

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: H3/17/15  
**A Bill**

HOUSE BILL 1822

By: Representatives Bennett, M.J. Gray

### **For An Act To Be Entitled**

AN ACT REQUIRING THE PREPARATION OF A CONSTITUTIONAL  
ISSUE ASSESSMENT FOR CERTAIN BILLS FILED WITH THE  
SENATE AND HOUSE OF REPRESENTATIVES; AND FOR OTHER  
PURPOSES.

### **Subtitle**

REQUIRING THE PREPARATION OF A  
CONSTITUTIONAL ISSUE ASSESSMENT FOR  
CERTAIN BILLS FILED WITH THE SENATE AND  
HOUSE OF REPRESENTATIVES.

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

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

*10-2-133. Constitutional issue assessment.*

*(a) A constitutional issue assessment shall be prepared by the office of the Attorney General as provided in this section.*

*(b) The following may request the preparation of a constitutional issue assessment concerning a bill or proposed constitutional amendment filed with the General Assembly:*

*(1) The sponsor of the bill or proposed constitutional amendment; or*

*(2) A member of a committee to which a bill or proposed constitutional amendment is assigned.*

*(c) A constitutional issue assessment prepared by the office of the Attorney General shall contain without limitation:*



(1) An analysis of potential legal issues associated with the bill or proposed constitutional amendment under the Arkansas Constitution or United States Constitution; and

(2) An estimate of the cost to defend the bill or proposed constitutional amendment in the event of a legal challenge.

(d)(1) A constitutional issue assessment shall be prepared within five (5) days of the request and submitted to:

(A) The sponsor of the bill or proposed constitutional amendment, if requested by the sponsor of the bill or proposed constitutional amendment; or

(B) The chair of a committee to which the bill or proposed constitutional amendment is assigned, if requested by a member of a committee to which a bill or proposed constitutional amendment is assigned.

(2) If a member of a committee to which a bill or proposed constitutional amendment is assigned requests a constitutional issue assessment under this section, the committee shall not take action on the bill until the constitutional issue assessment is prepared and delivered to the chair of the committee.

(e) If a bill or proposed constitutional amendment for which a constitutional issue assessment is prepared is subsequently amended, a revised constitutional issue assessment shall be prepared for the bill or proposed constitutional amendment.

(f) If a situation arises necessitating the need for a bill or proposed constitutional amendment to be considered immediately, a request for a constitutional issue assessment under this section may be waived by a two-thirds majority vote of the committee to which the bill is assigned.

/s/Bennett