

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

As Engrossed: H3/5/25

A Bill

HOUSE BILL 1461

5 By: Representative L. Johnson
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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE EVALUATION OF
10 NECESSITY OF VARIOUS COMMISSIONS AND BOARDS; AND FOR
11 OTHER PURPOSES.
12
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Subtitle

15 TO AMEND THE LAW CONCERNING THE
16 EVALUATION OF NECESSITY OF VARIOUS
17 COMMISSIONS AND BOARDS.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 25-1-106 is amended to read as follows:

22 25-1-106. Evaluation of necessity of various commissions and boards –
23 Definitions.

24 (a) For purposes of this section:

25 (1) “Constitutional board or commission” means the Arkansas
26 State Game and Fish Commission, the State Highway Commission, and all boards
27 or commissions charged with the management or control of all charitable,
28 penal or correctional institutions, or institutions of higher learning under
29 Arkansas Constitution, Amendment 33; and

30 (2) “State board or commission” means every state board,
31 commission, committee, *council*, *advisory council*, task force, and similar
32 entity created by the General Assembly except:

33 (A) A constitutional board or commission; and

34 (B) An entity of the General Assembly.

35 (b) A state board or commission that has not convened a meeting or has
36 convened without a quorum for two (2) consecutive regularly scheduled meeting



1 dates within the preceding two-year period shall vote to elect a new chair
2 and vice chair.

3 (c)(1) A state board or commission that has no powers or duties
4 prescribed by law and that has not convened a meeting or not convened a
5 meeting with a quorum within the preceding two-year period shall be
6 abolished.

7 (2) Upon abolition of a state board or commission or an advisory
8 council under subdivision (c)(1) of this section, the controlling agency or
9 department of the board, commission, or advisory council shall report the
10 abolition to the Legislative Council before the next meeting of the
11 Legislative Council.

12 ~~(c)(1) If a state board or commission has not convened a regularly~~
13 ~~scheduled meeting or has convened without a quorum for four (4) consecutive~~
14 ~~regularly scheduled meeting dates within the preceding two-year period, the~~
15 ~~Joint Performance Review Committee shall reevaluate the purpose, need, and~~
16 ~~effectiveness of the state board or commission.~~

17 ~~(2) The Joint Performance Review Committee shall report its~~
18 ~~findings and any recommendations concerning the existence of the state board~~
19 ~~or commission to the Legislative Council no later than December 1 of each~~
20 ~~even-numbered year and shall draft legislation to implement the~~
21 ~~recommendations.~~

22 (d)(1) No later than August 1 of each even-numbered year, each state
23 board and commission shall provide the Joint Performance Review Committee
24 with a report of the regularly scheduled meeting dates for the state board or
25 commission for the previous two (2) fiscal years, including the attendance
26 record of each member and the number of meetings that were convened.

27 (2)(A) If a state board or commission, other than a
28 constitutional board or commission, has not submitted the report required in
29 subdivision (d)(1) of this section to the Joint Performance Review Committee
30 by August 1 of each even-numbered year, the authority of the state board or
31 commission ~~may~~ shall be suspended on August 1 of the even-numbered year by
32 the Joint Performance Review Committee at the next Joint Performance Review
33 Committee meeting, and the state board or commission ~~may~~ shall not take any
34 action, including the expenditure of funds, until the report required in
35 subdivision (d)(1) of this section is provided to the Joint Performance
36 Review Committee.

1 (B) The authority of a state board or commission that is
 2 suspended under subdivision (d)(2)(A) of this section shall be restored when
 3 the report required under subdivision (d)(1) is provided to the Joint
 4 Performance Review Committee.

5 (3)(A) If a state board or commission, other than a
 6 constitutional board or commission, ~~has not submitted the report required in~~
 7 ~~subdivision (d)(1) of this section to the Joint Performance Review Committee~~
 8 ~~by December 1 of the even-numbered year, has not convened a regularly~~
 9 ~~scheduled meeting or has convened without a quorum for four (4) consecutive~~
 10 ~~regularly scheduled meeting dates within the preceding two-year period, the~~
 11 Joint Performance Review Committee ~~may~~ shall direct the Bureau of Legislative
 12 Research to draft legislation that:

13 ~~(A)(i)~~ Abolishes the state board or commission upon sine
 14 die adjournment of the next regular session of the General Assembly;

15 ~~(B)(ii)~~ Allows the reversion of all authority of the state
 16 board or commission to the General Assembly or to the General Assembly's
 17 designee; and

18 ~~(C)(iii)~~ Requires all funds, income, and revenue to revert
 19 to the General Revenue Fund Account or other fund or account as provided by
 20 the General Assembly.

21 (B) The legislation prepared by the Joint Performance
 22 Review Committee under subdivision (d)(3)(A) of this section shall be
 23 submitted to the Governor on or before November 1 of each even-numbered year.

24 (4) This section does not prohibit the General Assembly from:

25 (A) Abolishing a state board or commission, other than a
 26 constitutional board or commission, that has submitted a report; or

27 (B) Considering any other legislation relative to a state
 28 agency subject to this chapter.

29 (5) Except as otherwise provided, abolition of a state board or
 30 commission does not affect rights and duties that mature, penalties that were
 31 incurred, civil or criminal liabilities that arose, or proceedings that were
 32 begun before the effective date of the abolition of the state board or
 33 commission.

34 (e)(1) If a constitutional board or commission has not convened a
 35 regularly scheduled meeting or has convened without a quorum for four (4)
 36 consecutive, regularly scheduled meeting dates within the preceding two-year

1 period, the Joint Performance Review Committee shall reevaluate the purpose,
2 need, and effectiveness of the constitutional board or commission.

3
4 (2) The Joint Performance Review Committee shall report its findings and any
5 recommendations concerning the constitutional board or commission to the
6 Legislative Council no later than December 1 of each even-numbered year and
7 may draft legislation to implement the recommendations.

8 (3) The Joint Performance Review Committee shall submit all
9 reports received by a state board or commission under subdivision (d)(1) of
10 this section to the Legislative Council on or before December 1 of each year.

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12 /s/L. Johnson
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