

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/14/17

A Bill

HOUSE BILL 1881

5 By: Representative Dotson
6

For An Act To Be Entitled

8 AN ACT CONCERNING A REQUIRED REPORT OF STATE AGENCY
9 RULES; CONCERNING THE ADMINISTRATIVE PROCEDURES ACT;
10 AND FOR OTHER PURPOSES.
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Subtitle

13 CONCERNING A REQUIRED REPORT OF STATE
14 AGENCY RULES; AND CONCERNING THE
15 ADMINISTRATIVE PROCEDURES ACT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code Title 25, Chapter 15, Subchapter 1, is*
22 *amended to add an additional section to read as follows:*

23 *25-15-106. Report of rules – Definitions.*

24 *(a) As used in this section:*

25 *(1)(A) “Agency” means a board, commission, department, office,*
26 *or other authority of the government of the State of Arkansas, whether within*
27 *or subject to review by another agency except the General Assembly, the*
28 *courts, and the Governor.*

29 *(B) “Agency” includes the Division of Child Care and Early*
30 *Childhood Education of the Department of Human Services and the Child Care*
31 *Appeal Review Panel for purposes of administrative appeal;*

32 *(2)(A) “Rule” means an agency statement of general applicability*
33 *and future effect that implements, interprets, or prescribes law or policy or*
34 *describes the organization, procedure, or practice of an agency, including*
35 *without limitation the amendment or repeal of a prior rule.*

36 *(B) “Rule” does not mean:*



1 (i) A statement that concerns the internal
2 management of an agency and that does not affect the private rights or
3 procedures available to the public;

4 (ii) A declaratory ruling issued under § 25-15-206;
5 or

6 (iii) Intra-agency memoranda.

7 (b)(1) By December 1, 2017, each agency shall file a rule report with
8 the Governor and the Legislative Council.

9 (2)(A) The rule report shall contain a list of all the rules in
10 effect promulgated by the agency.

11 (B) The list of rules shall include:

12 (i) The initial effective date of each rule;

13 (ii) The date that each rule was filed with the
14 Secretary of State;

15 (iii) The authority under which the rule was
16 promulgated; and

17 (iv) If the rule is required under state or federal
18 law, a statement regarding the requirement.

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20 /s/Dotson
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