

Stricken language would be deleted from and underlined language would be added to present law.
Act 219 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S1/21/25
A Bill

SENATE BILL 63

By: Senator Hickey
By: Representative Wardlaw

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING REPORTS BY
THE SECRETARIES OF CABINET-LEVEL DEPARTMENTS ON THE
STATE OF THEIR DEPARTMENTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING REPORTS
BY THE SECRETARIES OF CABINET-LEVEL
DEPARTMENTS ON THE STATE OF THEIR
DEPARTMENTS.

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

SECTION 1. Arkansas Code § 25-38-202(c), concerning the duties of the Secretary of the Department of Agriculture, is repealed.

~~(c)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 2. Arkansas Code § 25-43-303(h), concerning the duties of the Secretary of the Department of Commerce, is repealed.

~~(h)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the Department of Commerce.~~



~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 3. Arkansas Code § 25-43-403(d), concerning the duties of the Secretary of the Department of Corrections, is repealed.

~~(d)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 4. Arkansas Code § 25-43-503 is amended to read as follows:
25-43-503. Secretary of the Department of Education.

(a) The executive head of the Department of Education shall be the Secretary of the Department of Education.

(b) The secretary shall be appointed by the Governor, subject to confirmation by the Senate, and shall serve at the pleasure of the Governor.

(c) Each division of the department shall be under the direction, control, and supervision of the secretary.

(d)(1) The secretary may delegate his or her functions, powers, and duties to various divisions or employees of the department as he or she shall deem desirable and necessary for the effective and efficient operation of the department.

(2)(A) The secretary may appoint a designee to appear on behalf of the secretary at a meeting of a board or commission of which the secretary is a member in his or her official capacity as secretary.

(B) The designee of the secretary may vote on behalf of the secretary.

(e) The secretary may, unless otherwise provided by law:

- (1) Hire department personnel;
- (2) Perform or assign duties assigned to the department; and
- (3) Serve as the director, or the administrative or executive

head of any state entity under the administrative control of the department if the secretary also meets all statutory requirements for the position.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

~~(g)(f)~~ The appropriation for the salary of the secretary shall be the sole and exclusive authority for his or her salary.

~~(h)(g)~~ The secretary shall:

(1) Devote all of his or her working time exclusively to the performance of his or her duties as secretary;

(2) Not accept any additional salary from any other source, including without limitation a state, federal, or private entity or person, for the performance of his or her duties as secretary; and

(3) Not accept any salary, fees, or compensation from any other source, including without limitation a state, federal, or private entity or person, for any other employment of any kind outside the scope of his or her duties as secretary, including without limitation consulting work for any other public or private entity.

~~(i)(h)~~ This section does not prohibit the secretary from accepting or receiving expense reimbursements and employee benefits as provided under state law.

SECTION 5. Arkansas Code § 25-43-603(f), concerning the duties of the Secretary of the Department of Energy and Environment, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 6. Arkansas Code § 25-43-703(f), concerning the duties of the Secretary of the Department of Finance and Administration, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 7. Arkansas Code § 25-43-803(f), concerning the duties of the Secretary of the Department of Health, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 8. Arkansas Code § 25-43-903(f), concerning the duties of the Secretary of the Department of Human Services, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 9. Arkansas Code § 25-43-1003 is amended to read as follows:
25-43-1003. Secretary of Department of Inspector General.

(a) The executive head of the Department of Inspector General shall be the Secretary of the Department of Inspector General.

(b) The secretary shall be appointed by the Governor, subject to confirmation by the Senate, and shall serve at the pleasure of the Governor.

(c) Each division of the department shall be under the direction, control, and supervision of the secretary.

(d) The secretary may delegate his or her functions, powers, and duties to various divisions or employees of the department as he or she shall deem desirable and necessary for the effective and efficient operation of the department.

(e) The secretary may, unless otherwise provided by law:

- (1) Hire department personnel;
- (2) Perform or assign duties assigned to the department; and
- (3) Serve as the director or the administrative or executive head of any state entity under the administrative control of the department if the secretary also meets all statutory requirements for the position.

(f) The secretary has the authority to direct the department as necessary to conduct and supervise activities to prevent, detect, and investigate fraud and abuse.

~~(g)(1) By November 1 of each odd-numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

~~(h)(g)~~ The secretary shall appear at the request of the General Assembly or the Legislative Council to provide information concerning the Tax Appeals Commission or the Independent Tax Appeals Commission Act, § 26-18-1101 et seq.

SECTION 10. Arkansas Code § 25-43-1103(f), concerning the duties of the Secretary of the Department of Labor and Licensing, is repealed.

~~(f)(1) By November 1 of each odd-numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 11. Arkansas Code § 25-43-1203(g), concerning the duties of the Secretary of the Department of the Military, is repealed.

~~(g)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 12. Arkansas Code § 25-43-1303(f), concerning the duties of the Secretary of the Department of Parks, Heritage, and Tourism, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 13. Arkansas Code § 25-43-1403(f), concerning the duties of the Secretary of the Department of Public Safety, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 14. Arkansas Code § 25-43-1503(f), concerning the duties of the Secretary of the Department of *Transformation* and Shared Services, is repealed.

~~(f)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the~~

~~department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

SECTION 15. Arkansas Code § 25-43-1604(k), concerning the duties of the Secretary of the Department of Veteran Affairs, is repealed.

~~(k)(1) By November 1 of each odd numbered year, the secretary shall provide an oral report to the Legislative Council on the state of the department.~~

~~(2) The Legislative Council shall schedule an appropriate date and shall give notice thereof to the secretary of the date on which the secretary is to appear before the Legislative Council to make his or her report as required in this subsection.~~

/s/Hickey

APPROVED: 2/27/25