

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1467

By: Representative Cozart

By: Senator Hester

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING APPEALS OF
DECISIONS OF THE ARKANSAS STATE CLAIMS COMMISSION;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING APPEALS
OF DECISIONS OF THE ARKANSAS STATE CLAIMS
COMMISSION.

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

SECTION 1. Arkansas Code § 19-10-211 is amended to read as follows:

19-10-211. Appeals of decisions – Jurisdiction – Time periods to file.

(a)(1) Within forty (40) days after the Arkansas State Claims Commission ~~issues~~ transmits a final order on a claim or action before the commission, a party to the claim or action may file with the commission a:

(A) Notice of appeal of the final order to the General Assembly; or

(B)(i) Motion requesting that the commission reconsider its final order.

(ii)(a) If a motion for reconsideration is denied, a party may file with the commission a notice of appeal of the claim to the General Assembly within twenty (20) days of ~~entry of~~ the commission's transmitting the order denying the motion for reconsideration.

(b) Subdivision (a)(1)(B)(ii)(a) of this section applies only if the commission's reconsideration constitutes a final



order.

(2) The commission shall advise parties of the right of appeal under this section when the commission notifies the parties of the commission's final order.

(3) The General Assembly has exclusive jurisdiction to hear appeals under this section.

(b)(1)(A) The commission shall timely notify the General Assembly and all parties to the claim or action when a notice of appeal to the General Assembly is filed with the commission within the number of days permitted to file a notice of appeal.

(B) If a notice of appeal is submitted outside the number of days permitted to file a notice of appeal, the commission shall not:

(i) Accept the notice of appeal for filing; or

(ii) Transmit the notice of appeal to the General Assembly for consideration.

(C) If an untimely notice of appeal is submitted under subdivision (b)(1)(B) of this section, the commission shall notify all parties to the claim or action that the notice of appeal:

(i) Was submitted outside the number of days permitted to file a notice of appeal; and

(ii) Will not be transmitted to the General Assembly for consideration.

(2)(A) Notice provided to the General Assembly under subdivision (b)(1) of this section terminates the commission's jurisdiction over the claim or action.

(B) Unless ordered to do so by the General Assembly, the commission is prohibited from doing anything further on the claim or action aside from ordinary ministerial duties.

(3) The commission shall regain jurisdiction over the claim or action if, in consideration of an appeal of a final order, the General Assembly sends the claim or action back to the commission:

(A) For further proceedings consistent with any order of the General Assembly; or

(B) To notify the claimant that the award has been upheld, reversed, or amended.

APPROVED: 3/30/23