

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

As Engrossed: H3/14/17

A Bill

HOUSE BILL 2128

5 By: Representative Lowery
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE APPROVAL
9 OF STATE AGENCY RULES; AMENDING THE DEFINITION OF
10 "STATE AGENCY" FOR THE PURPOSES OF RULE APPROVAL; AND
11 FOR OTHER PURPOSES.
12
13

Subtitle

14 TO AMEND ARKANSAS LAW CONCERNING THE
15 APPROVAL OF STATE AGENCY RULES.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 *SECTION 1. Arkansas Code § 10-3-309(b)(2), concerning the definition*
22 *of "state agency", is amended to read as follows:*

23 *(2)(A) "State agency" means an office, board, commission,*
24 *department, council, bureau, or other agency of state government having*
25 *authority to promulgate or enforce rules, including without limitation an*
26 *institution of higher education.*

27 *(B) "State agency" does not include the following unless*
28 *the Legislative Council adopts rules under subsection (h) of this section*
29 *that include one (1) or more of the following in the definition of "state*
30 *agency":*

31 *(i) The Arkansas State Game and Fish Commission, if*
32 *the rule is not promulgated under authority of a statute enacted by the*
33 *General Assembly; and*

34 *(ii) Except as provided in §§ 10-3-3102 and 27-65-*
35 *107(a)(18)(A), the State Highway Commission and the Arkansas State Highway*
36 *and Transportation Department, if the rule is not promulgated under authority*



1 *of a statute enacted by the General Assembly, and*
2 *~~(iii) An institution of higher education.~~*

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

/s/Lowery