

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1363

By: Representatives Gazaway, M. Shepherd

By: Senators C. Tucker, J. Bryant

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 25 OF
THE ARKANSAS CODE CONCERNING STATE GOVERNMENT; AND
FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE
25 OF THE ARKANSAS CODE CONCERNING STATE
GOVERNMENT.

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

SECTION 1. Arkansas Code § 25-1-101(b), concerning the emergency relocation of the seat of government, is amended to read as follows to repeal an incorrect reference:

(b) During such time as the seat of government remains at the emergency temporary location, all official acts required by law to be performed at the seat of government by any officer, agency, department, or authority of this state, including the convening and meeting of the General Assembly in regular session, or extraordinary session, ~~or emergency session,~~ ~~shall be~~ are as valid and binding when performed at the emergency temporary location as if performed at the normal location of the seat of government.

SECTION 2. Arkansas Code § 25-1-114(a), concerning incorporation of machine-readable privacy policies into state and local government websites, is amended to read as follows to repeal obsolete language:

(a) Each unit of state and local government and each state agency that operates or maintains a website shall incorporate a machine-readable privacy



policy into each of its websites ~~no later than July 1, 2004.~~

SECTION 3. Arkansas Code § 25-1-120(d)(2) and (3), concerning comprehensive cross-sector collaboration by state agencies, boards, and commissions concerning health disparities, are repealed because they are obsolete.

~~(2) The first planning meeting under this subsection shall be held no later than October 1, 2011.~~

~~(3) The first report under this subsection shall be submitted by October 1, 2012.~~

SECTION 4. Arkansas Code § 25-1-128(b)(2)(A), concerning policy regarding the use of technology resources and cybersecurity by public entities, is amended to read as follows to clarify the name of a state entity:

(2)(A) Develop a cybersecurity policy for all technology resources of the public entity based on the standards and guidelines set by the State ~~Cyber Security~~ Cybersecurity Office.

SECTION 5. The introductory language of Arkansas Code § 25-1-128(c)(2), concerning policy regarding the use of technology resources and cybersecurity by public entities, is amended to read as follows to clarify the name of a state entity:

(2) The Department of Education, in coordination with the State ~~Cyber Security~~ Cybersecurity Office, shall:

SECTION 6. Arkansas Code § 25-1-128(f), concerning policy regarding the use of technology resources and cybersecurity by public entities, is amended to read as follows to clarify the name of a state entity:

(f)(1) Each state entity shall submit a cybersecurity policy for the state entity for approval to the State ~~Cyber Security~~ Cybersecurity Office by October 1 of each even-numbered year.

(2) The State ~~Cyber Security~~ Cybersecurity Office shall establish a procedure to review and approve state entity cybersecurity policies.

(3) The Department of Education shall:

(A) Develop a cybersecurity policy that shall be used by each

type of state educational institution;

(B) Submit the policies developed under subdivision (f)(3)(A) of this section for approval to the State ~~Cyber Security~~ Cybersecurity Office by October 1 of each even-numbered year; and

(C) Coordinate with each state educational institution to implement the cybersecurity policy.

SECTION 7. Arkansas Code § 25-4-105(a)(1)(K), concerning the powers and duties of the Division of Information Systems, is amended to read as follows to clarify the name of a state entity:

(K) Providing a State ~~Cyber Security~~ Cybersecurity Office to monitor information resource security issues, coordinating all security measures that could be used to protect resources by more than one (1) governmental entity, and acting as an information technology resource to other state agencies;

SECTION 8. Arkansas Code § 25-10-104(a), concerning the Board of Developmental Disabilities Services, is amended to read as follows to repeal obsolete language:

(a) The Board of Developmental Disabilities Services and the institutional and supportive facilities of the human development centers located at ~~Alexander~~, Conway, Arkadelphia, Jonesboro, Booneville, and the Southeast Arkansas Human Development Center at Warren, and all improvements and additions to those institutional units made subsequent to February 4, 1971, shall be operated under the control of the board within the Department of Human Services.

SECTION 9. Arkansas Code § 25-10-111(a)(1), concerning the budgeting of the Department of Human Services, is amended to read as follows to clarify a reference and repeal obsolete language:

(a)(1) The Secretary of the Department of Human Services shall obtain from each division, office, section, or unit of the Department of Human Services, including the institutions and institutional boards ~~thereunder~~ under the department, all requests for ~~biennial~~ appropriations and all requests for special supplemental or construction appropriations.

SECTION 10. Arkansas Code § 25-16-611 is repealed because it is obsolete due to the referenced sales being under Acts 1844, § 5, p.30, and sales of state lands now being under the Commissioner of State Lands.

~~25-16-611. Quarterly report on notes and on moneys from sale of state lands.~~

~~The Treasurer of State shall report quarterly to the Governor the amount of notes on hand and by whom drawn and the amount of moneys received and on hand on account of the sale of state lands.~~

SECTION 11. Arkansas Code § 25-16-903(4), concerning stipends for members of certain state boards, is repealed because the referenced entity does not exist.

~~(4) Athletics and Activities Board;~~

SECTION 12. Arkansas Code § 25-16-903(24), concerning stipends for members of certain state boards, is repealed because the referenced entity was abolished.

~~(24) Arkansas State Board of Registration for Foresters [abolished];~~

SECTION 13. Arkansas Code § 25-16-903(48), concerning stipends for members of certain state boards, is repealed because the referenced entity was abolished.

~~(48) Veterinary Medical Examining Board [abolished];~~

SECTION 14. Arkansas Code § 25-16-903(49), concerning stipends for members of certain state boards, is repealed because the referenced entity was abolished.

~~(49) Commission on Water Well Construction [abolished];~~

SECTION 15. Arkansas Code § 25-16-904(8), concerning stipends for members of certain state boards, is repealed because the referenced entity does not exist.

~~(8) Arkansas Health Policy Council;~~

SECTION 16. Arkansas Code § 25-16-907 is amended to read as follows to

repeal obsolete language and make stylistic changes:

~~25-16-907. Effective date Sole authority for expense reimbursement, per diem, and stipends.~~

~~(a)(1) Except as provided in subsection (b) of this section, this subchapter becomes effective on a board by board basis on the date of the board's first regularly scheduled meeting in 1996, and, thereafter, this This subchapter shall be is the sole authority for expense reimbursement, per diem, and stipends for a state board.~~

~~(2) Except as provided in subsection (b) of this section, for boards which do not have regularly scheduled meetings, this subchapter becomes effective on a board by board basis on the date of the board's first meeting in 1996, and, thereafter, this subchapter shall be the sole authority for expense reimbursement, per diem, and stipends.~~

~~(b) Any state board may, by a majority vote of the total membership of the board cast during any meeting in 1995, exercise its powers under this subchapter for calendar year 1995, but, until a board acts or has the opportunity to act in 1996, the law existing on February 1, 1995, as to the board's expense reimbursement and per diem authorization shall apply.~~

SECTION 17. Arkansas Code § 25-16-908 is amended to read as follows to repeal obsolete language:

25-16-908. Distribution of copies.

~~As soon as possible after April 11, 1995, the The Department of Finance and Administration shall provide a copy of this subchapter to every state board ~~which~~ that is subject to the provisions hereof this subchapter.~~

SECTION 18. Arkansas Code § 25-18-223 is repealed because the section is obsolete.

~~25-18-223. Book report of Secretary of State.~~

~~(a)(1)(A) The Secretary of State shall compile, edit, and publish a bound book report of the Secretary of State for the period ending December 31, 2018.~~

~~(B) The book report shall pertain to substantially the same subject matter as the earlier biennial reports of the Secretary of State and other data, both historical and contemporary, that in the opinion of the Secretary of State would be of interest to all citizens of Arkansas.~~

~~(2) The book report shall be printed under the proper contract for state printing.~~

~~(b) The Secretary of State shall distribute the book reports in the following manner:~~

~~(1) One (1) copy to each city, county, regional, public school, parochial school, and institution of higher learning library in the State of Arkansas; and~~

~~(2) One (1) copy to elected officials upon written request received by the Secretary of State no later than March 31, 2019.~~

SECTION 19. Arkansas Code § 25-18-604(c), concerning retention requirements for public records, is amended to read as follows to repeal obsolete language:

(c) Each state agency shall comply with the rules and guidelines promulgated under this subchapter ~~by July 1, 2007.~~

SECTION 20. Arkansas Code § 25-19-103(5)(A), concerning definitions under the Freedom of Information Act of 1967, is amended to read as follows to add clarifying language:

(5)(A) "Municipally owned utility system" means a utility system owned or operated by a municipality that provides:

- (i) Electricity;
- (ii) Water;
- (iii) Wastewater service;
- (iv) Cable television; or
- (v) Broadband service.

SECTION 21. Arkansas Code § 25-19-106(d)(5), concerning open meetings under the Freedom of Information Act of 1967, is repealed because the subdivision is obsolete.

~~(5) Cities of the second class and incorporated towns are exempt from subdivisions (d)(1) and (2) of this section until July 1, 2020.~~

SECTION 22. Arkansas Code § 25-19-110(a), concerning exemptions under the Freedom of Information Act of 1967, is amended to read as follows to repeal obsolete language:

(a) ~~Beginning July 1, 2009, in~~ In order to be effective, a law that enacts a new exemption to the requirements of this chapter or that substantially amends an existing exemption to the requirements of this chapter shall state that the record or meeting is exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq.

SECTION 23. Arkansas Code § 25-19-111(e), concerning the Arkansas Freedom of Information Task Force, is repealed because the subsection is obsolete.

~~(e)(1) The initial members of the task force shall be appointed within thirty (30) days of August 1, 2017.~~

~~(2)(A) The President Pro Tempore of the Senate shall call the first meeting of the task force, which shall occur within sixty (60) days of August 1, 2017.~~

~~(B) The task force shall begin its review under subdivision (a)(2) of this section within thirty (30) days of the call of the first meeting.~~

SECTION 24. Arkansas Code § 25-26-304(11)(F), concerning areas of collaboration under the Arkansas Cyber Initiative, is amended to read as follows to clarify the name of a state entity:

(F) Fostering collaboration with the State ~~Cyber Security~~ Cybersecurity Office for the ongoing improvement of cybersecurity efforts across government entities.

SECTION 25. Arkansas Code § 25-28-108(a), concerning specifications for computer-assisted mass appraisal software, is amended to read as follows to repeal obsolete language:

(a) ~~By July 1, 2005, the~~ The Assessment Coordination Division shall adopt and implement by rules final specifications for computer-assisted mass appraisal software.

SECTION 26. Arkansas Code § 25-29-108 is amended to read as follows to repeal obsolete language, update language, and make stylistic changes:

25-29-108. Articles of incorporation.

~~Within thirty (30) days after the first meeting of the~~ The Board of

Directors of the Arkansas Deaf and Hard of Hearing Telecommunications Services Corporation, ~~it shall cause~~ keep articles of incorporation ~~be filed on file~~ with the Secretary of State.

SECTION 27. Arkansas Code § 25-34-105(b), concerning agency authority and accounting under the Arkansas Computer and Electronic Solid Waste Management Act, is repealed because the subsection is obsolete.

~~(b) Within sixty (60) days after August 13, 2001, each agency shall prepare a plan to account for the sale of used equipment and present that plan for review to the Department of Finance and Administration, the Executive Chief Information Officer, and the Legislative Council.~~

SECTION 28. Arkansas Code § 25-43-1402(a)(3), concerning state entities transferred to the Department of Public Safety, is amended to read as follows to add clarifying language:

(3) The former Arkansas Emergency Telephone Services Board, formerly created under § 12-10-318, now known as the "Arkansas 911 Board", created under § 12-10-305;

SECTION 29. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Fifth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Fifth General Assembly and this act:

(A) The act of the regular session of the Ninety-Fifth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Fifth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.