

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1718

5 By: Representatives Williams, Vines  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND OBSOLETE PROVISIONS OF TITLE 25 OF  
9 THE ARKANSAS CODE; AND FOR OTHER PURPOSES.  
10

## Subtitle

11 TO AMEND OBSOLETE PROVISIONS OF TITLE 25  
12 OF THE ARKANSAS CODE.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 25-1-102, concerning state agency smoking  
20 policies, is repealed as § 20-27-1804 prohibits smoking in all enclosed areas  
21 owned, leased, or operated by state agencies.

22 ~~25-1-102. State agency smoking policies.~~

23 ~~(a) As used in this section, unless the context otherwise requires:~~

24 ~~(1) "General office space" means space occupied by personnel~~  
25 ~~performing their daily work functions;~~

26 ~~(2) "Smoking" means a lighted cigar, cigarette, pipe, or any~~  
27 ~~other ignited tobacco product; and~~

28 ~~(3) "State agency" means any department, agency, board,~~  
29 ~~commission, office, or other authority of the state.~~

30 ~~(b) The chief administrative officer of each state agency shall~~  
31 ~~promulgate a smoking policy for the general office space of the state agency.~~  
32 ~~The policy shall take into consideration the rights of both nonsmokers and~~  
33 ~~smokers.~~  
34

35 SECTION 2. Arkansas Code § 25-3-107, concerning printing expenditures  
36 of the Department of Arkansas Heritage, is repealed as the department has



1 complied with the requirements and the statute is now moot.

2 ~~25-3-107. Restriction on printing expenditures.~~

3 ~~No moneys may be expended by the Department of Arkansas Heritage for~~  
 4 ~~the purchase of any state printing contract item until the Great Seal of the~~  
 5 ~~State of Arkansas is placed on the letterhead of all agencies and commissions~~  
 6 ~~within the department.~~

7  
 8 SECTION 3. Arkansas Code § 25-16-508, concerning the printing of  
 9 blanks for commissions for state officers and teacher licenses by the Auditor  
 10 of State, is repealed as the Auditor of State no longer performs these  
 11 duties.

12 ~~25-16-508. Blanks for commissions and teachers' licenses.~~

13 ~~(a) The Auditor of State shall have printed, under the contract made~~  
 14 ~~by the state, all blanks for commissions used in commissioning state,~~  
 15 ~~district, county, township, and municipal officers and notaries public and~~  
 16 ~~all blanks for use as state teachers' licenses.~~

17 ~~(b) The Auditor of State shall charge each department furnished with~~  
 18 ~~printed blanks by the office of the Auditor of State the same fee for each~~  
 19 ~~blank as is paid for by each party securing commissions or teachers'~~  
 20 ~~licenses. He or she shall give the department to whom the commission or~~  
 21 ~~license is issued credit for each commission or license issued upon the~~  
 22 ~~filing in his or her office of the Treasurer of State's receipt for the~~  
 23 ~~amount required by law for the issuance of the commission or license.~~

24 ~~(c) The Auditor of State shall credit each department at the end of~~  
 25 ~~each quarter for all commissions and licenses unused and for any which are~~  
 26 ~~destroyed, mutilated, or spoiled, upon proper proof thereof.~~

27 ~~(d) It shall be a misdemeanor for any state officer, except the~~  
 28 ~~Auditor of State, to have any of the blanks printed under subsection (a) of~~  
 29 ~~this section. Any person violating any of the provisions of this section~~  
 30 ~~shall be fined in any sum not less than fifty dollars (\$50.00) nor more than~~  
 31 ~~two hundred dollars (\$200) for each offense.~~

32  
 33 SECTION 4. Arkansas Code § 25-16-512, concerning the examination of  
 34 the books of the Auditor of State during a legislative session, is repealed  
 35 as such examinations are no longer performed.

36 ~~25-16-512. Examination of records by joint legislative committee—~~

1 Report.

2 ~~(a) Immediately after the commencement of each session of the General~~  
 3 ~~Assembly, it shall be the duty of the Auditor of State to submit all his or~~  
 4 ~~her accounts, books, vouchers, and other official documents in his or her~~  
 5 ~~office to a joint committee of the General Assembly for examination and~~  
 6 ~~settlement.~~

7 ~~(b) It shall be the duty of the committee to examine the books,~~  
 8 ~~accounts, vouchers, and other official documents of the Auditor of State and~~  
 9 ~~make report thereof to both houses of the General Assembly.~~

10 ~~(c)(1) If each house shall approve the report of the committee, an~~  
 11 ~~order shall be made directing the committee to cause the proper entries to be~~  
 12 ~~made in the books of the Auditor of State, showing the result of the~~  
 13 ~~settlement.~~

14 ~~(2) If the committee shall make an unfavorable report and find~~  
 15 ~~that the Auditor of State has not performed the duties required of him or her~~  
 16 ~~by law and if the report shall be approved by both houses of the General~~  
 17 ~~Assembly, an order shall be made directing the Governor to cause suit to be~~  
 18 ~~brought against the delinquent on his or her official bond.~~

19  
 20 SECTION 5. Arkansas Code § 25-16-513, requiring the Auditor of State  
 21 to provide a revenue report to the Governor before each legislative session,  
 22 is repealed as the Auditor of State no longer performs this function:

23 ~~25-16-513. Report.~~

24 ~~(a) The Auditor of State shall digest and report to the Governor,~~  
 25 ~~before the commencement of each session of the General Assembly.~~

26 ~~(1) A full and detailed statement of the condition of the~~  
 27 ~~revenue and the amount of the expenditure for the preceding fiscal year;~~

28 ~~(2) A full and detailed statement of the public debt, if any;~~

29 ~~(3) Estimates of the revenues and the amount of expenditures for~~  
 30 ~~the next fiscal year;~~

31 ~~(4) Any plans he or she may think expedient for the support of~~  
 32 ~~the public credit, for lessening the public expenses, for using the public~~  
 33 ~~money to the best advantage, for promoting economy in the public offices,~~  
 34 ~~and, generally, for the better management and more perfect understanding of~~  
 35 ~~the fiscal affairs of the state;~~

36 ~~(5) A tabular statement showing separately the whole amount of~~

1 each appropriation of money made by law, the amount paid under the  
 2 appropriation, and the balance unexpended; and

3 ~~(6) A tabular statement showing separately the amount of money~~  
 4 ~~received into the State Treasury from all sources in each fiscal year, the~~  
 5 ~~amount received from each county and from each source of revenue in each~~  
 6 ~~county.~~

7 ~~(b) The Auditor of State is not required to report the railroad aid~~  
 8 ~~and levee bonds and what are known as the "Holford Bonds" as part of the~~  
 9 ~~indebtedness of the State of Arkansas in his or her report.~~

10 ~~(c) It shall be the duty of the Auditor of State, in connection with~~  
 11 ~~the report, to publish an accurate detailed statement of the receipts and~~  
 12 ~~expenditures of the public money or evidences of indebtedness, showing the~~  
 13 ~~several amounts paid, to whom paid, and on what account.~~

14 ~~(d) The report shall be made to the Governor on or before October 10~~  
 15 ~~next preceding the regular session and fiscal session.~~

16  
 17 SECTION 6. Arkansas Code § 25-16-514, requiring the Auditor of State  
 18 to make quarterly reports to the Governor of the funds available to the  
 19 Treasurer, is repealed as the Auditor of State no longer performs these  
 20 duties.

21 ~~25-16-514. Quarterly report of Treasurer of State's accounts.~~

22 ~~It shall be the duty of the Auditor of State to make quarterly reports~~  
 23 ~~to the Governor of the amount of moneys in the hands of the Treasurer of~~  
 24 ~~State belonging to the state or any county.~~

25  
 26 SECTION 7. Arkansas Code § 25-16-610, which provides that the  
 27 Treasurer of State is not required to report railroad aid or levee bonds or  
 28 Holford bonds as part of the indebtedness of the state, is repealed as the  
 29 statute's requirements are obsolete.

30 ~~25-16-610. Biennial report—Certain bonds not reported.~~

31 ~~The Treasurer of State is not required to report the railroad aid and~~  
 32 ~~levee bonds and what are known as the Holford bonds as part of the~~  
 33 ~~indebtedness of the State of Arkansas in his or her biennial report.~~

34  
 35 SECTION 8. DO NOT CODIFY. The enactment and adoption of this act  
 36 shall not repeal, expressly or impliedly, the acts passed at the regular

1 session of the Eighty-Ninth General Assembly. All such acts shall have full  
2 force and effect, and so far as those acts intentionally vary from or  
3 conflict with any provision contained in this act, those acts shall have the  
4 effect of subsequent acts amending or repealing the appropriate parts of the  
5 Arkansas Code of 1987.

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