

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

HR 1001

4
5 By: Representative M. Shepherd

6
7 **HOUSE RESOLUTION**

8 TO ADOPT THE RULES OF THE HOUSE OF REPRESENTATIVES OF
9 THE NINETY-FOURTH GENERAL ASSEMBLY.

10
11
12 **Subtitle**

13 TO ADOPT THE RULES OF THE HOUSE OF
14 REPRESENTATIVES OF THE NINETY-FOURTH
15 GENERAL ASSEMBLY.

16
17
18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL
19 ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. The Rules of the House of Representatives of the Ninety-
22 Fourth General Assembly of the State of Arkansas are adopted to read as
23 follows:

24
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 or she is a member, unless excused or necessarily
29 prevented. It is the policy of the Arkansas General Assembly, as a term-
30 limited body, to encourage legislators to learn as much as possible by
31 attending meetings of committees of which they are not a member. Prior
32 signed and documented approval must be obtained from the chairperson of a
33 committee for a visiting non-committee member to enjoy certain privileges
34 offered to regular members.

35 2. For the purpose of seating in the House Chamber for an upcoming
36 regular session of the General Assembly, the Speaker of the House, following



1 the November General Election, shall declare all House Chamber seats vacant
2 and representatives and representatives-elect must select in the order of
3 their seniority any seat not occupied after notification by the Chief Clerk
4 of available seats. Absence or failure to select a seat at the assigned
5 selection time will automatically allow the Speaker to assign the member to
6 his or her same seat if it is available or the member or member-elect to a
7 seat selected by the Speaker. The Chief Clerk shall furnish voting machine
8 and desk keys.

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

22 4. A majority of all representatives elected to the House shall be
23 necessary to transact business. When less than a quorum of House members
24 shall assemble, those present shall be authorized to send for the absent
25 representatives or adjourn. Penalties may be decided by a majority of the
26 representatives present. (Arkansas Constitution, Article 5, § 11)

27 5. Each representative is expected to vote on each question put before
28 the House unless he or she has an immediate personal interest.

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

33 7. Every bill or resolution in the possession of the House or of any
34 committee thereof shall be made available to any member for his/her
35 examination.

36 8. No member at any time shall take from the House or any committee

1 any bill or other paper belonging to the House, without consent of the
2 Speaker, subject to the will of the House.

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

5
6 THE SPEAKER

7 10. Selection.

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

13 10.(a)(1) A caucus of the entire House of Representatives shall be
14 held fifteen (15) minutes following sine die adjournment of the fiscal
15 session held in each even-numbered year, at which time the members of the
16 House shall select by secret ballot a member of the House to be known as the
17 Speaker-designate. Each candidate for Speaker-designate shall be allowed
18 fifteen (15) minutes to address the House before the ballot is taken. All
19 members are required to be present for the addresses and for the election.
20 In the event a member is unable to attend, absentee ballots may be requested
21 by a member for himself/herself from the Speaker's Office no sooner than
22 twenty (20) calendar days prior to the scheduled election and must be
23 completed and returned to the Speaker's Office no later than four p.m. (4:00
24 p.m.) the day before the scheduled election. It is the intent of the
25 Speaker's office to accommodate any and all members for Speaker-designate
26 voting, should a member have a documented emergency arise, the Speaker may
27 direct staff to allow for absentee voting up to two (2) hours prior to the
28 scheduled election. Leave for absence shall be requested immediately before
29 the time of the election. The Speaker shall announce the name and number of
30 votes received by the candidate who received at least a majority of the votes
31 of the membership of the House. Each candidate shall be entitled to verify
32 the number of votes he or she received.

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

1 10.(a)(3) If no candidate receives a majority vote of the membership
2 of the House of Representatives, the names of the two (2) candidates
3 receiving the highest number of votes cast shall be placed on a run-off
4 ballot and distributed among the membership of the House of Representatives
5 in the same manner provided above.

6 10.(a)(4) If it is determined that the Speaker-designate will not
7 serve as a member of the House of Representatives of the next-following
8 General Assembly due to death, resignation, or failure to be a candidate for
9 or to win reelection, a vacancy in the position of Speaker-designate shall
10 exist and be filled at the caucus of the entire House of Representatives-
11 elect held on the Friday of the week designated for the biennial Institute of
12 Legislative Procedure (House Legislative Orientation), and the Speaker of the
13 House of Representatives shall be elected upon convening of the next regular
14 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 or 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 or she or his or her designee shall supervise and control the
34 temporary employees while the legislature is in session and the permanent
35 employees during the biennium (Arkansas Code 10-2-125 -- Employees and
36 officers.);

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 or her and the Clerk (Joint Rules of the House of Representatives and
5 the Senate, Rule 10; Arkansas Code, Title 21, Chapter 10 - Uniform Facsimile
6 Signatures of Public Officials Act);

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

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

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

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

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

18 11.(j) Appoint, at the beginning of each session, a member of the
19 House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve
20 during the absences of the Speaker and shall perform the Speaker's duties.
21 The Speaker Pro Tempore shall not serve more than ten (10) consecutive
22 legislative days without the consent of the House, or beyond adjournment.
23 The Speaker of the House may appoint four (4) Assistant Speakers Pro Tempore;

24 11.(k) Supervise and direct the preparation of the daily House
25 calendar;

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

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

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

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

36 11.(p) When either body shall request a conference, and appoint a

1 committee for that purpose, the other body shall also appoint a committee of
2 equal number to confer, and such conference shall be held at any time and
3 place agreed on by the chairpersons.

4 11.(q) Approve, by cosigning with either the Chief of Staff or the
5 Coordinator of Legislative Services, the disbursement of all House funds.

7 CHIEF OF STAFF

8 12. The Chief of Staff shall be appointed by the Speaker with the
9 approval of the House Management Committee.

10 13. The duties of the Chief of Staff shall be to:

11 13.(a) Oversee all facets of the daily operations of the House
12 ensuring compliance with all Rules of the House, all local, state and federal
13 laws, policies, regulations and policy statements;

14 13.(b) Act as travel supervisor or assign duty to designated staff;

15 13.(c) Act as purchasing agent or assign duty to designated staff;

16 13.(d) Coordinate preparation for General, Fiscal and Special Sessions
17 of the House of Representatives; and

18 13.(e) Act as custodian of House properties.

19 COORDINATOR OF LEGISLATIVE SERVICES

20 14. The Coordinator of House Legislative Services shall be appointed
21 by the Speaker of the House with the approval of the House Management
22 Committee.
23

24 15. The duties of the Coordinator of House Legislative Services shall
25 be to:

26 15.(a) Coordinate and supervise the activities of the Chief Clerk,
27 employees of the House Fiscal Office, and other temporary and permanent
28 employees as assigned by the Chief of Staff;

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

30 15.(c) Report to the Chief of Staff.

31 THE CHIEF CLERK

32 16. The Chief Clerk shall be appointed by the Speaker, subject to
33 confirmation by a majority vote of the membership of the House.
34

35 17. The duties of the Chief Clerk shall be to (Arkansas Code § 10-2-
36 102):

1 17.(a) Have custody of all bills, papers and records of the House and
2 not to permit them to be taken out of his or her custody except by the
3 provisions established in Rule 8 of the Rules of the House of
4 Representatives. Staff must sign a receipt for all bills taken from the
5 Clerk;

6 17.(b) Keep the Journal of the proceedings of the House, and, under
7 the direction of the Speaker, subject to the will of the House, correct
8 errors in the Journal;

9 17.(c) Keep the necessary records for the House;

10 17.(d) Supervise the engrossment and enrollment of bills and to
11 certify their passage, with the assistance of the appropriate committee
12 (Joint Rules of the House of Representatives and the Senate, Rules 6 -- 9.);

13 17.(e) Transmit bills, other documents, and messages to the Senate, as
14 required and secure a receipt thereof and to receive communications from the
15 Senate and receipts of bills, documents and messages;

16 17.(f) Attend every session of the House, call or delegate the reading
17 of the roll and the reading of all bills, resolutions and other papers as
18 directed by the Speaker;

19 17.(g) Coordinate and supervise activities of temporary and permanent
20 employees as assigned by the Chief of Staff;

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

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

32
33 PARLIAMENTARIAN

34 18. The duties of the Parliamentarian shall be to:

35 18.(a) Convene the first session of the House at the time prescribed
36 by law. The Parliamentarian shall call the members to order, call the roll,

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

8 18.(b) Assist the Speaker in deciding all points of order;

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

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

13 18.(e) Assist the Speaker in the selection of a Chaplain for the day;

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

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

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

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

23 24 PARLIAMENTARY PRACTICE

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

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

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

32 19.(b) To adjourn (non-debatable) (majority of a quorum);

33 19.(c) To take a recess (non-debatable) (majority of a quorum);

34 19.(d) Postpone temporarily; lay on the table (non-debatable)
35 (majority of a quorum) To take from the table (non-debatable) (majority of a
36 quorum) (when the motion to take from the table is adopted, the proposition

1 takes the same position it held when the motion to lay on the table was
2 adopted);

3 19.(e) Immediate consideration (non-debatable) (2/3 of a quorum);

4 19.(f) Previous question (non-debatable) (5 seconds) (majority of a
5 quorum);

6 19.(g) Limit or extend debate (non-debatable) (2/3 of a quorum);

7 19.(h) To expunge (debatable) (2/3 of membership) (67);

8 19.(i) Postpone to a day certain (debatable) (majority of a quorum);

9 19.(j) Committee of the Whole, go into (non-debatable) (majority of a
10 quorum);

11 19.(k) Refer (debatable) (majority of a quorum);

12 19.(l) Amend (debatable) (majority of a quorum);

13 19.(m) Postpone indefinitely (debatable) (majority of membership);

14 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);

15 19.(o) Special order of business (debatable) (2/3 of a quorum); and

16 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).

17 20. 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 21. 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 22. Previous question:

24 22.(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 22.(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 23. 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 24. 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 24.(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 25. 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 25.(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 26. The motion to limit or extend debate must specify time
29 limitations. A substitute motion specifying a lesser time may be accepted.

30 27. Reconsideration:

31 27.(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 or her intentions to do so and such motion shall take precedence over
35 other questions except consideration of a conference report or a motion to
36 adjourn: Provided, the motion or proposition shall only be considered during

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

9 27.(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 or 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 27.(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 27.(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 27.(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 27.(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 27.(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 27.(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 28. No dilatory motion shall be entertained by the Speaker.

15 29. 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. Rule 12 of the Joint Rules of the Senate and House of
18 Representatives - Suspension of Joint Rules

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

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

27
28 DAILY ORDER OF BUSINESS

29 32. The House shall convene at a time ordered by the House membership.

30 33. 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 33.(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 33.(l) Announcement of committee meetings, and

12 33.(m) Adjournment.

13 34.(a) Introduction and reading of bills and resolutions may be
14 ordered by the Speaker of the House at his or her discretion.

15 34.(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 27 (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 27 (h).

25 35. 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.

28 36. Unfinished business items, except items "(a)" through "(g)", take
29 up where the House left the day before when it adjourned. Items "(a)"
30 through "(g)" begin new each day.

31 37. Privileged matters may interrupt the order of business. These
32 privileged matters are:

33 37.(a) Appropriation bills and revenue bills, sponsored by the
34 committees on Budget, Revenue and Taxation and the Committee on Rules;

35 37.(b) Conference reports;

36 37.(c) Special orders reported by the Committee on Rules for

1 consideration by the House;

2 37.(d) Consideration of amendments between the House and Senate after
3 disagreement;

4 37.(e) Question of privilege;

5 37.(f) Privileged resolutions reported under the right to report any
6 time; and

7 37.(g) Bills returned with the objections of the Governor.

8

9

BILLS

10 38. Any representative may introduce bills, petitions, resolutions and
11 memorials by filing them with the Clerk of the House. (Arkansas Code § 10-2-
12 112 - Prefiling of bills and resolutions -- Assignment to committee --
13 Printing.)

14 38.(a) Each measure must have an original along with copies and
15 captions, the number of which is to be determined by the Chief Clerk.

16 38.(b) The Clerk shall take the original and perforate or stamp it as
17 the original.

18 38.(c) No action shall be taken in the House on any bill, resolution,
19 or amendment that is not physically in the House. However, in the House the
20 motion to recall a bill or resolution may be made regardless of the location
21 of the bill or resolution.

22 38.(d) No alterations or erasures or otherwise defacement of the bill
23 or amendments shall be permitted.

24 38.(e) All amendments shall be entered on a separate sheet of paper
25 noting the page number, the line or lines to be changed and the words to be
26 deleted or inserted.

27 38.(f) All bills, resolutions, amendments, petitions and memorials
28 must be signed by the author.

29 38.(g) The improper introduction of a bill, resolution, amendment,
30 petition or memorial involves a question of privilege. Such measures
31 improperly introduced, as determined by the Speaker or the House Committee on
32 the Journal; Engrossed and Enrolled Bills, shall be returned to the
33 representative who introduced them.

34 38.(h) The style of the laws of the State of Arkansas shall be: "Be it
35 enacted by the General Assembly of the State of Arkansas." (Arkansas
36 Constitution, Article 5, § 19 - Style of laws -- Enacting Clause.)

1 38.(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. (Arkansas Constitution, Amendment 14 - Local Acts.)

4 38.(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. Rule 4
6 of the Joint Rules of the Senate and House of Representatives - Contents of
7 Bills

8 38.(k) In making appropriations for any fiscal year, the General
9 Assembly shall first pass the General Appropriation Bill provided for in
10 Section 30 of Article 5 of the Constitution, and no other appropriation bill
11 may be enacted before that shall have been done. (Arkansas Constitution,
12 Article 5, § 40 - General appropriation bill -- Enactment.

13 38.(l) No money shall be drawn from the treasury except in pursuance
14 of specific appropriation made by law, the purpose of which shall be
15 distinctly stated in the bill, and the maximum amount which may be drawn
16 shall be specified in dollars and cents; and no appropriation shall be for a
17 longer period than one (1) fiscal year. (Arkansas Constitution, Article 5,
18 § 29 - Appropriations.)

19 The general appropriation bill shall embrace nothing but appropriations
20 for the ordinary expense of the executive, legislative and judicial
21 departments of the State; all other appropriations shall be made by separate
22 bills, each embracing but one (1) subject. (Arkansas Constitution, Article 5,
23 § 30 - General and special appropriations.)

24 No state tax shall be allowed, or appropriation of money made, except
25 to raise means for the payment of the just debts of the State, for defraying
26 the necessary expenses of government, to sustain common schools, to repel
27 invasion and suppress insurrection, except by a majority of two-thirds (2/3)
28 of both houses of the General Assembly. (Arkansas Constitution, Article 5,
29 § 31 - Purposes of taxes and appropriations.)

30 None of the rates for property, excise, privilege or personal taxes,
31 now levied shall be increased by the General Assembly except after the
32 approval of the qualified electors voting thereon at an election, or in case
33 of emergency, by the votes of three-fourths (3/4) of the members elected to
34 each House of the General Assembly. (Arkansas Constitution, Article 5, § 38 -
35 Taxes -- Increase -- Approval by electors.)

36 Excepting monies raised or collected for educational purposes, highway

1 purposes, to pay Confederate pensions and the just debts of the State, the
2 General Assembly is hereby prohibited from appropriating or expending more
3 than the sum of Two and One-Half Million Dollars for all purposes, for any
4 fiscal year; provided the limit herein fixed may be exceeded by the votes of
5 three-fourths (3/4) of the members elected to each House of the General
6 Assembly. (Arkansas Constitution, Article 5, § 39 - State expenses --
7 Limitation -- Exceptions.)

8 38.(m)~~(a)~~(1) No appropriation bill shall be filed for introduction in
9 either the House of Representatives or the Senate later than the fiftieth
10 (50th) day of a regular session except upon consent of two-thirds (2/3) of
11 the members elected to each house.

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

16 ~~(2)~~(B) For a fiscal session, a non-appropriation bill
17 shall not be filed for introduction until identical resolutions authorizing
18 the introduction of the non-appropriation bill have been approved by an
19 affirmative vote of two-thirds (2/3) of the members elected to each house.

20 ~~(3)~~(C) The identical resolutions authorizing the
21 introduction of a non-appropriation bill in a fiscal session shall not be
22 filed for introduction in either the House of Representatives or the Senate
23 later than the first (1st) day of a fiscal session.

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

27 ~~(e)~~(3) When the filing deadline for any bills or resolutions
28 ends on Saturday or Sunday, the deadline is extended until the close of
29 business the following Monday.

30 38.(n)~~(a)~~(1) No resolution proposing a constitutional amendment shall
31 be filed in the House of Representatives after the thirty-first (31st) day of
32 each regular session of the General Assembly. Proposed constitutional
33 amendments may only be considered during regular sessions.

34 ~~38.(n)~~~~(b)~~(2) All resolutions proposing constitutional amendments shall
35 be referred to the House Committee on State Agencies and Governmental
36 Affairs, which by an affirmative vote of its members may recommend proposals

1 one-at-a-time to the House of Representatives for its consideration.

2 ~~38.(n)(e)(3)~~ Any proposed constitutional amendment initiated in and
3 approved by the House of Representatives shall be transmitted to the Senate
4 for its consideration. If the Senate fails to approve a House-proposed
5 constitutional amendment, the House of Representatives may proceed to
6 initiate other proposed constitutional amendments one-at-a-time for Senate
7 consideration.

8 ~~38.(n)(d)(4)~~ Any proposed constitutional amendment received from the
9 Senate shall be referred to the House Committee on State Agencies and
10 Governmental Affairs, which by an affirmative vote of its members may
11 recommend the proposal to the House of Representatives for its consideration.

12 ~~38.(n)(e)(5)~~ Upon adoption by the General Assembly of a House-proposed
13 constitutional amendment and a Senate-proposed constitutional amendment, in
14 accordance with the Joint Rules, a third proposed constitutional amendment
15 may be considered and voted upon by the General Assembly only after identical
16 resolutions authorizing the consideration of the third proposed
17 constitutional amendment have been approved by an affirmative vote of two-
18 thirds (2/3) of the members elected to each house.

19 ~~38.(o)(a)(1)~~ Any proposed legislation affecting any publicly supported
20 retirement system or pension plan to be considered by the General Assembly at
21 a regular session shall be introduced in the General Assembly during the
22 first fifteen (15) calendar days of a regular session. (Arkansas Code § 10-2-
23 115, Introduction of bills affecting public retirement programs.)

24 ~~38.(o)(b)(2)~~ No such bill shall be introduced after the fifteenth day
25 of a regular session unless its introduction is first approved by a three-
26 fourths (3/4) vote of the full membership of each House of the General
27 Assembly. (Arkansas Code § 10-2-115, Introduction of bills affecting public
28 retirement programs.)

29 ~~38.(o)(e)(3)~~ A bill affecting any publicly supported retirement system
30 or systems shall not be introduced or considered at any special session or
31 fiscal session of the General Assembly unless the introduction and
32 consideration of the bill is first approved by a three-fourths (3/4) vote of
33 the full membership of each House of the General Assembly. (Arkansas Code
34 § 10-2-115, Introduction of bills affecting public retirement programs.)

35 38.(p)(1) A bill affecting the State and Public School Life and Health
36 Insurance Program or that imposes a new or increased cost obligation for

1 health benefit plans, including pharmacy benefits, on an entity of the state
2 to be considered by the General Assembly at a regular session shall be
3 introduced in the General Assembly during the first fifteen (15) calendar
4 days of a regular session.

5 (2)(A) A bill affecting the State and Public School Life
6 and Health Insurance Program or that imposes a new or increased cost
7 obligation for health benefit plans, including pharmacy benefits, on an
8 entity of the state shall not be introduced after the fifteenth day of a
9 regular session unless the introduction of the bill is first approved by a
10 three-fourths (3/4) vote of the full membership of each house of the General
11 Assembly.

12 (B) If the General Assembly recesses for longer than
13 three (3) consecutive days during the first fifteen (15) calendar days of a
14 regular session, the fifteen-day introduction deadline shall be extended for
15 a time period equal to the recess.

16 (3) A bill affecting the State and Public School Life and
17 Health Insurance Program or that imposes a new or increased cost obligation
18 for health benefit plans, including pharmacy benefits, on an entity of the
19 state shall not be introduced or considered at a fiscal session or an
20 extraordinary session of the General Assembly unless the introduction and
21 consideration of the bill is first approved by a two-thirds (2/3) vote of the
22 full membership of each house of the General Assembly.

23 38.(q)(1) The following proposed legislation to be considered by the
24 General Assembly at a regular session shall be introduced in the General
25 Assembly during the first thirty-one (31) calendar days of a regular session:

26 (A) A bill that creates a new scholarship to be funded
27 with net proceeds from the state lottery or the Higher Education Grants Fund
28 Account, as applicable; and

29 (B) A bill that affects an existing scholarship that is
30 funded with net proceeds from the state lottery or the Higher Education
31 Grants Fund Account, as applicable.

32 (2)(A) A bill creating a new scholarship to be funded with net
33 proceeds from the state lottery or the Higher Education Grants Fund Account,
34 as applicable, or affecting an existing scholarship that is funded with net
35 proceeds from the state lottery or the Higher Education Grants Fund Account,
36 as applicable, shall not be introduced after the thirty-first day of a

1 regular session unless its introduction is first approved by a three-fourths
 2 (3/4) vote of the full membership of each chamber of the General Assembly.

3 (B) If the General Assembly recesses for longer than three
 4 (3) consecutive days during the first thirty-one (31) days of a regular
 5 session, the deadline imposed under this section shall be extended for a time
 6 period equal to the recess.

7 (3) A bill creating a new scholarship to be funded with net
 8 proceeds from the state lottery or the Higher Education Grants Fund Account,
 9 as applicable, or affecting an existing scholarship that is funded with net
 10 proceeds from the state lottery or the Higher Education Grants Fund Account,
 11 as applicable, shall not be introduced or considered at a special session or
 12 fiscal session of the General Assembly unless the introduction or
 13 consideration of the bill is first approved by a two-thirds (2/3) vote of the
 14 full membership of each chamber of the General Assembly.

15 38.~~(p)~~ (r) "Fiscal impact statement" means a realistic statement of the
 16 estimated financial cost of implementing or complying with a proposed law
 17 regarding:

18 (1) Municipalities;

19 (2) Counties;

20 (3) Education, as related to the State of Arkansas and local
 21 school districts grades kindergarten through twelve (K-12);

22 (4) Corrections, if imposing new or additional costs and
 23 restrictions on inmate population patterns or affecting programs or services
 24 of the Department of Correction; ~~or~~

25 (5) Lottery, if amending Arkansas Code, Title 23, Chapter 115 or
 26 imposing a new or increased cost to the ~~Arkansas Lottery Commission~~ Office of
 27 the Arkansas Lottery or a lottery;

28 (6) Health benefit plans, if imposing a new or increased cost
 29 obligation for health benefit plans, including pharmacy benefits, on an
 30 entity of the state; or

31 (7) New or existing scholarships to be funded with net proceeds
 32 from the state lottery or the Higher Education Grants Fund Account, as
 33 applicable.

34 38.~~(q)~~ (s) When any House or Senate bill requiring an expenditure of
 35 public funds or otherwise imposing a new or increased cost obligation is
 36 pending before any committee of the House of Representatives, any member of

1 the committee may request that a fiscal impact statement for such bill be
 2 placed on the desk of each member of the committee before the bill is called
 3 up for final action in the committee. If such request is made, the
 4 chairperson of the committee shall refer the bill to the appropriate state
 5 agency or to the legislative staff for the preparation of a fiscal impact
 6 statement, to be returned to the committee in writing not later than five (5)
 7 days from the date of the request.

8 ~~38.(t)~~(t) Any time before a bill requiring an expenditure of public
 9 funds or otherwise imposing a new or increased cost obligation is read for
 10 the third time in the House of Representatives, any member of the House may
 11 request and the Speaker shall direct that a fiscal impact statement for the
 12 bill be prepared and placed on the desk of each member not later than five
 13 (5) days from the date of the request.

14 ~~38.(s)~~ (u) Fiscal impact statements shall be made available to House
 15 Committees:

16 (1) At least one (1) day before the bill may be called up for
 17 final action in the House Committee during a regular legislative session or
 18 fiscal session of the General Assembly; and

19 (2) At least one (1) day before the bill may be called up for
 20 final action in the House Committee during a special session of the General
 21 Assembly.

22 Fiscal impact statements shall be made available to the full House of
 23 Representatives at least one (1) day before the bill may be called up for
 24 third reading and final action in the House of Representatives.

25 ~~38.(t)~~(v)(1) Failure Except for bills imposing a new or increased cost
 26 obligation for health benefit plans on an entity of the state or bills
 27 regarding new or existing scholarships to be funded with net proceeds from
 28 the state lottery or the Higher Education Grants Fund, failure of the sponsor
 29 of a bill to provide the fiscal impact statement required in this rule shall
 30 not prohibit the consideration of it in the committee to which referred or on
 31 the Floor of the House of Representatives, if no objection to it is made at
 32 the time such action is taken.

33 (2)(A) A bill filed in the House of Representatives that
 34 will impose a new or increased cost obligation for health benefit plans,
 35 including pharmacy benefits, on an entity of the state shall:

36 (i) Have a fiscal impact statement attached to

1 the bill prepared and filed with the chair of the committee to which the bill
2 is referred; and

3 (ii) Not be taken up by the committee to which
4 the bill is referred until a fiscal impact statement is provided to the chair
5 of the committee.

6 (B) If a bill is called up for final passage in the
7 House of Representatives and a fiscal impact statement has not been provided
8 by the sponsor of the bill or by the committee to which the bill was
9 referred, a member of the House of Representatives may object to the bill's
10 being called up for final passage until a fiscal impact statement is prepared
11 and made available on the desk of each member of the House of Representatives
12 at least one (1) day before the bill is called up for final passage.

13 (C) An affirmative vote of two-thirds (2/3) of a
14 quorum present and voting shall override the objection.

15 (D) If an objection is made without override, the
16 presiding officer of the House of Representatives shall cause the bill to be
17 referred to an actuary for the preparation of a fiscal impact statement,
18 which shall be filed with the presiding officer not later than five (5) days
19 from the date of the request.

20 (3)(A) Any bill filed with the House of Representatives
21 that creates a new scholarship to be funded with net proceeds from the state
22 lottery or the Higher Education Grants Fund Account, as applicable, or
23 affects an existing scholarship that is funded with net proceeds from the
24 state lottery or the Higher Education Grants Fund Account, as applicable,
25 shall:

26 (i) Have a lottery fiscal impact statement
27 attached to it that is in the form set forth in Arkansas Code § 6-85-502; and

28 (ii) Not be taken up by the House Committee on
29 Education and the Senate Committee on Education meeting jointly, until a
30 lottery fiscal impact statement is attached.

31 39.(a) The first reading of a bill shall be for information and unless
32 otherwise ordered by the House, it shall be placed on the second reading
33 calendar. (Every bill shall be read at length on three different days in
34 each house, unless the rules be suspended by two-thirds (2/3) of the House,
35 when the same may be read a second or third time on the same day; (Arkansas
36 Constitution, Article 5, § 22 - Passage of bills.)

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

6 39.(c)(1) "Shell bill" means a bill, typically with no substantive
7 provisions, that is introduced for purposes of later being amended to include
8 the actual legislative proposals advanced by the sponsor and within the
9 subject matter of the title of the shell bill.

10 (2) After a bill has been read for the first time, the
11 Speaker may declare a bill to be a shell bill and refer the shell bill to the
12 House Committee on the Journal; Engrossed and Enrolled Bills.

13 (3) Notwithstanding House Rule 40.(d), shell bills may be
14 amended after first reading with a substantive amendment under the process of
15 members amending their own bills with their own amendments. If the Committee
16 on the Journal; Engrossed and Enrolled Bills determines that the shell bill
17 has been substantively amended and engrossed and no longer meets the
18 definition of a shell bill, it shall report its determination to the Speaker.
19 The Speaker shall then direct the Clerk to read the bill a second time and
20 assign the bill to committee.

21 40. Second reading

22 40.(a) A bill shall be read a second time and the Speaker shall assign
23 the bill to its appropriate committee.

24 40.(b) A bill or resolution may not be divided for assignment to
25 committee although it may contain certain matters properly within the
26 jurisdiction of several committees.

27 40.(c) Before consideration by a committee, any representative may
28 attach an amendment to the bill which shall be referred to the committee with
29 the bill, without debate. It is the author's responsibility to have the
30 amendment properly numbered by the Bill Clerk, not the committee staff. An
31 amendment must be properly filed by the author and properly numbered by the
32 Bill Clerk prior to being voted on by the House.

33 40.(d) In order to amend a bill, it shall be necessary to adopt a
34 motion to place the bill back on second reading for the purpose of submitting
35 an amendment.

36 40.(e) When a bill has a committee recommendation, it is the author's

1 responsibility to place the bill on the calendar for consideration.

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

5 The twenty-four (24) hour period begins when a bill is initially
6 introduced and read across the desk.

7 41.(b) A bill shall not be placed on a committee agenda until the
8 second calendar day following the initial filing of the bill.

9 42. A calendar of bills and resolutions to be considered in the order
10 of business during any legislative day shall be printed and placed on the
11 members' desks prior to the adjournment of the preceding legislative day.
12 Calendared items are considered to be a motion for passage.

13 43. A bill ordered to be engrossed or enrolled shall be typed or
14 photocopied.

15 44. A bill having been rejected may not be brought up again during the
16 same legislative session unless it be an appropriation bill. Appropriation
17 bills may be considered a total of two times during any calendar day.
18 Following a second consideration during the same calendar day, a motion to
19 reconsider or a motion to expunge must be adopted before an appropriation
20 bill may be considered.

21 45.(a) When a bill has been passed and transmitted to the Senate, it
22 may be recalled from the Senate by the same vote that was necessary to pass
23 the bill.

24 45.(b) When a bill has been passed and transmitted to the Governor's
25 Office, it may be recalled from the Governor's Office by the same vote that
26 was necessary to pass the bill.

27 46. A committee may receive a bill, resolution, amendment, petition
28 and memorial only through the House, and the House may receive same only
29 through a member. (Art.5, Sec. 34 -- No new bill shall be introduced into
30 either house during the last three days of a regular or fiscal session.)

31 47. Amendments to bills and resolutions:

32 47.(a) When a bill or resolution is under consideration, amendments
33 shall be in order. Upon adoption, amendments shall become a part of the bill
34 or resolution. Amendments to amendments may not be offered. All amendments
35 offered before the House or one of its committees must be typewritten on an
36 approved amendment form and signed by the sponsor. All amendments shall be

1 attached to the original bill, numbered by the Bill Clerk, and shall be
2 placed physically or electronically upon the members' desks before being
3 acted upon by the House.

4 47.(b) When a House bill has been amended in the Senate, upon return
5 of said bill to the House, the Speaker shall re-refer the bill, together with
6 the Senate amendment(s), to the committee to which the bill was originally
7 referred, for review. Concurrence in the Senate amendment shall not be
8 considered by the House until the committee report is received by the House.
9 When a House bill is amended and passed by the Senate and is returned to the
10 House, the bill shall be reprinted with the Senate amendments included
11 therein and specifically identified and shall be placed on each member's desk
12 before final action is taken on the bill by the House. When the Senate
13 amendment is before the House, the same number of votes will be required to
14 concur in the Senate amendment as was required in the original passage of the
15 bill in the House. Amendments containing an emergency clause require sixty-
16 seven (67) votes.

17 47.(c) Fifty-one (51) votes shall be required to adopt a House
18 amendment to a House or Senate bill. When a House bill has been amended in
19 the House, it shall not be acted upon until it has been engrossed and such
20 engrossed bill has been printed and placed on each member's desk.

21 47.(d) Every amendment proposed must be germane to the subject of the
22 proposition to be amended.

23 47.(e) All appropriation bills and other bills which are required to
24 be submitted to the Budget Committee, or to another designated committee of
25 the House and Senate, which are amended on the Floor of either House of the
26 General Assembly by an amendment which was not recommended favorably by the
27 Budget Committee, or by any other committee of the House and Senate to which
28 referred, shall be re-referred to such committee of the House and Senate for
29 consideration and recommendation before said bill may be considered for final
30 passage or concurrence by the House of Representatives.

31 47.(f) Members' own House bills and Senate bills on which a House
32 member is the lead sponsor may be amended with their own amendments beginning
33 at a specific time set aside by the House. Senate bills may be amended in
34 accordance with the applicable rules provided for amending members' own House
35 bills with their own amendments.

36 47.(g) Members' own amendments to their own House bills and Senate

1 bills with House sponsors must be signed only by the sponsor of the bill
2 whose name is listed first in the list of sponsors.

3 47.(h) Members' own amendments to their own House bills and Senate
4 bills on which there are House sponsors must be presented to the House Bill
5 Clerk only by the sponsor of the House or Senate bill whose name is listed
6 first in the list of sponsors.

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

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

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

15 47.(l) An objection by any member, written or oral, to the Speaker of
16 the House or his or her designee, shall cause a member's own amendment to his
17 or her own bill to not be considered and to be removed from the "Members' Own
18 Bill/Own Amendment Calendar" and automatically placed on the same day's
19 regular amendment calendar for consideration.

20 47.(m) A member's own House bill or Senate bill amended with a
21 member's own amendment shall be transmitted directly to Engrossing after
22 having been amended.

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

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

31 47.(p) When a bill has a committee recommendation and is subsequently
32 amended to change the title, and/or the list of sponsors and/or an emergency
33 clause, such amendment shall not cause the bill to be re-referred to
34 committee.

35 47.(q) Members' own House bills may be withdrawn at a specific time
36 set aside by the House by placing them on the "Withdrawal Calendar" ~~no later~~

1 ~~than 4:30 p.m.~~, the day preceding the day they are to be withdrawn. House
2 bills for withdrawal may be placed on the "Withdrawal Calendar" only by the
3 member whose name is listed first as author of the bill. The member
4 requesting withdrawal may recommend the bill to be studied by the same
5 committee to which the bill was assigned at the time of request for
6 withdrawal.

7 47.(r) The Speaker of the House at a specific time set aside by the
8 House may transfer to another committee bills or resolutions by placing them
9 on the "Re-referral Calendar" no later than 4:30 p.m. the day before they are
10 to be transferred.

11 47.(s) Budget bills sponsored by members but recommended to be amended to
12 delete the sponsor and substitute the Joint Budget Committee as sponsor may
13 be amended during the period set aside to amend "Members Own Bills with their
14 Own Amendments".

15 47.(t) The Rules governing members amending their own bills with their
16 own amendments shall be in effect for House and Senate Budget bills so far as
17 they are applicable.

18 47.(u) Budget bills to be amended deleting the sponsor and
19 substituting the Joint Budget Committee shall be placed on the Joint Budget
20 Calendar by the Joint Budget Calendar Clerk.

21 47.(v) The House Chairman of the Joint Budget Committee shall sign all
22 amendments deleting the sponsor and substituting the Joint Budget Committee
23 as sponsor.

24 25 RESOLUTIONS

26 48. Resolutions shall follow the same procedure as bills.

27 49. A House resolution shall be directed at some matter for the sole
28 action of the House and may be introduced in extraordinary sessions, lack of
29 germaneness notwithstanding. Fifty-one (51) votes shall be required to adopt
30 a House resolution.

31 50. Joint resolutions are for incidental, unusual, or informal
32 objectives of legislation (i.e., as extending the thanks of the State to
33 individuals; invitations to celebrities to visit the State), or to submit
34 proposed amendments to the United States Constitution, ratifying United
35 States Constitutional amendments and proposing amendments to the Arkansas
36 Constitution.

1 51. Concurrent resolutions shall be a means of expressing fact,
2 principles, opinions, purposes, and all other matters requiring concurrence
3 of both houses except the subject matter provided for in the joint
4 resolution. A concurrent resolution is binding on neither house until agreed
5 to by both.

6 52. Resolutions of Inquiry:

7 52.(a) All resolutions of inquiry addressed to the heads of executive
8 departments shall be reported to the House within one (1) week after
9 presentation.

10 52.(b) A House resolution authorizing a committee to request
11 information is treated as a resolution of inquiry.

12 52.(c) A resolution of inquiry from a committee shall have a
13 privileged status to report.
14

15 STANDING, SELECT, AND SPECIAL COMMITTEES

16 (Arkansas Code, Title 10, Subchapter 2 -- Interim Committees Generally)

17 53. The committees of the House of Representatives shall consist of
18 ten (10) standing committees, seven (7) select committees, and three (3)
19 special committees. The standing committees shall be five (5) Class "A"
20 committees and five (5) Class "B" committees. The seven (7) select
21 committees shall be five (5) joint select committees and two (2) House select
22 committees. The three (3) special committees shall be two (2) joint
23 committees and one (1) House committee. The House standing, joint select,
24 select and special committees are as follows:

25 53.(a) HOUSE STANDING COMMITTEES

26 Class "A" Committees

27 Education

28 Judiciary

29 Public Health, Welfare and Labor

30 Public Transportation

31 Revenue and Taxation

32 Class "B" Committees

33 Aging, Children and Youth, Legislative and Military Affairs

34 Agriculture, Forestry and Economic Development

35 City, County and Local Affairs

36 Insurance and Commerce

1 State Agencies and Governmental Affairs

2 53.(b) JOINT SELECT COMMITTEES

3 (1) Joint Budget -- (to consist of twenty four (24) members of the
4 House and twenty four (24) members of the Senate, and the immediate past co-
5 chairs of the Legislative Council and ex-officio members in accordance with
6 Arkansas Code § 10-3-502. (Arkansas Code, Subchapter 5, -- Joint Budget
7 Committee) The House members of the Joint Budget Committee shall be known as
8 the House Budget Committee.

9 (2) Joint Committee on Energy -- (to consist of fifteen (15) members
10 of the House, fifteen (15) House alternates, and ten (10) members of the
11 Senate. (Arkansas Code, Title 10, Subchapter 8 -- Energy Committees.)

12 (3) Joint Committee on Public Retirement and Social Security
13 Programs -- (to consist of ten (10) members of the House, ten (10) House
14 alternates, and ten (10) members of the Senate. (Arkansas Code, Title 10,
15 Subchapter 7 -- Retirement Committees)

16 (4) Joint Performance Review Committee -- (to consist of twenty (20)
17 members of the House and ten (10) members of the Senate. (Arkansas Code,
18 Title 10, Subchapter 9 -- Joint Performance Review Committees)

19 (5) Joint Committee on Advanced Communications and Information
20 Technology -- (to consist of ten (10) members of the House, ten (10) House
21 alternates, and seven (7) members of the Senate. (Arkansas Code, Title 10,
22 Subchapter 17 -- Joint Committee on Advanced Communications and Information
23 Technology)

24 53.(c) HOUSE SELECT COMMITTEES

25 House Rules Committee shall consist of no more than fifteen (15)
26 members.

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

29 53.(d) SPECIAL COMMITTEES

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

32 ~~53.(d)(1)~~(a) The chairperson of the House Budget Committee;

33 ~~53.(d)(1)~~(b) Two (2) members of the House of Representatives appointed
34 by the Speaker;

35 ~~53.(d)(1)~~(c) The chairperson of the House Management Committee and two
36 (2) additional members of the House Management Committee to be designated by

1 its chairperson;

2 ~~53.(d)(1)~~(d) The Speaker of the House of Representatives or his or her
3 designee; and

4 ~~53.(d)(1)~~(e) Seven (7) members of the Senate to be named by the Senate
5 Committee on Committees. (Arkansas Code, Title 10, Subchapter 11 -- Joint
6 Interim Committee on Legislative Facilities)

7 ~~53.~~(2) House Committee on the Journal; Engrossed and Enrolled Bills
8 shall consist of not more than five (5) members. The House Committee on the
9 Journal; Engrossed and Enrolled Bills shall not be considered a standing or
10 select committee. The committee shall consist of the Speaker of the House of
11 Representatives or his or her designee who shall be chairperson, the
12 chairperson of the House Rules Committee who shall be the vice chairperson,
13 the chairperson of the House Management Committee, and two (2) members of the
14 House appointed by the Speaker of the House; and, the House Parliamentarian
15 shall serve as secretary and advisor to the committee. The chairperson of the
16 committee shall receive an allowance in accordance with Arkansas Code § 10-2-
17 215.

18 ~~53.~~(3) Joint Committee on Legislative Printing Requirements and
19 Specifications -- (to consist of the chairperson and vice chairperson of the
20 House Management Committee, the chairperson and vice chairperson of the
21 Senate Efficiency Committee, the Speaker of the House of Representatives or
22 his or her designee and the President Pro Tempore of the Senate. (Arkansas
23 Code, Title 10, Subchapter 6 -- Joint Committee on Legislative Printing
24 Requirements and Specifications)

25 54.(a) STANDING COMMITTEES

26 ~~54.(a)~~(1) Selection of membership positions on House committees for
27 members-elect shall take place during the caucus of the entire House of
28 Representatives-elect following the November General Election.

29 ~~54.(a)~~(2) Each standing committee shall consist of twenty (20)
30 members. Each member of the House of Representatives shall serve on two (2)
31 standing committees, one (1) of which shall be a Class "A" standing committee
32 and one (1) of which shall be a Class "B" standing committee. A member may
33 not serve on more than one (1) committee of the same class. Members of the
34 standing committees shall be selected as follows:

35 (A) Each Class "A" standing committee and each Class "B"
36 standing committee shall have five (5) members from each of the four (4)

1 House district caucuses.

2 (B)(i) The most senior member of the House of
3 Representatives shall select first and shall choose a position on a Class "A"
4 standing committee. The next-senior member shall then choose a position on a
5 Class "A" standing committee. The seniority rotation procedure shall
6 continue until the member with the least seniority makes his or her
7 selection.

8 (ii) After the member with the least seniority makes
9 his or her Class "A" standing committee selection, the most senior member
10 shall select his or her Class "B" standing committee. The seniority rotation
11 shall continue until the member with the least seniority selects his or her
12 Class "B" standing committee.

13 (C)(i) A member may trade a committee membership with
14 another member.

15 (ii) A trade of committee membership may only occur
16 by the close of business on the day of the committee selection process.

17 (iii) A trade of committee membership shall be in
18 writing and signed by the members who are trading their committee
19 memberships, the trading members' political caucus leaders, and the Speaker
20 of the House of Representatives.

21 (iv) Once completed, written and signed
22 documentation of the trade of committee membership shall be filed in the House
23 Journal.

24 (D)(i) The Speaker of the House shall have the authority
25 to make adjustments to committee membership following the committee selection
26 process only for the purpose of adjusting the majority to minority party
27 ratio on the standing committees.

28 (ii) The adjustments to committee membership made by
29 the Speaker shall not exceed placing eleven (11) members of the majority
30 party on a twenty (20) member committee.

31 ~~54.(a)~~(3) Standing committee membership shall be confirmed at the same
32 time that House members are administered the oath of office.

33 ~~54.(a)~~(4) From within each standing committee there shall be created
34 three (3) permanent subcommittees consisting of eight (8) members. Each
35 member of the House of Representatives shall serve on two (2) permanent
36 subcommittees, one (1) from a Class "A" standing committee and one (1) from a

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

9 ~~54.(a)~~(5) There shall be no transfers from one standing committee to
10 another or from one permanent subcommittee to another during the biennium
11 following initial biennial appointment and or confirmation. After selection
12 of standing committee members and permanent subcommittee members, a vacancy
13 occurring on a standing committee or permanent subcommittee during the
14 biennium because of the death, resignation, ~~impeachment~~ expulsion, etc., of a
15 member, shall be temporarily filled by the Speaker of the House of
16 Representatives assigning the newly elected member, for the remainder of the
17 biennium, to the "A" and "B" standing committees, and the permanent
18 subcommittees previously held by their predecessor. The newly elected member
19 does not automatically assume a chairmanship or vice-chairmanship, which
20 vacancies shall be filled in the same manner as the original appointment.

21 ~~54.(a)~~(6) A non-returning member of the House of Representatives who
22 has been assigned an office or other premises shall vacate the office or
23 other premises by December 15 following the General Election in the even-
24 numbered years; and, by the same date, a returning member shall be prepared
25 to vacate his or her assigned office or premises at the direction of the
26 Speaker.

27 54.(b) SELECT COMMITTEES

28 ~~54.(b)~~(1) With the exception of the House Budget Committee, the
29 Speaker shall appoint all members and all alternates on all House select
30 committees and all Joint Select Committees. The Speaker shall appoint ex-
31 officio members in accordance with the law.

32 ~~54.(b)~~(2)(A) Selection of positions on the House Budget Committee
33 shall occur following the Class "A" standing committee and Class "B" standing
34 committee selections and in conjunction with selection of members for the
35 Legislative Council and the Legislative Joint Auditing Committee.

36 (B) The most senior member of the House of Representatives

1 shall select first and shall choose a primary or alternate position on the
2 House Budget Committee, the Legislative Council, or the Legislative Joint
3 Auditing Committee. The next-senior member shall then choose a primary or
4 alternate position on the House Budget Committee, the Legislative Council, or
5 the Legislative Joint Auditing Committee. The seniority rotation procedure
6 shall continue until the member with the least seniority makes his or her
7 selection or until all primary and alternate positions on the House Budget
8 Committee, the Legislative Council, or the Legislative Joint Auditing
9 Committee are filled.

10 (C)(i) The Speaker of the House shall have the authority
11 to make adjustments to committee membership following the committee selection
12 process only for the purpose of adjusting the majority to minority ratio on
13 the House Budget Committee, the Legislative Council, and the Legislative
14 Joint Auditing Committee.

15 (ii) The adjustments to committee membership made by
16 the Speaker shall not exceed the minimum necessary to ensure majority party
17 membership exceeds minority party membership on the committees.

18 (iii) Final committee memberships shall be announced
19 no later than the House Orientation held in December before a Regular
20 Session.

21 ~~54.(b)~~(3) The House Budget Committee shall consist of six (6) members
22 of the House of Representatives and two (2) alternates from each House caucus
23 district. At the time the alternates are selected, one (1) shall be
24 designated as first alternate and the other as second alternate. The term of
25 office of the members shall be from January 1 of odd-numbered years through
26 December 31 of the following even-numbered year. Vacancies in either a member
27 or alternate member position shall be filled in the same manner as the
28 initial member or alternate member position was filled. House Budget
29 Committee membership shall be confirmed at the same time that House members
30 are administered the oath of office. Prior to confirmation, however, members
31 chosen to serve on the House Budget Committee shall conduct pre-session
32 budget hearings, either standing alone or in conjunction with the Legislative
33 Council.

34 ~~54.(b)~~(4) No member of the House of Representatives shall serve on
35 more than one (1) select committee. The Legislative Council, the Legislative
36 Joint Auditing Committee, the House Budget Committee, the House Committee on

1 the Journal; Engrossed and Enrolled Bills, and the House Management Committee
2 are excluded therefrom.

3 54.(c)(1) The Speaker of the House of Representatives shall appoint a
4 chairperson and a vice chairperson of each standing committee and each select
5 committee who shall serve at the pleasure of the Speaker of the House of
6 Representatives. The Speaker, in consultation with the chairperson of each
7 standing committee, shall appoint from the membership of each permanent
8 subcommittee, a chairperson and vice chairperson provided however that the
9 vice chairperson of the standing committee may be the chairperson of a
10 permanent subcommittee. No member of the House of Representatives, with the
11 exception of each House standing committee vice chairperson, shall be
12 chairperson or vice chairperson of more than one (1) standing committee,
13 select committee, or permanent subcommittee.

14 ~~54.(e)~~(2) The rules or proceedings of the House of Representatives
15 shall be observed in all select committees, standing committees, and
16 subcommittees of the House of Representatives so far as the rules or
17 proceedings may be applicable.

18 ~~54.(e)~~(3) The House Committee on the Journal; Engrossed and Enrolled
19 Bills shall serve as the supervisory committee over the preparation of the
20 Journal and engrossing and enrolling of bills.

21 ~~54.(e)~~(4) After the membership of a standing committee or a permanent
22 subcommittee is established, no member shall be removed from any standing
23 committee or any permanent subcommittee during the biennium for which he or
24 she was selected. All appointees selected by the Speaker of the House of
25 Representatives serve at his or her discretion.

26 55. Committee Operations.

27 55.(a) Each committee of the House shall be provided a secretary who
28 shall maintain a current record of all bills, resolutions, amendments,
29 petitions, memorials, or other matters filed in committee. A record of
30 committee actions (committee reports, committee adopted amendments, etc.)
31 shall be filed with the Chief Clerk of the House as the first priority upon
32 adjournment of the committee. The secretary shall post, on a bulletin board
33 and/or electronically, a current list of all measures pending before the
34 committee.

35 55.(b) All committees shall consider the bills, resolutions,
36 amendments, petitions, and memorials referred to them and make one of the

1 following reports in writing to the House:

2 ~~55.(b)~~(1) That a bill, resolution, petition or memorial “do pass”;

3 ~~55.(b)~~(2) That a bill, resolution, petition or memorial “do not pass”,
4 in which event the measure shall not be considered unless the vote is
5 expunged;

6 ~~55.(b)~~(3) That a bill, resolution, petition or memorial “do pass as
7 amended”.

8 55.(c) No bill, resolution, petition or memorial shall be acted upon
9 by the House without a “do pass” or a “do pass as amended” recommendation.
10 No bills shall be placed on the non-controversial calendar or deemed to be
11 non-controversial in any way unless a motion is adopted in the committee to
12 which the bill was referred. With a quorum present, the motion is considered
13 adopted if there are no negative votes.

14 55.(d) The appropriate subject matter standing committees of the House
15 and the Senate may meet as joint committees whenever agreed by said
16 committees, for the purposes of holding public hearings or considering any
17 proposed or pending legislation but upon conclusion of the joint meeting of
18 said committees, each standing committee of the House of Representatives and
19 the Senate shall take such action and report to their respective houses as
20 determined by said committees. Whenever the appropriate subject committees
21 of the House and Senate hold hearings or meetings, the chairperson of the
22 House committee and the chairperson of the Senate committee shall by
23 agreement determine which of them shall preside at the joint meeting.

24 Rules 56-59 [Repealed.]

25 60. Meetings and Hearings:

26 60.(a) All committee and subcommittee meetings including but not
27 limited to hearings at which public testimony is to be taken, (normally
28 called “public hearings”) shall be open to the public (Arkansas Constitution,
29 Article 5, § 13, Sessions to be open.) and shall be scheduled at least
30 eighteen (18) hours in advance; agendas of bills, resolutions, and other
31 proposals to be considered at such meetings shall be posted in a designated
32 place at least eighteen (18) hours in advance; but in case of an emergency, a
33 two-thirds (2/3) majority of the membership of the committee may bring bills
34 up for consideration upon notice of not less than two (2) hours.

35 60.(b) Special meetings of a standing committee may be called by the
36 chairperson of the committee or by a majority of the members of the committee

1 for conducting any business of the committee; provided, a special meeting of
2 the committee may not conflict with regularly scheduled meetings of any
3 standing committee; provided further, special meetings shall be subject to
4 the same procedures regarding the publishing of agendas and notices of
5 meetings that apply to regular standing committee meetings.

6 60.(c) The Speaker of the House shall establish a schedule of House
7 standing and select committee meetings so as to minimize conflicts.

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

12 61.(b)(1) The committee shall have the opportunity to ask questions of
13 persons offering testimony.

14 ~~61.(b)~~(2) Electronic devices such as smart phones, tablets or personal
15 computers may be used by participants in debate but during presentations may
16 not be employed for personal communications with outside parties.

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

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

22 64.(a) The following subject areas shall be within the jurisdiction of
23 each of the respective House standing committees:

24 ~~64.~~(1) Committee on Education – matters pertaining to public
25 kindergarten, elementary, secondary, and adult education, vocational
26 education, vocational-technical schools, vocational rehabilitation, higher
27 education, private educational institutions, similar legislation, and
28 resolutions germane to the subject matter of the committee;

29 ~~64.~~(2) Committee on Judiciary – matters pertaining to state and local
30 courts, court clerks and stenographers and other employees of the courts,
31 civil and criminal procedures, probate matters, civil and criminal laws,
32 similar matters, and resolutions germane to the subject matter of the
33 committee;

34 ~~64.~~(3) Committee on Public Health, Welfare and Labor – matters
35 pertaining to public health, mental health, mental retardation, public
36 welfare, human relations and resources, environmental affairs, water and air

1 pollution, labor and labor relations, contractors and contracting, similar
2 legislation, and resolutions germane to the subject matter of the committee;

3 ~~64.~~(4) Committee on Public Transportation – matters pertaining to
4 roads and highways, city streets, county roads, road vehicles, highway
5 safety, airports and air transportation, common and contract carriers, mass
6 transit, similar legislation, and resolutions germane to the subject matter
7 of the committee;

8 ~~64.~~(5) Committee on Revenue and Taxation – matters pertaining to the
9 levy, increase, reduction, collection, enforcement and administration of
10 taxes and other revenue-producing measures, and resolutions germane to the
11 subject matter of the committee;

12 ~~64.~~(6) Committee on Aging, Children and Youth, Legislative and
13 Military Affairs – matters pertaining to the aged, child custody, adoptions,
14 problems of aging; children and youth, military, veterans, legislative
15 affairs, memorials, other matters whenever the subject matter is not germane
16 to the subject matter of any other standing committee and resolutions germane
17 to the subject matter of the committee;

18 ~~64.~~(7) Committee on Agriculture, Forestry and Economic Development –
19 matters pertaining to agriculture, livestock, forestry, industrial
20 development, natural resources, oil and gas, publicity and parks, levee and
21 drainage, rivers and harbors, similar legislation and resolutions germane to
22 the subject matter of the committee;

23 ~~64.~~(8) Committee on City, County and Local Affairs – matters
24 pertaining to city and municipal affairs, county affairs, local improvement
25 districts, water districts, interlocal government cooperation, similar
26 legislation and resolutions germane to the subject matter of the committee;

27 ~~64.~~(9) Committee on Insurance and Commerce – matters pertaining to
28 banks and banking, savings and loan associations, stock, bonds, and other
29 securities, securities dealers, insurance, public utilities, partnerships and
30 corporations, home mortgage financing and housing, similar legislation and
31 resolutions germane to the subject matter of the committee;

32 ~~64.~~(10) Committee on State Agencies and Governmental Affairs – matters
33 pertaining to state government and state agencies, except where the subject
34 matter relates more appropriately to another committee, proposed amendments
35 to the Constitution of the State of Arkansas or the Federal government,
36 election laws and procedures, Federal and interstate relations, similar

1 legislation, and resolutions germane to the subject matter of the committee;

2 ~~64.(10)(a)(b)~~ The following permanent subcommittees are hereby created
3 from within each standing committee:

4 ~~64.(10)(a)(1)~~ For the House standing committee on Aging, Children and
5 Youth, Legislative and Military Affairs, the following permanent
6 subcommittees are created:

7 ~~(1)(A)~~ Aging

8 ~~(2)(B)~~ Children and Youth

9 ~~(3)(C)~~ Legislative, Military and Veterans Affairs

10 ~~64.(10)(a)(2)~~ For the House standing committee on Agriculture,
11 Forestry and Economic Development, the following permanent subcommittees are
12 created:

13 ~~(1)(A)~~ Agriculture, Forestry and Natural Resources

14 ~~(2)(B)~~ Small Business and Economic Development

15 ~~(3)(C)~~ Parks and Tourism

16 ~~64.(10)(a)(3)~~ For House standing committee on City, County and Local
17 Affairs, the following permanent subcommittees are created:

18 ~~(1)(A)~~ Planning

19 ~~(2)(B)~~ Finance

20 ~~(3)(C)~~ Local Government Personnel

21 ~~64.(10)(a)(4)~~ For the House standing committee on Education, the
22 following permanent subcommittees are created:

23 ~~(1)(A)~~ Early Childhood

24 ~~(2)(B)~~ Kindergarten Through Twelve, Vocational/Technical
25 Institutions

26 ~~(3)(C)~~ Higher Education

27 ~~64.(10)(a)(5)~~ For the House standing committee on Insurance and
28 Commerce, the following permanent subcommittees are created:

29 ~~(1)(A)~~ Financial Institutions

30 ~~(2)(B)~~ Insurance

31 ~~(3)(C)~~ Utilities

32 ~~64.(10)(a)(6)~~ For the House standing committee on Judiciary, the
33 following permanent subcommittees are created:

34 ~~(1)(A)~~ Courts/Civil Law

35 ~~(2)(B)~~ Corrections/Criminal Law

36 ~~(3)(C)~~ Juvenile Justice/Child Support

1 ~~64.(10)(a)(7)~~ For the House standing committee on Public Health,
2 Welfare and Labor, the following permanent subcommittees are created:

3 ~~(1)(A)~~ Human Services

4 ~~(2)(B)~~ Health Services

5 ~~(3)(C)~~ Labor and Environment

6 ~~64.(10)(a)(8)~~ For the House standing committee on Public
7 Transportation, the following permanent subcommittees are created:

8 ~~(1)(A)~~ Motor Vehicle and Highways

9 ~~(2)(B)~~ Public Transportation and Rail

10 ~~(3)(C)~~ Waterways and Aeronautics

11 ~~64.(10)(a)(9)~~ For the House standing committee on Revenue and
12 Taxation, the following permanent subcommittees are created:

13 ~~(1)(A)~~ Sales, Use, Miscellaneous Taxes and Exemptions

14 ~~(2)(B)~~ Income Taxes—Personal and Corporate

15 ~~(3)(C)~~ Complaints and Remediation

16 ~~64.(10)(a)(10)~~ For the House standing committee on State Agencies and
17 Governmental Affairs, the following permanent subcommittees are created:

18 ~~(1)(A)~~ State Agencies and Reorganization

19 ~~(2)(B)~~ Constitutional Issues

20 ~~(3)(C)~~ Elections

21 65.(a) Committee on Rules:

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

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

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

31 ~~65.(a)(4)~~ The Speaker shall refer any matter he or she deems
32 appropriate to the Committee on Rules, including without limitation 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 ~~65.(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 65.(b) House Budget Committee. All appropriation bills coming before
5 the House shall be assigned to and considered by the House Budget Committee.

6 66. 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 or her vote to be counted on
14 any matter considered by the committee (no pairs, no proxies).

15 66.(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 by a committee member at the bottom of the committee
20 agenda. A bill or resolution may be amended before a second consideration;
21 but, unless expunged, even an amended bill having failed twice shall not be
22 placed on the calendar or considered.

23 67. 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 68. 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 69. Committee Records and Reports:

31 69.(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 ~~69.(a) 1.~~(1) The time and place of each hearing and each meeting of
35 the committee.

36 ~~69.(a) 2.~~(2) The number and title of the bill with one of the

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

6 ~~69.(a) 3.~~(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 ~~69.(a) 4.~~(4) The reason for the committee’s action on the bill,
10 including a brief minority report, if requested by any two (2) committee
11 members.

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

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

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

23 69.(c) Other reports may be filed with the Clerk of the House.

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

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

14 71. 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 72.(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 72.(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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

COMMITTEE OF THE WHOLE

73. 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.

74. 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:

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

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

74.(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

74.(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.

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

1 the 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 76. 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 77. A Committee of the Whole cannot report a measure without a quorum
9 of its members present.

10 78. 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 79. 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, "Mr. or
16 Madam Chair, I move the committee do now rise and report". If the committee
17 had no specific report, the motion should be to rise and report progress.

18
19 LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE

20 80. Legislative Council.

21 80.(a)(1) The House of Representatives shall select twenty (20)
22 members to serve on the Legislative Council, to include five (5) members from
23 each of the four (4) House district caucuses, in the manner set forth in Rule
24 54.(b) of these rules.

25 ~~80.(a)(2)~~ The Speaker shall select one (1) of their number as
26 Legislative Council co-chair and one (1) of their number as Legislative
27 Council co-vice-chair. No more than two (2) members selected from each caucus
28 shall reside within the same county. The term of office of the members shall
29 be from January 1 of odd-numbered years to December 31 of the following even-
30 numbered year. Legislative Council membership shall be confirmed at the same
31 time that House members are administered the oath of office.

32 80.(b) In order that there may be no House vacancies on the
33 Legislative Council at any time, at the time of selection of the House
34 members to the Legislative Council, there shall be selected from each House
35 Caucus District in the same manner as is set forth in Rule 54.(b) of these
36 rules, a first alternate and a second alternate for each member selected from

1 that district. In the event that any House member or House alternate of the
2 Legislative Council resigns from the Legislative Council, is disqualified
3 from serving on the Legislative Council, dies, or for any other reason there
4 becomes a permanent vacancy in a House position on the Legislative Council,
5 the Speaker of the House of Representatives shall select from the same House
6 caucus district a replacement member or alternate to serve the remainder of
7 the term. When a vacancy occurs in a House member position on the Legislative
8 Council or a House alternate position on the Legislative Council, that
9 person's alternate shall serve until a new member is chosen. The Speaker of
10 the House of Representatives shall notify the Legislative Council chairperson
11 of all changes in membership on the Legislative Council.

12 80.(c) Ex-officio members shall be selected in accordance with
13 Arkansas Code § 10-3-301.

14 81. Legislative Joint Auditing Committee.

15 81.(a) The House of Representatives shall select twenty (20) members to
16 serve on the Legislative Joint Auditing Committee, to include five (5)
17 members from each of the four (4) House District Caucuses, in the manner set
18 forth in Rule 54.(b) of these rules. Following the selections, the Speaker
19 of the House of Representatives 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. No more than two (2)
22 members shall reside within the same county. The term of office of the
23 members shall be from January 1 of odd-numbered years to December 31 of the
24 following even-numbered year. Legislative Joint Auditing Committee membership
25 shall be confirmed at the same time that House members are administered the
26 oath of office.

27 81.(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 Legislative Joint Auditing Committee there shall be
30 selected, from each House Caucus District in the same manner as is set forth
31 in Rule 54.(b) of these rules, a first alternate and a second alternate for
32 each member selected from that House caucus district. In the event that any
33 House member or House alternate of the Legislative Joint Auditing Committee
34 resigns from the Legislative Joint Auditing Committee, is disqualified from
35 serving on the Committee, dies, or for any other reason there becomes a
36 permanent vacancy in a House position on the Legislative Joint Auditing

1 Committee, the Speaker of the House of Representatives shall select from the
 2 same House caucus district a replacement member or alternate to serve the
 3 remainder of the term. When a vacancy occurs in a House member position on
 4 the Legislative Joint Auditing Committee or a House alternate position on the
 5 Legislative Joint Auditing Committee, that person's alternate shall serve
 6 until a new member is chosen. The Speaker of the House of Representatives
 7 shall notify the Legislative Joint Auditing Committee chairperson of all
 8 changes in membership on the Legislative Joint Auditing Committee.

9 81.(c) Ex-officio members shall be selected in accordance with
 10 Arkansas Code §§ 10-3-403 and 10-3-404.

12 CAUCUS DISTRICTS

13 82. Each of the four caucuses shall select from among the members of
 14 the caucus a chairperson.

15 The First Caucus District shall be composed of the following House of
 16 Representatives Districts: ~~11; 12; 13; 14; 43; 47; 48; 49; 50; 51; 52; 53;~~
 17 ~~54; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 83; and 100~~ 1, 2, 3, 4, 5, 6, 27,
 18 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 60, 61, 62, 63, 64, and 68.

19 The Second Caucus District shall be composed of the following House of
 20 Representatives Districts: ~~23; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37;~~
 21 ~~38; 39; 40; 41; 42; 44; 45; 46; 65; 66; 67; 70; and 72~~ 41, 42, 43, 54, 55,
 22 56, 57, 58, 59, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 81, 82,
 23 and 83.

24 The Third Caucus District shall be composed of the following House of
 25 Representatives Districts: ~~68; 71; 75; 76; 77; 78; 79; 80; 81; 84; 85; 86;~~
 26 ~~87; 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; and 99~~ 7, 8, 9, 10, 11, 12,
 27 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 47, 48, 49, 50, and
 28 51.

29 The Fourth Caucus District shall be composed of the following House of
 30 Representatives Districts: ~~1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 15; 16; 17; 18;~~
 31 ~~19; 20; 21; 22; 24; 25; 26; 69; 73; 74; and 82~~ 29, 44, 45, 46, 52, 53, 65,
 32 80, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100.

34 DEBATE

35 83. When a representative desires to speak or to have the attention of
 36 the House, he or she shall rise from his or her seat and respectfully address

1 himself or herself to "Mr. or Madam Speaker", (or in the Committee of the
2 Whole, "Mr. or Madam Chairperson") and upon recognition, he or she may
3 address the House from his or her seat or the "well" of the House.
4 Representatives must be at their seats before obtaining recognition. Any
5 representative who receives recognition from the Chair must confine himself
6 or herself to the question before the House, or a privileged motion. No
7 representative shall proceed until recognized by the Speaker. When two (2)
8 or more representatives arise at once, the Speaker shall name the member who
9 shall be first to speak.

10 84. When a representative desires to interrupt a representative having
11 the Floor, he or she shall first obtain recognition of the Speaker and
12 permission of the representative occupying the Floor; and when so recognized
13 and such permission is obtained, he or she may ask questions of the
14 representative occupying the Floor; but shall not propound a series of
15 interrogatives or otherwise badger the representative having the Floor.

16 85. No representative shall occupy more than thirty (30) minutes in
17 debate on any question in the House. The representative reporting a measure
18 under consideration from a committee or the author may open and close debate.
19 If debate shall extend beyond one (1) day, the author or sponsor shall be
20 entitled to thirty (30) minutes to close. The right to close may not be
21 automatically exercised after limited debate, the previous question or
22 immediate consideration is voted.

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

27 87. A representative having the Floor may not yield it to another for
28 any purpose including making a motion; but, if he or she desires to allow a
29 motion to be made, he or she must yield the Floor.

30
31 DECORUM

32 88. No person other than a member of the Arkansas General Assembly,
33 designated legislative staff, or on special and certain occasions those
34 persons specifically invited by the Speaker of the House, shall be permitted
35 on the Floor of the House Chamber while the House is in session or in brief
36 recess. The Speaker shall develop policies governing limited public access

1 to the Floor during the interim. Arrangements for photographers shall be
2 established, the direction and control of which shall be regulated by the
3 Speaker of the House. No one in the House Chamber other than a member of the
4 Legislature may advocate or oppose passage of a measure while the House is in
5 session. No legislative aides, lobbyists or unauthorized persons shall be
6 permitted access to the House Floor, work areas, or House support areas.
7 This Rule shall be enforced by the Speaker of the House and/or the House
8 Management Committee. The House Management Committee and the Rules Committee
9 shall recommend punishment to the House for violation of this Rule. (Arkansas
10 Code 10-2-110 -- Disorderly Conduct)

11 89. The House Chamber during regular, fiscal and special sessions and
12 during the interim shall be used only for the legislative business of the
13 House and for the caucus meetings of its members, except upon occasions where
14 the House, by resolution, agrees to take part in any ceremonies to be
15 observed therein; and the Speaker shall not entertain a motion for suspension
16 of this rule.

17 90. No representative shall use intemperate language with reference to
18 the House or its members.

19 91. If any representative, in speaking or otherwise, transgresses the
20 rules of the House, the Speaker shall or any representative may, call him or
21 her to order. He or she shall immediately be seated unless permitted, on a
22 motion of another representative, to explain. The House shall, if called
23 upon, decide on the issue without debate. If the decision is in favor of the
24 representative called to order, he or she shall be free to continue; and, if
25 the dispute shall warrant, a representative shall be open to censure or such
26 punishment as the House shall impose.

27 92. Normal conformity to good manners and taste shall be expected of
28 each member of the House. Representatives shall avoid references to
29 personalities and extend to each representative courtesies which they wish
30 for themselves.

31 93. Introduction of and recognition of family, constituents, or groups
32 shall not become excessive. Members should be extremely reluctant in using
33 the time of the House for these personal courtesies. If deemed appropriate by
34 the Speaker of the House, he or she shall make all introductions from
35 information provided to the Speaker by a member or appropriate House staff.

36 94. The smoking of cigarettes, cigars and pipes or other tobacco

1 products shall not be permitted in the Chamber of the House of
2 Representatives or in the members' private work area.

3 95. A Roll Call shall not be interrupted by a motion or other order of
4 business from the time the Speaker calls up the ballot until he or she casts
5 up the ballot and announces the result of said ballot.

6
7 VOTING

8 96. No person not a representative shall cast a vote for a
9 representative.

10 97. Any question or motion, except final passage of a bill or final
11 action on a joint resolution, may be put to the House by a voice vote at the
12 discretion of the Speaker.

13 98. Any five (5) representatives shall have the right to call for the
14 ayes and nays and have the result entered on the Journal. (Arkansas
15 Constitution, Article 5, § 12 -- Powers and duties of each house.)

16 99. Any representative who will be absent from the House may pair his
17 or her vote with a representative who shall be present.

18 99.(a) These representatives must be casting opposite votes.

19 99.(b) Dated pairs reflecting the bill number are counted when signed
20 by both representatives,

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

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

26 99.(c) Pairs shall be presented to the Speaker only on the day of the
27 vote for which the representatives are paired is to be taken.

28 99.(d) Pairs shall be announced by the Speaker immediately prior to
29 the Roll Call from a Pair Form presented to the Speaker by the representative
30 present. At the time of the announcement the Speaker shall (1) determine
31 that the member who is required to be present is present, and (2) provide the
32 membership with an opportunity to express procedural objections to the pairs.

33 99.(e) The representative may not cast his or her vote by other
34 methods when he or she is paired.

35 100. The demand to "Sound the Ballot" (a device to determine how each
36 representative voted) may be accomplished by any five (5) members rising and

1 requesting the Speaker to have the names called and the way the member voted
2 repeated. When contested, any representative (except a representative voting
3 by pair vote and the Speaker and a substitute Speaker) who is not present and
4 in his seat shall have his or her vote eliminated.

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

7 101.(a) Representatives voting aye shall stand at their seats until
8 counted.

9 101.(b) Then, representatives voting no shall stand at their seats
10 until counted.

11 101.(c) No representative shall be counted that is not at his or her
12 assigned voting station (his or her seat on the House Floor).

13 101.(d) The Speaker or his or her designee shall be responsible for
14 counting the vote and the Speaker shall announce the result of the vote.

15 102. The Electronic Voting System shall have the same force and effect
16 as a Roll Call. (Not less than a majority of the members of each House of
17 the General Assembly may enact a law.) (Arkansas Constitution, Article 5,
18 § 21, as added by Arkansas Constitution, Amendment 19, § 1.)

19 103. The Speaker, with three (3) representatives, is sufficient to
20 adjourn, or recess to a time certain, or sine die. (Neither house shall,
21 without the consent of the other, adjourn for more than three (3) days, nor
22 to any other place than that in which the two (2) houses shall be sitting.)
23 (Arkansas Constitution, Article 5, § 28 -- Adjournments)

24 (Governor's power to adjourn) In cases of disagreement between the
25 two (2) houses of the General Assembly, at a regular or special session, with
26 respect to the time of adjournment, the Governor may, if the facts be
27 certified to him or her by the presiding officers of the two (2) houses,
28 adjourn them to a time not beyond the day of their next meeting; and, on
29 account of danger from an enemy or disease, to such other place of safety as
30 he or she may think proper. (Arkansas Constitution, Article 6, § 20 -- Power
31 to adjourn General Assembly.)

32 104. Vetoes. (Arkansas Constitution, Article 16, §§ 15-17; Arkansas
33 Code § 10-2-116)

34 105. Extraordinary sessions of the General Assembly. (Arkansas
35 Constitution, Article 6, § 19 -- Extraordinary sessions of General Assembly -
36 - Calling -- Purposes.)

1 106. Homestead exemption increase (3/4 vote) (Arkansas Constitution,
2 Article 16, § 16, as added by Arkansas Constitution, Amendment 59.)

3 107. Workmen's Compensation Laws (Arkansas Constitution, Article 5,
4 § 32, as amended by Arkansas Constitution, Amendment 26.)

5 108. It shall be a violation of the Rules of the House for any member
6 of the House to accept a campaign contribution during the period beginning
7 thirty (30) days before and ending thirty (30) days after any regular session
8 of the General Assembly. If there is an extended recess of the General
9 Assembly, the period shall end thirty (30) days after the beginning of the
10 recess. It shall also be a violation of the Rules of the House for any member
11 of the House to accept a campaign contribution during any extended session of
12 the General Assembly or during any special session of the General Assembly.

13 109. All Roll Call votes on bills, emergency clauses on bills,
14 resolutions, and amendments in the House of Representatives shall be entered
15 by the House into the General Assembly's Internet web site.

16 110.(a)(1) Except as provided in subdivisions 110.(a)(2) and (c) of
17 this section, the House of Representatives, when in session, shall recess on
18 January 20 of any year in which the inauguration of an individual to the
19 office of President of the United States is scheduled to occur.

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

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

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

30 111. Eligibility, Qualifications, and Removal of Members of the House
31 of Representatives. (Arkansas Constitution, Article 5, § 12; and other
32 applicable constitutional provisions)

33 112. Impeachments.

34 112.(a) The House of Representatives has the sole power of impeachment
35 under Arkansas Constitution, Article 15, § 2, and shall initiate impeachment
36 proceedings by filing articles of impeachment in the form of a House

1 Resolution, co-sponsored by at least thirty-four (34) members. Upon filing
2 of the impeachment resolution, the Speaker of the House shall refer the
3 impeachment resolution to committee for the following purposes:

4 (1) To investigate the allegations asserted in the articles of
5 impeachment; and

6 (2) To make a recommendation to the House of Representatives as
7 to whether cause exists to impeach the official that is the subject of the
8 articles of impeachment.

9 112.(b) All meetings of the committee to which the articles of
10 impeachment are referred shall be open to the public. Advance notice shall
11 be given to the public for all meetings consistent with notice requirements
12 of other House committee meetings and shall include publication of the agenda
13 for the meeting.

14 112.(c) The committee shall adopt rules to govern the proceedings
15 concerning the issue of impeachment in order to ensure due process,
16 fundamental fairness, and a thorough investigation, provided that the rules
17 of the committee are not inconsistent with this rule.

18 112.(d) The committee shall gather information and may hear testimony
19 related to the question of whether cause exists to impeach the official that
20 is the subject of the articles of impeachment.

21 112.(e)(1) Upon conclusion of its investigation, the committee shall
22 return its recommendation to the House of Representatives regarding the
23 resolution containing the articles of impeachment.

24 (2) The committee by an affirmative vote of a majority of its
25 membership may offer amendments to the impeachment resolution.

26 (3) The committee shall submit to the House of Representatives,
27 along with its recommendation on the resolution, a report regarding its
28 findings and conclusions. If the recommendation of the committee is not
29 unanimous, at the request of two (2) members, the members in opposition to
30 the recommendation of the committee may submit a dissenting report.

31 (4) The recommendation of the committee, along with the
32 committee report and any dissenting report, shall be provided to the members
33 of the House of Representatives no less than three (3) business days prior to
34 consideration of the impeachment resolution by the House of Representatives.

35 112.(f) Upon the conclusion of the three (3) business days, the
36 Speaker of the House shall call the House of Representatives into a meeting

1 in order to take up consideration of the impeachment resolution and the
2 recommendation of the committee.

3 112.(g) Passage of the impeachment resolution shall require an
4 affirmative vote of a majority of the members of the House of
5 Representatives. The vote shall be by roll call.

6

7

ADDENDUM

8

HOUSE OF REPRESENTATIVES

9

COMMITTEE CHAIRPERSONS MANUAL

10

AND

11

HOUSE COMMITTEE RULES

12

13 A committee chairperson is a member appointed by the Speaker of the House to
14 function as the parliamentary head of a standing, select, special or joint
15 committee.

16

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

19

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

24

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

26

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

30

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

32

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

35

36 House Rule 55.(b) and 55.(c)

1 55.(b) All committees shall consider the bills, resolutions,
2 amendments, petitions, and memorials referred to them and make one of the
3 following reports in writing to the House:

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

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

8 55.(b)(3) That a bill, resolution, petition or memorial “do pass as
9 amended”.

10 55.(c) No bill, resolution, petition or memorial shall be acted upon
11 by the House without a “do pass” or a “do pass as amended” recommendation.
12 No bills shall be placed on the non-controversial calendar or deemed to be
13 non-controversial in any way unless a motion is adopted in the committee to
14 which the bill was referred. With a quorum present, the motion is considered
15 adopted if there are no negative votes.

16
17 7) A quorum (one more than half the total membership of the committee) must
18 be present to transact official House committee business.

19
20 (House Rule 66) No committee shall transact business without a quorum (a
21 majority of the committee membership present). All final action on bills or
22 resolutions, and on proposed amendments to bills or resolutions, shall be
23 decided by a majority vote of the total membership of the committee.
24 Provided, however, that the Speaker of the House shall not be included for
25 the purpose of determining what is a majority of a standing committee, unless
26 present at the time of the vote. A member of the committee must be present
27 at the time of the vote for his or her vote to be counted on any matter
28 considered by the committee (no pairs, no proxies).

29
30 8) (House Rule 54. (c)(2)) The rules or proceedings of the House of
31 Representatives shall be observed in all select committees, standing
32 committees, and subcommittees of the House so far as they may be applicable.

33
34 The precedence of motions so far as they are applicable shall be as listed in
35 House Rule 19(a) – (q):

36

1 (House Rule 19) When a question is under debate, motions shall have
2 precedence in the following order (the request for a quorum call is always in
3 order; the chairperson is not compelled to accept any motion):

4 19(a) To fix the time to which the House will adjourn (non-debatable)
5 (majority of a quorum);

6 19(a)(1) (A majority of a quorum is a majority of those voting when at least
7 a majority of the members are present and voting);

8 19(b) To adjourn (non-debatable) (majority of a quorum);

9 19(c) To take a recess (non-debatable) (majority of a quorum);

10 19(d) Postpone temporarily; lay on the table (non-debatable) (majority of a
11 quorum) To take from the table (non-debatable) (majority of a quorum) (when
12 the motion to take from the table is adopted, the proposition takes the same
13 position it held when the motion to lay on the table was adopted);

14 19(e) Immediate consideration (non-debatable) (2/3 of a quorum);

15 19(f) Previous question (non-debatable) (5 seconds) (majority of a quorum);

16 19(g) Limit or extend debate (non-debatable) (2/3 of a quorum);

17 19(h) To expunge (debatable) (2/3 of membership) (67);

18 19(i) Postpone to a day certain (debatable) (majority of a quorum);

19 19(j) Committee of the Whole, go into (non-debatable) (majority of a
20 quorum);

21 19(k) Refer (debatable) (majority of a quorum);

22 19(l) Amend (debatable) (majority of a quorum);

23 19.(m) Postpone indefinitely (debatable) (majority of membership);

24 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);

25 19.(o) Special order of business (debatable) (2/3 of a quorum); and

26 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).

27

28 9) (House Rule 60(a)) All committee and subcommittee meetings including but
29 not limited to hearings at which public testimony is to be taken, (normally
30 called "public hearings") shall be open to the public (Art. V, Sec. 13) and
31 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,
32 resolutions, and other proposals to be considered at such meetings shall be
33 posted in a designated place at least eighteen (18) hours in advance; but in
34 case of an emergency, a two-thirds (2/3) majority of the membership of the
35 committee may bring bills or resolutions up for consideration upon notice of
36 not less than two (2) hours.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

10) (House Rule 60(b)) Special meetings of a standing committee may be called by the chairperson of the committee or by a majority of the members of the committee for conducting any business of the committee; provided, a special meeting of the committee may not conflict with regularly scheduled meetings of any standing committee; provided further, special meetings shall be subject to the same procedures regarding the publishing of agendas and notices of meetings that apply to regular standing committee meetings.

11) (House Rule 61(a)) All persons wishing to offer testimony to a committee hearing shall be given a reasonable opportunity to do so as determined by a majority of the committee. An oral or written statement shall not be a prerequisite to offer testimony before a committee.

12) (House Rule 63) No committee shall sit while the House is in session except the Committee on Rules or a Conference Committee, which shall notify the House.

13) (House Rule 66(a)) A bill, resolution or amendment in a House committee, having been rejected twice, shall not be placed on the committee agenda again or considered again during the same legislative session unless the vote is expunged (two-thirds of the membership of the committee). The motion to expunge shall be placed on the committee agenda, by a committee member, and placed at the bottom of the active list. A bill or resolution may be amended before a second consideration; but, unless expunged, even an amended bill having failed twice shall not be placed on the agenda or considered. Notice of reconsideration not permitted in committee.

14) (House Rule 47(a)) When a bill or resolution is under consideration, amendments shall be in order. Upon adoption, amendments shall become a part of the bill or resolution. Amendments to amendments may not be offered. All amendments offered before the House or one of its committees must be typewritten on an approved amendment form and signed by the sponsor. All amendments shall be attached to the original bill or resolution, numbered by the Bill Clerk, and shall be placed upon the members' desks before being acted upon by the House.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

(House Rule 38(e)) All amendments shall be entered on a separate sheet of paper noting the line or lines to be changed and the words to be deleted or inserted.

15) (House Rule 68) No bill or resolution shall be introduced with a committee as the author of said bill or resolution unless that committee has voted unanimously to sponsor the bill or resolution.

16) (House Rule 69) Committee Records and Reports

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

~~69(a) 1.~~(1) The time and place of each hearing and each meeting of the committee.

~~69(a) 2.~~(2) The number and title of the bill or resolution with one of the following three recommendations: "do pass", "do pass as amended", or "do not pass". If a committee recommends a bill or resolution "do pass as amended" and any of the amendments recommended by the committee are not adopted on the floor, the bill or resolution shall be re-referred to the same committee for further consideration and recommendation.

~~69(a) 3.~~(3) A summary of each bill or resolution's major provisions which may be several paragraphs in length in case of major bills or resolutions or simply the title of the bill or resolution in the case of minor bills or resolutions.

~~69(a) 4.~~(4) The reason for the committee's action on the bill or resolution, including a brief minority report, if requested by any two (2) committee members.

~~69(a) 5.~~(5) A record of how every member voted on each bill or resolution when action is taken by the committee, including votes on a motion to postpone consideration on the bill or resolution and a recorded vote on any other motion, if requested by any two (2) committee members.

~~69(a) 6.~~(6) A list of all people testifying before a committee on each bill or resolution, the interest that they represent, and an indication of their position on the bill or resolution.

1 17) (House Rule 69(b)) Such records for each separate committee meeting
2 shall be approved by the chairperson before the expiration of a seven (7) day
3 period, with the exception of those records referred to in (a) ~~1~~(1) and
4 ~~2~~(2), hereinabove which shall be filed immediately with the Clerk of the
5 House.

6
7 18) (House Rule 24 part) When a question is raised about the proper
8 referral of a bill or resolution to committee, if the Speaker admits error in
9 the referral of the bill or resolution to a committee, the bill or resolution
10 may be re-referred by a majority vote of a quorum; however, if the Speaker
11 does not admit error in the referral of the bill or resolution to committee,
12 the bill or resolution may only be re-referred by a two-thirds (2/3) vote of
13 a quorum. When a bill or resolution is re-referred to a committee, any
14 previous committee recommendation is automatically stripped from the bill or
15 resolution. When a motion is under consideration, only two (2) substitutes
16 to that motion shall be in order. Only a motion applicable to the main
17 motion and of a higher precedence upon recognition may be substituted for the
18 motion under consideration. A substitute to the third degree shall not be in
19 order. Unless specified otherwise by the presenter of the motion at the time
20 the motion is made, a substitute motion shall apply to the main motion.

21
22 19) (House Rule 55 (a)) House Committee Staff will automatically and
23 without delay place ~~prepare a list of~~ all bills or resolutions referred to
24 the committees ~~and on the committee agendas~~. Staff will notify the sponsor
25 of bills or resolutions assigned to committee. Referred bills shall be
26 placed on the committee's active agenda in the order they are read across the
27 desk on the House Floor. A bill shall not be placed on a committee agenda
28 until the second calendar day following the initial filing of the bill. When
29 an active agenda is established in a committee and bills from that agenda are
30 not placed on the deferred list and if the bills are passed over, they are
31 placed at the bottom of the list of the day's active agenda.

32
33 20) After a bill or resolution has appeared on the committee agenda and has
34 been called up for consideration by the committee and the sponsor of the bill
35 or resolution or a representative is not present to present the bill or
36 resolution, the bill or resolution will be placed on the active agenda two

1 (2) additional times, but will be placed at the bottom of the active agenda.
2 ~~The chairperson of each committee will designate which bills or resolutions~~
3 ~~will appear on the agenda for each committee meeting. A bill shall not be~~
4 ~~placed on a committee agenda until the second calendar day following the~~
5 ~~initial filing of the bill.~~

6
7 21) The sponsor may request a bill or resolution be moved to a deferred list
8 of bills and resolutions. A bill or resolution passed over after appearing
9 on three (3) committee agendas shall be moved to the deferred list. Sponsor
10 requests to move bills or resolutions from the deferred list to the active
11 agenda must be made by 2:30 p.m. two (2) days prior to the scheduled
12 committee meeting. Bills or resolutions moved from the deferred list to the
13 active agenda shall be listed at the bottom of the active agenda. Bills or
14 resolutions on the deferred list may be moved to the active calendar as
15 provided by rule for a total of three (3) times only. A suspension of this
16 rule by the committee (two-thirds of a quorum) will be required for each
17 transfer of any bill or resolution having been moved three (3) times
18 previously.

19
20 22) Bills or resolutions suggested as non-controversial will be considered
21 before consideration of controversial bills or resolutions on the agenda.
22 ~~Bills and resolutions designated by sponsors as non-controversial shall~~
23 ~~appear on a consent agenda section of a committee's agenda. The objection of~~
24 one (1) committee member to the consideration of a bill or resolution as non-
25 controversial will automatically keep the bill or resolution from being
26 considered as being non-controversial shall result in the bill or resolution
27 being moved back to the referred items list. A committee by unanimous
28 consent a quorum being present, may designate as non-controversial any bill
29 or resolution receiving a "do pass" or "do pass as amended" recommendation.
30 Even though a bill or resolution has been considered as non-controversial, it
31 will be necessary after a "do pass" or "do pass as amended" recommendation
32 that a motion be made and there be unanimous consent of no less than a quorum
33 of the committee for a bill or resolution to be eligible to be placed on the
34 House non-controversial calendar.

35
36 23) If a bill or resolution is discussed by a committee at a meeting, but is

1 not voted on because of time limitations or because the vote is deferred to
2 the next meeting, the bill or resolution will not lose its order on the
3 agenda and will not be counted as having been considered.

4
5 24) The author/sponsor of a bill or resolution may make a presentation for
6 his or her bill or resolution and may elect at that time to respond to
7 questions from the committee members. Following the initial presentation,
8 non-legislative---non-committee members will be allowed to alternately speak
9 against and for the bill or resolution. A procedural motion made by a member
10 of the committee and adopted by the committee to limit or end debate will be
11 allowed to govern non-legislative--non-committee members' discussions. At the
12 conclusion of the non-legislative--non-committee member proponent and
13 opponent presentations, the sponsor may return to the podium and may elect to
14 field questions from the committee members. Those questions should be
15 limited to requests for clarification or the securing of information.
16 Questions that are rhetorically offered and are dilatory for the effect of
17 debate are discouraged. At this point, the chair will entertain motions from
18 committee members only. For disposition of a proposition in a House
19 Committee, procedural motions (limit debate, immediate consideration, etc.)
20 are allowed only following a main motion (do pass, do not pass, do pass as
21 amended, etc.). Discussion from that point forward is limited to committee
22 members for and against the motion, if debatable, in alternating fashion. If
23 immediate consideration is not adopted and if debate has not been limited and
24 time has not expired, the sponsor of the motion will be allowed to close for
25 his or her motion. During the closing, the sponsor of the motion may elect
26 to field questions from committee members. At the conclusion of these
27 presentations, a vote will be taken on the motion properly before the
28 committee.

29
30 25) As determined by the presider courtesy may be extended to General
31 Assembly members who are non-committee members who need to return to their
32 own committee meetings.

33
34 26) (House Rule 66) Eleven (11) members of a standing committee constitute
35 a committee quorum with the Speaker present if he or she is a member of the
36 committee and ten (10) members when the Speaker is not present. A committee

1 recommendation of a bill or resolution will require these same numbers.

2
3 27) Smoking is prohibited in the committee rooms and all adjoining rooms.

4
5 28) (House Rule 69(a)~~5~~(5)) A roll call vote will be required if requested
6 by any two (2) committee members, except for a quorum call which may be
7 requested by one (1) member. The request for a quorum call is always in
8 order.

9
10 29) When a roll call is required, the roll will be called by seniority with
11 the vice chairperson being called next to last and the chairperson last. For
12 a member's vote to be counted and recorded, he or she must vote "yes", "no"
13 or "present".

14
15 30) During a roll call vote, when a member's name has been called twice and
16 he or she does not respond, or when a member passes, they will not be allowed
17 to vote at a later time on the current issue before the committee.

18
19 31) No seconds are required during the legislative process except those that
20 are explicit in the rules, (roll call, previous question, sound the ballot,
21 etc.)

22
23 32) (House Rule 38~~(p)~~(r)) "Fiscal impact statement" means a realistic
24 statement of the estimated financial cost of implementing or complying with a
25 proposed law regarding:

26 (1) Municipalities;

27 (2) Counties;

28 (3) Education, as related to the State of Arkansas and local school
29 districts grades kindergarten through twelve (K-12);

30 (4) Corrections, if imposing new or additional costs and restrictions
31 on inmate population patterns or affecting programs or services of the
32 Department of Correction; ~~or~~

33 (5) Lottery, if amending Arkansas Code, Title 23, Chapter 115, or
34 imposing a new or increased cost to the ~~Arkansas Lottery Commission~~ Office of
35 the Arkansas Lottery or a lottery;

36 (6) Health benefit plans, if imposing a new or increased cost obligation for

1 health benefit plans, including pharmacy benefits, on an entity of the state;
2 or

3 (7) New or existing scholarships to be funded with net proceeds from the
4 state lottery or the Higher Education Grants Fund Account, as applicable .
5

6 33) (House Rule 38-~~(q)~~(s)) When any House or Senate bill or resolution
7 requiring an expenditure of public funds or otherwise imposing a new or
8 increased cost obligation is pending before any committee of the House of
9 Representatives, any member of the committee may request that a fiscal impact
10 statement for such bill or resolution be placed on the desk of each member of
11 the committee before the bill or resolution is called up for final action in
12 the committee. If such request is made, the chairperson of the committee
13 shall refer the bill or resolution to the appropriate state agency or to the
14 legislative staff for the preparation of a fiscal impact statement, to be
15 returned to the committee in writing not later than five (5) days from the
16 date of the request.
17

18 34) (House Rule 38-~~(s)~~(u)) Fiscal impact statements shall be made available
19 to House Committees:

20 (1) At least one (1) day before the bill may be called up for final
21 action in the House Committee during a regular legislative session or fiscal
22 session of the General Assembly; and

23 (2) At least one (1) day before the bill may be called up for final
24 action in the House Committee during a special session of the General
25 Assembly.

26 Fiscal impact statements shall be made available to the full House of
27 Representatives at least one (1) day before the bill may be called up for
28 third reading and final action in the House of Representatives.
29

30 35) (House Rule 38-~~(t)~~(v)) (1) Failure Except for bills imposing a new or
31 increased cost obligation for health benefit plans on an entity of the state
32 or bills regarding new or existing scholarships to be funded with net
33 proceeds from the state lottery or the Higher Education Grants Fund, failure
34 of the sponsor of a bill or resolution to provide the fiscal impact statement
35 required in this rule shall not prohibit the consideration of it in the
36 committee to which referred or on the floor of the House of Representatives,

1 if no objection to it is made at the time such action is taken.

2 (2) A bill filed in the House of Representatives that will impose a new
 3 or increased cost obligation for health benefit plans, including pharmacy
 4 benefits, on an entity of the state shall:

5 (A) Have a fiscal impact statement attached to the bill prepared
 6 and filed with the chair of the committee to which the bill is referred; and

7 (B) Not be taken up by the committee to which the bill is
 8 referred until a fiscal impact statement is provided to the chair of the
 9 committee.

10 (3)(A) Any bill filed with the House of Representatives that creates a
 11 new scholarship to be funded with net proceeds from the state lottery or the
 12 Higher Education Grants Fund Account, as applicable, or affects an existing
 13 scholarship that is funded with net proceeds from the state lottery or the
 14 Higher Education Grants Fund Account, as applicable, shall:

15 (i) Have a lottery fiscal impact statement
 16 attached to it that is in the form set forth in Arkansas Code § 6-85-502; and

17 (ii) Not be taken up by the House Committee on
 18 Education and the Senate Committee on Education meeting jointly, until a
 19 lottery fiscal impact statement is attached.

20
 21 TRACKING ITEM 24

22 1. "The next item on the Committee's agenda is HB/SB ____."

23 2. "Sen./Rep. ____, you are recognized to present HB/SB ____."

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

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

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

30 c. Declare disposition of amendment(s).

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

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

35 5. A procedural motion made by a member of the Committee and adopted by the
 36 Committee to limit or end debate will be allowed to govern non-legislative,

1 non-Committee members' (citizen) discussion.

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

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

5 Motions (after recognition and the motion by a committee member
6 only)

7 a. "Rep. _____, would you like to explain your motion?"

8 b. Recognize committee members for questions/discussion.

9 c. In discussion, alternate between those supporting and those
10 opposing the motion.

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

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

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

19 8. "The motion before the committee is _____. All of those in support
20 of the motion indicate so by saying 'aye'; those opposed, 'no'."

21 9. The motion passes/fails, and state the disposition of the bill.

22 10. Roll call. (If requested by two or more members) Ask the committee
23 staff person to call the roll, then state the disposition of the bill.

24

25

26

27

28

29

30

31

32

33

34

35

36