

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1859

By: Representative Leding

For An Act To Be Entitled

AN ACT TO ENCOURAGE THE EFFICIENT ADMINISTRATION OF
STATE AGENCIES; TO REQUIRE STATE AGENCIES TO REVIEW
OLD RULES; AND FOR OTHER PURPOSES.

Subtitle

TO ENCOURAGE THE EFFICIENT ADMINISTRATION
OF STATE AGENCIES; AND TO REQUIRE STATE
AGENCIES TO REVIEW OLD RULES.

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

SECTION 1. Arkansas Code Title 25, Chapter 15, Subchapter 2, is amended to add an additional section to read as follows:

25-15-220. Rules – Regular review.

(a)(1) An agency shall conduct a hearing to review each rule the agency has adopted once decennially after the adoption of the rule.

(2) The hearing shall:

(A) Be open to the public;

(B) Be held after publication of notice under § 25-15-219;

and

(C) Allow for public comment.

(b) The agency shall consider the following factors at the hearing:

(1) The state and federal laws relevant to the rule;

(2) The nature and degree of the problem that the agency addresses with the rule and whether the problem continues to exist;

(3) The cost of implementation of the rule and whether less expensive alternatives exist;



(4) Whether other existing rules address the same problem for the agency;

(5) Any benefit or detriment to the community and to private business caused by the rule;

(6) Other reasonable alternatives to the rule; and

(7) Any other factor relevant to whether the rule should remain active.

(c) After the public hearing the agency may repeal the rule, amend the rule, leave the rule unchanged, or adopt a new rule as provided in this chapter.