

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: 5/29/15
A Bill

SENATE BILL 59

By: Senator J. Hutchinson

For An Act To Be Entitled

AN ACT TO REQUIRE THE ARKANSAS STATE CLAIMS
COMMISSION TO PROVIDE SPECIFIC FINDINGS OF FACT AND
CONCLUSIONS OF LAW TO SUPPORT A FINAL ADJUDICATION
FOR A CLAIM CONSIDERED BY THE COMMISSION; AND FOR
OTHER PURPOSES.

Subtitle

TO REQUIRE THE ARKANSAS STATE CLAIMS
COMMISSION TO PROVIDE SPECIFIC FINDINGS
OF FACT AND CONCLUSIONS OF LAW TO SUPPORT
A FINAL ADJUDICATION FOR A CLAIM
CONSIDERED BY THE COMMISSION.

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

SECTION 1. Arkansas Code Title 19, Chapter 10, Subchapter 2, is amended to add an additional section to read as follows:

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

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

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



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

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

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

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

/s/J. Hutchinson

APPROVED: 02/27/2015