

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S1/29/15
A Bill

SENATE BILL 59

5 By: Senator J. Hutchinson
6

7 **For An Act To Be Entitled**

8 AN ACT TO REQUIRE THE ARKANSAS STATE CLAIMS
9 COMMISSION TO PROVIDE SPECIFIC FINDINGS OF FACT AND
10 CONCLUSIONS OF LAW TO SUPPORT A FINAL ADJUDICATION
11 FOR A CLAIM CONSIDERED BY THE COMMISSION; AND FOR
12 OTHER PURPOSES.
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15 **Subtitle**

16 TO REQUIRE THE ARKANSAS STATE CLAIMS
17 COMMISSION TO PROVIDE SPECIFIC FINDINGS
18 OF FACT AND CONCLUSIONS OF LAW TO SUPPORT
19 A FINAL ADJUDICATION FOR A CLAIM
20 CONSIDERED BY THE COMMISSION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 19, Chapter 10, Subchapter 2, is
26 amended to add an additional section to read as follows:

27 19-10-216. Commission decisions – Findings of fact and conclusions of
28 law required.

29 (a)(1) When the Arkansas State Claims Commission dismisses a claim or
30 issues a final adjudication of a claim on the merits, the commission shall
31 set forth specific findings of fact and conclusions of law to support its
32 decision.

33 (2) Citations to a party’s motion or argument do not fulfill the
34 requirements of this subsection unless otherwise supported by an explanation,
35 with particularity, as to why the party’s motion or argument is determinative
36 to the outcome of the claim.



1 (3) When the commission bases its decision on a specific rule of
2 civil procedure, rule of evidence, statute, or controlling appellate court
3 decision, the commission shall cite the rule, statute, or appellate court
4 decision.

5 (4) A claim will not be accepted by the General Assembly on
6 appeal that has as its final adjudication findings of fact and conclusions of
7 law that do not comply with this section.

8 (b) Failure to comply with this section shall result in the General
9 Assembly's sending the claim back to the commission for reconsideration until
10 the requirements of subsection (a) of this section are met.

11 (c) A claim filed by a person who at the time of filing is an inmate
12 of the Department of Correction is exempted from the requirements of this
13 section.

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15 /s/J. Hutchinson
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