

State of Arkansas
88th General Assembly
Regular Session, 2011

As Engrossed: S3/23/11

A Bill

SENATE BILL 882

By: Senator P. Malone

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY
OF A STATE AGENCY TO IMPOSE FEES AND PENALTIES; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING THE
AUTHORITY OF A STATE AGENCY TO IMPOSE
FEES AND PENALTIES.

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

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

25-15-105. Administrative fees and penalties.

*(a) As used in this section, "agency" means the same as defined at §
25-15-202.*

*(b)(1) An agency shall not assess a fee or penalty without specific
statutory authority to:*

(A) Assess a certain type and amount of fee or penalty; or

(B) Impose a fee or penalty in general.

*(2) A fee or penalty assessed by an agency before
the effective date of this section that does not comply with subdivision
(b)(1) of this section may remain in effect until July 1, 2013, but shall not
be increased above the amount assessed by the agency for that fee or penalty
as of the effective date of this section.*

/s/P. Malone

