

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1467

5 By: Representative Cozart
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING APPEALS OF
10 DECISIONS OF THE ARKANSAS STATE CLAIMS COMMISSION;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND ARKANSAS LAW CONCERNING APPEALS
16 OF DECISIONS OF THE ARKANSAS STATE CLAIMS
17 COMMISSION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 19-10-211 is amended to read as follows:

23 19-10-211. Appeals of decisions – Jurisdiction – Time periods to file.

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

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

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

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

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



1 order.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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