

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1363

5 By: Representatives Gazaway, M. Shepherd
6 By: Senators C. Tucker, J. Bryant
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 25 OF
10 THE ARKANSAS CODE CONCERNING STATE GOVERNMENT; AND
11 FOR OTHER PURPOSES.
12
13

Subtitle

14
15 TO MAKE TECHNICAL CORRECTIONS TO TITLE
16 25 OF THE ARKANSAS CODE CONCERNING STATE
17 GOVERNMENT.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

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

24 (b) During such time as the seat of government remains at the
25 emergency temporary location, all official acts required by law to be
26 performed at the seat of government by any officer, agency, department, or
27 authority of this state, including the convening and meeting of the General
28 Assembly in regular session, or extraordinary session, ~~or emergency session,~~
29 ~~shall be~~ are as valid and binding when performed at the emergency temporary
30 location as if performed at the normal location of the seat of government.
31

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

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



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

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5 commissions concerning health disparities, are repealed because they are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

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

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

11
12 SECTION 4. Arkansas Code § 25-1-128(b)(2)(A), concerning policy
13 regarding the use of technology resources and cybersecurity by public
14 entities, is amended to read as follows to clarify the name of a state
15 entity:

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

19
20 SECTION 5. The introductory language of Arkansas Code § 25-1-
21 128(c)(2), concerning policy regarding the use of technology resources and
22 cybersecurity by public entities, is amended to read as follows to clarify
23 the name of a state entity:

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

26
27 SECTION 6. Arkansas Code § 25-1-128(f), concerning policy regarding
28 the use of technology resources and cybersecurity by public entities, is
29 amended to read as follows to clarify the name of a state entity:

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

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

35 (3) The Department of Education shall:

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

1 type of state educational institution;

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

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

7

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

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

16

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

20 (a) The Board of Developmental Disabilities Services and the
21 institutional and supportive facilities of the human development centers
22 located at ~~Alexander~~, Conway, Arkadelphia, Jonesboro, Booneville, and the
23 Southeast Arkansas Human Development Center at Warren, and all improvements
24 and additions to those institutional units made subsequent to February 4,
25 1971, shall be operated under the control of the board within the Department
26 of Human Services.

27

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

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

36

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

4 ~~25-16-611. Quarterly report on notes and on moneys from sale of state~~
5 ~~lands.~~

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

9
10 SECTION 11. Arkansas Code § 25-16-903(4), concerning stipends for
11 members of certain state boards, is repealed because the referenced entity
12 does not exist.

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

14
15 SECTION 12. Arkansas Code § 25-16-903(24), concerning stipends for
16 members of certain state boards, is repealed because the referenced entity
17 was abolished.

18 ~~(24) Arkansas State Board of Registration for Foresters~~
19 ~~{abolished};~~

20
21 SECTION 13. Arkansas Code § 25-16-903(48), concerning stipends for
22 members of certain state boards, is repealed because the referenced entity
23 was abolished.

24 ~~(48) Veterinary Medical Examining Board {abolished};~~

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

29 ~~(49) Commission on Water Well Construction {abolished};~~

30
31 SECTION 15. Arkansas Code § 25-16-904(8), concerning stipends for
32 members of certain state boards, is repealed because the referenced entity
33 does not exist.

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

35
36 SECTION 16. Arkansas Code § 25-16-907 is amended to read as follows to

1 repeal obsolete language and make stylistic changes:

2 25-16-907. ~~Effective date~~ Sole authority for expense reimbursement, per
3 diem, and stipends.

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

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

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

19
20 SECTION 17. Arkansas Code § 25-16-908 is amended to read as follows to
21 repeal obsolete language:

22 25-16-908. Distribution of copies.

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

26
27 SECTION 18. Arkansas Code § 25-18-223 is repealed because the section
28 is obsolete.

29 ~~25-18-223. Book report of Secretary of State.~~

30 ~~(a)(1)(A) The Secretary of State shall compile, edit, and publish a~~
31 ~~bound book report of the Secretary of State for the period ending December~~
32 ~~31, 2018.~~

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

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

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

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

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

10
 11 SECTION 19. Arkansas Code § 25-18-604(c), concerning retention
 12 requirements for public records, is amended to read as follows to repeal
 13 obsolete language:

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

16
 17 SECTION 20. Arkansas Code § 25-19-103(5)(A), concerning definitions
 18 under the Freedom of Information Act of 1967, is amended to read as follows
 19 to add clarifying language:

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

- 22 (i) Electricity;
- 23 (ii) Water;
- 24 (iii) Wastewater service;
- 25 (iv) Cable television; or
- 26 (v) Broadband service.

27
 28 SECTION 21. Arkansas Code § 25-19-106(d)(5), concerning open meetings
 29 under the Freedom of Information Act of 1967, is repealed because the
 30 subdivision is obsolete.

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

33
 34 SECTION 22. Arkansas Code § 25-19-110(a), concerning exemptions under
 35 the Freedom of Information Act of 1967, is amended to read as follows to
 36 repeal obsolete language:

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

6
7 SECTION 23. Arkansas Code § 25-19-111(e), concerning the Arkansas
8 Freedom of Information Task Force, is repealed because the subsection is
9 obsolete.

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

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

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

18
19 SECTION 24. Arkansas Code § 25-26-304(11)(F), concerning areas of
20 collaboration under the Arkansas Cyber Initiative, is amended to read as
21 follows to clarify the name of a state entity:

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

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

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

32
33 SECTION 26. Arkansas Code § 25-29-108 is amended to read as follows to
34 repeal obsolete language, update language, and make stylistic changes:

35 25-29-108. Articles of incorporation.

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

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

4
 5 SECTION 27. Arkansas Code § 25-34-105(b), concerning agency authority
 6 and accounting under the Arkansas Computer and Electronic Solid Waste
 7 Management Act, is repealed because the subsection is obsolete.

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

12
 13 SECTION 28. Arkansas Code § 25-43-1402(a)(3), concerning state
 14 entities transferred to the Department of Public Safety, is amended to read
 15 as follows to add clarifying language:

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

19
 20 SECTION 29. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

21 It is the intent of the General Assembly that:

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

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

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

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

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

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

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