

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1356

5 By: Representative Dotson
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For An Act To Be Entitled

8 AN ACT TO AMEND THE PROCESS OF EVALUATION OF STATE
9 BOARDS AND COMMISSIONS; TO REQUIRE SUBMISSION OF A
10 REPORT; TO RECOMMEND THE ABOLITION OF A STATE BOARD
11 OR COMMISSION FOR FAILURE TO SUBMIT A REPORT; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO AMEND THE PROCESS OF EVALUATION OF
16 STATE BOARDS AND COMMISSIONS; TO REQUIRE
17 SUBMISSION OF A REPORT; AND TO RECOMMEND
18 THE ABOLITION OF A STATE BOARD OR
19 COMMISSION FOR FAILURE TO SUBMIT A
20 REPORT.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 25-1-106 is amended to read as follows:

27 25-1-106. Evaluation of necessity of various commissions and boards.

28 (a) For purposes of this section, "constitutional board or commission"
29 means the Arkansas State Game and Fish Commission, the State Highway
30 Commission, and all boards or commissions charged with the management or
31 control of all charitable, penal or correctional institutions, or an
32 institutions of higher learning under Arkansas Constitution, Amendment 33.

33 (b) ~~Any part-time~~ A state board or commission that has not convened a
34 meeting or has convened without a quorum for two (2) consecutive, regularly
35 scheduled meeting dates within a the preceding two-year period shall vote to
36 elect a new chair and vice chair.



1 ~~(b)(1)(c)(1)~~ If a ~~part-time~~ state board or commission has not convened
2 a regularly scheduled meeting or has convened without a quorum for four (4)
3 consecutive, regularly scheduled meeting dates within a the preceding two-
4 year period, the Joint Performance Review Committee shall reevaluate the
5 purpose, need, and effectiveness of the state board or commission.

6 (2) The Joint Performance Review Committee shall report its
7 findings and any recommendations concerning the existence of the state board
8 or commission to the Legislative Council no later than December 1 of each
9 even-numbered year and shall draft legislation to implement the
10 recommendations.

11 ~~(e)(d)(1)~~ No later than August 1 of each even-numbered year, each
12 ~~part-time~~ state board and commission shall provide the Joint Performance
13 Review Committee with a ~~list~~ report of the regularly scheduled meeting dates
14 for the state board or commission for the previous two (2) fiscal years,
15 including the attendance record of each member and the number of meetings
16 that were convened.

17 (2) If a state board or commission, other than a constitutional
18 board or commission, has not submitted the report required in subdivision
19 (d)(1) of this section to the Joint Performance Review Committee by August 1
20 of each even-numbered year, the authority of the state board or commission
21 shall be suspended on August 1 of the even-numbered year, and the state board
22 or commission may not take any action, including the expenditure of funds,
23 until the report required in subdivision (d)(1) of this section is provided
24 to the Joint Performance Review Committee.

25 (3) If a state board or commission, other than a constitutional
26 board or commission, has not submitted the report required in subdivision
27 (d)(1) of this section to the Joint Performance Review Committee by September
28 1 of the even-numbered year, the Joint Performance Review Committee shall
29 draft legislation that:

30 (A) Abolishes the state board or commission upon sine die
31 adjournment of the next regular session of the General Assembly;

32 (B) Allows the reversion of all authority of the state
33 board or commission to the General Assembly or to the General Assembly's
34 designee; and

35 (C) Requires all funds, income, and revenue to revert to
36 the General Revenue Fund Account or other fund or account as provided by the

1 General Assembly.

2 (4) This section does not prohibit the General Assembly from:

3 (A) Abolishing a state board or commission, other than a
4 constitutional board or commission, that has submitted a report; or

5 (B) Considering any other legislation relative to a state
6 agency subject to this chapter.

7 (5) Except as otherwise provided, abolition of a state board or
8 commission does not affect rights and duties that mature, penalties that were
9 incurred, civil or criminal liabilities that arose, or proceedings that were
10 begun before the effective date of the abolition of the board or commission.

11 (e)(1) A constitutional board or commission that has not convened a
12 meeting or has convened without a quorum for two (2) consecutive, regularly
13 scheduled meeting dates within the preceding two-year period shall vote to
14 elect a new chair and vice chair.

15 (2) If a constitutional board or commission has not convened a
16 regularly scheduled meeting or has convened without a quorum for four (4)
17 consecutive, regularly scheduled meeting dates within the preceding two-year
18 period, the Joint Performance Review Committee shall reevaluate the purpose,
19 need, and effectiveness of the constitutional state board or commission.

20 (3) The Joint Performance Review Committee shall report its
21 findings and any recommendations concerning the constitutional board or
22 commission to the Legislative Council no later than December 1 of each even-
23 numbered year and may draft legislation to implement the recommendations.

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