the time  
29 the motion is made, a substitute motion shall apply to the main motion.

30

31 19) (House Rule 53 (a)) House Committee Staff will automatically and without  
32 delay place all bills or resolutions referred to the committees on the  
33 committee agendas. Staff will notify the sponsor of bills or resolutions  
34 assigned to committee. Referred bills shall be placed on the committee's  
35 active agenda in the order they are read across the desk on the House Floor.  
36 When an active agenda is established in a committee and bills from that

1 agenda are not placed on the deferred list and if they are passed over, they  
2 are placed at the bottom of the list of the day's active agenda. Bills read  
3 across the desk on the House Floor later that same day or on a later day are  
4 placed on the active agenda in the order they are read below bills already on  
5 the active agenda.

6

7

20) After a bill or resolution has appeared on the  
8 Committee agenda and has been called up for consideration by the Committee  
9 and the sponsor of the bill or resolution or a representative is not present  
10 to present the bill or resolution, the bill or resolution will be placed on  
11 the active agenda two (2) additional times, but will be placed at the bottom  
12 of the active agenda.

13

14

21) If the sponsor or a representative is not present to  
15 present the bill or resolution when called up after the bill or resolution  
16 has appeared on the active agenda when called up during the third meeting,  
17 the bill or resolution will be automatically dropped from the active agenda  
18 and placed on the deferred list unless the sponsor notifies staff to put the  
19 bill or resolution back on the active agenda before the agenda is prepared,  
20 for the next called meeting. Requests to move bills or resolutions from the  
21 deferred list to the active agenda must be made by 2:30 p.m. two (2) days  
22 prior to the scheduled committee meeting. Bills moved from the deferred list  
23 to the active agenda shall be listed at the bottom of the active agenda.  
24 Bills on the deferred list may be moved to the active calendar as provided by  
25 rule for a total of three (3) times only. A suspension of this rule by the  
26 Committee (two-thirds of a quorum) will be required for each transfer of any  
27 bill having been moved three (3) times previously.

28

29

22) Bills or resolutions suggested as non-controversial  
30 will be considered before consideration of controversial bills or resolutions  
31 on the agenda. The objection of one (1) committee member to the  
32 consideration of a bill or resolution as non-controversial will automatically  
33 keep the bill or resolution from being considered as being non-controversial.  
34 Even though a bill or resolution has been considered as non-controversial, it  
35 will be necessary after a "do pass" or "do pass as amended" recommendation  
36 that a motion be made and there be unanimous consent of no less than a quorum

1 of the Committee for a bill or resolution to be eligible to be placed on the  
2 House Non-controversial Calendar.

3  
4 23) If a bill or resolution is discussed by a committee at  
5 a meeting, but is not voted on because of time limitations or because the  
6 vote is deferred to the next meeting, the bill or resolution will not lose  
7 its order on the agenda and will not be counted as having been considered.

8  
9 24) The author/sponsor of a bill or resolution may make a  
10 presentation for his/her bill or resolution and may elect at that time to  
11 respond to questions from the committee members. Following the initial  
12 presentation, non-legislative---non-committee members will be allowed to  
13 alternately speak against and for the bill or resolution. A procedural  
14 motion made by a member of the committee and adopted by the committee to  
15 limit or end debate will be allowed to govern non-legislative--non-committee  
16 members' discussions. At the conclusion of the non-legislative--non-committee  
17 member proponent and opponent presentations, the sponsor may return to the  
18 podium and may elect to field questions from the committee members. Those  
19 questions should be limited to requests for clarification or the securing of  
20 information. Questions that are rhetorically offered and are dilatory for  
21 the effect of debate are discouraged. At this point, the chair will  
22 entertain motions from committee members only. For disposition of a  
23 proposition in a House Committee, procedural motions (limit debate, immediate  
24 consideration, etc.) are allowed only following a main motion (do pass, do  
25 not pass, do pass as amended, etc.). Discussion from that point forward is  
26 limited to committee members for and against the motion, if debatable, in  
27 alternating fashion. If immediate consideration is not adopted and if debate  
28 has not been limited and time has not expired, the ~~author/sponsor~~ of the  
29 motion will be allowed to close for his/her motion ~~bill or resolution~~.  
30 During the closing, the sponsor of the motion ~~author~~ may elect to field  
31 questions from committee members. At the conclusion of these presentations,  
32 a vote will be taken on the motion properly before the committee.

33  
34 25) As determined by the presider courtesy may be extended  
35 to General Assembly members who are non-committee members who need to return  
36 to their own committee meetings.



1  
2                   26) (House Rule 64) Eleven (11) members of a standing  
3 committee constitute a committee quorum with the Speaker present if he/she is  
4 a member of the committee and ten (10) members when the Speaker is not  
5 present. A committee recommendation of a bill or resolution will require  
6 these same numbers.

7  
8                   27) Smoking is prohibited in the committee rooms and all  
9 adjoining rooms.

10  
11                   28) (House Rule 67(a)5) A roll call vote will be required  
12 if requested by any two (2) committee members, except for a quorum call which  
13 may be requested by one (1) member. The request for a quorum call is always  
14 in order.

15  
16                   29) When a roll call is required, the roll will be called  
17 by seniority with the vice chairperson being called next to last and the  
18 chairperson last. For a member's vote to be counted and recorded, he/she must  
19 vote "yes", "no" or "present".

20  
21                   30) During a roll call vote, when a member's name has been  
22 called twice and he/she does not respond, or when a member passes, they will  
23 not be allowed to vote at a later time on the current issue before the  
24 committee.

25  
26                   31) No seconds are required during the legislative process except those that  
27 are explicit in the rules, (roll call, previous question, sound the ballot,  
28 etc.)

29  
30                   32) (House Rule 36(p)1) When any House or Senate bill or resolution  
31 requiring an expenditure of public funds or otherwise imposing a new or  
32 increased cost obligation on any municipality or county is pending before any  
33 committee of the House of Representatives, any member of the committee may  
34 request that a fiscal impact statement for such bill or resolution be placed  
35 on the desk of each member of the committee before the bill or resolution is  
36 called up for final action in the committee. If such request is made, the

1 chairperson of the committee shall refer the bill or resolution to the  
2 appropriate state agency or to the legislative staff for the preparation of a  
3 fiscal impact statement, to be returned to the committee in writing not later  
4 than five (5) days from the date of the request.

5  
6 33) (House Rule 36(p)4) Failure of the sponsor of a bill or resolution to  
7 provide the fiscal impact statement required in this rule shall not prohibit  
8 the consideration of it in the committee to which referred or on the floor of  
9 the house in which the bill or resolution is called up for final passage, if  
10 no objection to it is made at the time such action is taken.

11  
12 (House Rule 36(p)5) Nothing in this rule shall prohibit a committee to  
13 which a bill or resolution is referred or the house in which the bill or  
14 resolution is being considered from suspending the requirement of the filing  
15 of a fiscal impact statement on any such bill or resolution in the same  
16 manner as provided for the suspension of the rules in the house in which the  
17 bill or resolution is being considered.

18  
19 34) Bills imposing new or additional costs on education.

20 (a)(1) As used in this section, unless the context otherwise requires,  
21 "fiscal impact statement" means a realistic written statement of the purpose  
22 of a proposed law, or a regulation promulgated under a law, and the estimated  
23 financial cost to the state or any local school district of implementing or  
24 complying with the proposed law or regulation.

25 (2) The fiscal impact statement shall be developed by the Office of  
26 Economic and Tax Policy of the Bureau of Legislative Research with the  
27 assistance of the Department of Education within the guidelines adopted by  
28 the House Committee on Education and the Senate Committee on Education, as  
29 applicable.

30 (b) Any bill filed in the House of Representatives or Senate that will  
31 impose a new or increased cost obligation for education in grades  
32 kindergarten through twelve (K-12) on the State of Arkansas or any local  
33 school district shall have a fiscal impact statement attached to it prepared  
34 and filed with the chair of the committee to which the bill is referred:

35 (1) At least three (3) days before the bill may be called up for final  
36 action in the committee during a regular session or fiscal session of the

1 General Assembly; and

2 (2) At least one (1) day before the bill may be called up for final  
3 action in the committee during a special session of the General Assembly.

4 (c)(1)(A) If any such House or Senate bill is called up for final passage in  
5 the House or Senate and a fiscal impact statement has not been provided by  
6 the author of the bill or by the committee to which the bill was referred,  
7 any member of the House or Senate may object to the bill's being called up  
8 for final passage until a fiscal impact statement is prepared and made  
9 available on the desk of each member of the House or Senate at least one (1)  
10 day prior to the bill's being called up for final passage.

11 (B) An affirmative vote of two-thirds (2/3) of a quorum present and  
12 voting shall override the objection.

13 (2) If an objection is made without override, the presiding officer of the  
14 House or Senate shall cause the bill to be referred to the office for the  
15 preparation of a fiscal impact statement which shall be filed with the  
16 presiding officer not later than five (5) days from the date of the request.

17 (A.C.A. 10-2-127)

18

19 35) Bills imposing new or additional costs and restrictions on inmate  
20 population patterns or affecting programs or services of the Department of  
21 Corrections.

22 (a) Each of the following bills introduced in the General Assembly  
23 shall have a cost impact statement attached to the bill prior to the  
24 committee to which the bill is referred taking action in regard to the bill:

25 (1) Bills which affect inmate population patterns at facilities  
26 of the Department of Correction by imposing restrictions on inmate release,  
27 or by increased intake into the department of inmates based on felony  
28 convictions; and

29 (2) Bills which affect programs or services of the department.

30 (b) In addition, copies of the cost impact statement shall be  
31 furnished on the desk of each member of the Senate and of the House of  
32 Representatives at least one (1) day prior to the date on which the bill is  
33 on third reading and debated for final passage in the respective houses.

34 (c) Cost impact statements required under this section shall be  
35 prepared, upon referral thereof by the Speaker of the House of  
36 Representatives, with respect to House bills, and by the President of the

1 Senate upon recommendation of the Senate Rules Committee, with respect to  
2 Senate bills, at the time of introduction thereof, to:

3 (1) The Director of the Department of Correction, who shall  
4 either personally prepare, or cause appropriate officials of the department  
5 to prepare, a cost impact statement to be approved by the director before  
6 submission to the house in which the request was made; or

7 (2) Any other state agency which has information available upon  
8 which to base a cost impact statement.

9 (d) The cost impact statement shall be furnished to the Governor and  
10 to the President of the Senate and the Speaker of the House of  
11 Representatives who shall cause copies thereof to be prepared for  
12 distribution upon the desks of the members of the House and Senate at least  
13 twenty-four (24) hours prior to consideration of any such bill by committee  
14 or twenty-four (24) hours prior to the bill's being called up for third  
15 reading and final passage.

16 (e) The cost impact statement shall be certified by the director, or  
17 the director of the appropriate agency to which the bill is referred for  
18 preparation of an impact statement, and shall be returned and filed as  
19 required in this section within not more than five (5) days from the date of  
20 receipt thereof unless additional time in which to prepare the statement is  
21 granted by the requesting official. (A.C.A. 12-28-103)

22 TRACKING ITEM 24

23 1. "The next item on the Committee's agenda is HB/SB \_\_\_\_."

24 2. "Sen./Rep. \_\_\_\_, you are recognized to present HB/SB \_\_\_\_."

25 3. Presentation of bill by sponsor. The sponsor may respond to questions  
26 from committee members.

27 a. If there are amendments, recognize amendment sponsor(s) to  
28 present amendment(s).

29 b. To consider amendment(s), use same procedure listed below for  
30 consideration of bill(s). (Items 4 - 9)

31 c. Declare disposition of amendment(s).

32 d. Continue with bill as amended or unamended (back to Item 4).

33 4. Go to list of citizen proponents and opponents or ask "Is there anyone  
34 in the audience that desires to speak for or against the bill?" Recognition  
35 of citizens for discussion, alternating speakers in support and in  
36 opposition.

1 5. A procedural motion made by a member of the Committee and adopted by  
2 the Committee to limit or end debate will be allowed to govern non-  
3 legislative, non-Committee members' (citizen) discussion.

4 6. Upon completion of public commentary, recognize the sponsor for  
5 questions, then move to committee discussion and motions.

6 7. Ask "What is the pleasure of the Committee?"

7 Motions (after recognition and the motion by a committee member  
8 only)

9 a. "Rep. \_\_\_\_\_, would you like to explain your motion?"

10 b. Recognize committee members for questions/discussion.

11 c. In discussion, alternate between those supporting and those  
12 opposing the motion.

13 d. A procedural motion made by a member of the Committee and adopted  
14 by the Committee to limit or end debate (immediate consideration) will be  
15 allowed to govern the legislative members' discussion.

16 e. Recognize the member making the motion to close for the motion if  
17 debate has not been limited and time has not expired (proponents may save  
18 some time for member to close).

19 f. Repeat until all motions are resolved, and action on the bill is  
20 complete.

21 7. "The motion before the committee is \_\_\_\_\_. All of those in  
22 support of the motion indicate so by saying 'aye'; those opposed, 'no'."

23 8. The motion passes/fails, and state the disposition of the bill.

24 9. Roll call. (If requested by two or more members) Ask the committee  
25 *staff person to call the roll, then state the disposition of the bill.*

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