

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
John Thurston  
500 Woodlane Street, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

**QUESTIONNAIRE FOR FILING PROPOSED RULES WITH  
THE ARKANSAS LEGISLATIVE COUNCIL**

**DEPARTMENT** Department of Public Safety - Arkansas State Police Division  
**BOARD/COMMISSION** \_\_\_\_\_  
**BOARD/COMMISSION DIRECTOR** \_\_\_\_\_  
**CONTACT PERSON** Tess Bradford and Joan Shipley  
**ADDRESS** 1 State Police Plaza Drive  
**PHONE NO.** (501) 618-8583 **EMAIL** tess.bradford@asp.arkansas.gov  
**NAME OF PRESENTER(S) AT SUBCOMMITTEE MEETING**  
Tess Bradford and Joan Shipley  
**PRESENTER EMAIL(S)** tess.bradford@asp.arkansas.gov

**INSTRUCTIONS**

In order to file a proposed rule for legislative review and approval, please submit this Legislative Questionnaire and Financial Impact Statement, and attach (1) a summary of the rule, describing what the rule does, the rule changes being proposed, and the reason for those changes; (2) both a markup and clean copy of the rule; and (3) all documents required by the Questionnaire.

If the rule is being filed for permanent promulgation, please email these items to the attention of Rebecca Miller-Rice, [miller-ricer@blr.arkansas.gov](mailto:miller-ricer@blr.arkansas.gov), for submission to the Administrative Rules Subcommittee.

If the rule is being filed for emergency promulgation, please email these items to the attention of Director Marty Garrity, [garritym@blr.arkansas.gov](mailto:garritym@blr.arkansas.gov), for submission to the Executive Subcommittee.

Please answer each question completely using layman terms.

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1. What is the official title of this rule?  
Rino's Law
2. What is the subject of the proposed rule? Required new rules for new legislation from the 2023 legislative
3. Is this rule being filed under the emergency provisions of the Arkansas Administrative Procedure Act? Yes ☐ No ☒

*If yes, please attach the statement required by Ark. Code Ann. § 25-15-204(c)(1).*

If yes, will this emergency rule be promulgated under the permanent provisions of the Arkansas Administrative Procedure Act? Yes ☐ No ☒

4. Is this rule being filed for permanent promulgation? Yes ☒ No ☐

If yes, was this rule previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act? Yes ☐ No ☒

If yes, what was the effective date of the emergency rule? \_\_\_\_\_

On what date does the emergency rule expire? \_\_\_\_\_

5. Is this rule required to comply with a *federal* statute, rule, or regulation? Yes ☐ No ☒

If yes, please provide the federal statute, rule, and/or regulation citation.

6. Is this rule required to comply with a *state* statute or rule? Yes ☒ No ☐

If yes, please provide the state statute and/or rule citation.

Arkansas Code Annotated § 12-8-127

7. Are two (2) rules being repealed in accord with Executive Order 23-02? Yes ☐ No ☒

If yes, please list the rules being repealed.

If no, please explain.

No rules are being repealed in accord with Executive Order 23-02.

8. Is this a new rule? Yes ☒ No ☐

Does this repeal an existing rule? Yes ☐ No ☒

If yes, the proposed repeal should be designated by strikethrough. If it is being replaced with a new rule, please attach both the proposed rule to be repealed and the replacement rule.

Is this an amendment to an existing rule? Yes ☐ No ☒

If yes, all changes should be indicated by strikethrough and underline. In addition, please be sure to label the markup copy clearly as the markup.

9. What is the state law that grants the agency its rulemaking authority for the proposed rule, outside of the Arkansas Administrative Procedure Act? Please provide the specific Arkansas Code citation(s), including subsection(s).

N/A

10. Is the proposed rule the result of any recent legislation by the Arkansas General Assembly?  
Yes ☒ No ☐

If yes, please provide the year of the act(s) and act number(s).

House Bill 1319, 94th General Assembly, Regular Session, 2023, by Representative M. Berry and by Representative B. Johnson

11. What is the reason for this proposed rule? Why is it necessary?

To provide payment of up to \$2,500.00 per year for the costs of food, flea and tick infestation prevention, and veterinarian bills for retired canines adopted by an ASP canine handler.

12. Please provide the web address by which the proposed rule can be accessed by the public as provided in Ark. Code Ann. § 25-19-108(b)(1).

<https://dps.arkansas.gov/law-enforcement/Arkansas-state-police>

13. Will a public hearing be held on this proposed rule? Yes ☐ No ☒

If yes, please complete the following:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: Unknown

*Please be sure to advise Bureau Staff if this information changes for any reason.*

14. On what date does the public comment period expire for the permanent promulgation of the rule? Please provide the specific date. 11/14/2023

15. What is the proposed effective date for this rule? January 1, 2024

16. Please attach (1) a copy of the notice required under Ark. Code Ann. § 25-15-204(a)(1) and (2) proof of the publication of that notice.

17. Please attach proof of filing the rule with the Secretary of State, as required by Ark. Code Ann. § 25-15-204(e)(1)(A).

18. Please give the names of persons, groups, or organizations that you anticipate will comment on these rules. Please also provide their position (for or against), if known.

19. Is the rule expected to be controversial? Yes ☐ No ☒

If yes, please explain.

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY.**

**DEPARTMENT** Arkansas Department of Public Safety - Arkansas State Police Division

**BOARD/COMMISSION** \_\_\_\_\_

**PERSON COMPLETING THIS STATEMENT** Tess Bradford

**TELEPHONE NO.** (501) 618-8583 **EMAIL** tess.bradford@asp.arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

**TITLE OF THIS RULE** Rino's Law

1. Does this proposed, amended, or repealed rule have a financial impact?  
Yes ☒ No ☐
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:

(a) What is the cost to implement the federal rule or regulation? N/A

**Current Fiscal Year**

General Revenue N/A  
 Federal Funds N/A  
 Cash Funds N/A  
 Special Revenue N/A  
 Other (Identify) N/A  
 Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue N/A  
 Federal Funds N/A  
 Cash Funds N/A  
 Special Revenue N/A  
 Other (Identify) N/A  
 Total \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue N/A  
 Federal Funds N/A  
 Cash Funds N/A  
 Special Revenue N/A  
 Other (Identify) N/A  
 Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue N/A  
 Federal Funds N/A  
 Cash Funds N/A  
 Special Revenue N/A  
 Other (Identify) N/A  
 Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

**Current Fiscal Year**

\$ 0.00

**Next Fiscal Year**

\$ 0.00

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ 2,500.00

**Next Fiscal Year**

\$ 5,000.00

We estimate at this time that one K-9 may be retiring this year, and estimate that two K-9s may be retiring next year.

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.



## **RINO’S LAW**

**Authority** - These rules are promulgated pursuant to Arkansas Code Ann. § 12-8-127, establishing the administration and disbursement of moneys for food and medical care to a canines retired from the Division of Arkansas State Police; and to create Rino’s Law.

**Rule 1. Title** – These Rules shall be known as “Rino’s Law”.

**Rule 2. Administrative Procedures** – The Secretary of the Arkansas Department of Public Safety or their designee shall administer Rino’s Law. The reimbursement should be provided to the eligible law enforcement officers or their family within 10 days of receipt of the request and required documentation by the Secretary of Public Safety.

**Rule 3. Scope** – These Rules shall govern the Secretary of the Department of Public Safety or their designee in administering Rino’s Law to provide up to \$2,500.00 per year in reimbursements for the costs of food, flea and tick infestation prevention, and veterinarian bills to a canine retired from the Division of Arkansas State Police.

**Rule 4. Objective** – to alleviate financial hardships suffered by a Division canine handler and/or his or her family member for the costs of food, flea and tick infestation prevention, and veterinarian bills for a canine that is retired from the Division of Arkansas State Police and adopted by the either the Division canine handler, or his or her family member.

### **Rule 5. Effective Date**

These Rules shall be effective on and after January 1, 2023.

### **Rule 6. Definitions**

- a. “Certified” – a law enforcement officer in the State of Arkansas who is recognized by the Arkansas Commission of Law Enforcement Standards and Training as meeting standards required by the Commission.
- b. “Division canine handler” – a full or part-time certified law enforcement officer who is employed by the Division of Arkansas State Police and works as a canine handler. This

definition also includes retired certified law enforcement officers who were employed by the Division of Arkansas State Police and worked as a canine handler.

- c. “Expenses” – out-of-pocket costs incurred in connection with the purchase of food, flea and tick prevention, and veterinarian bills for a retired canine over the course of one (1) fiscal year.
- d. “Family member” - A Division canine handler’s spouse, parent, or guardian of a child-in-common, or minor child(ren) who has either adopted or otherwise owns the retired canine.
- e. “Fiscal year” – the 12-month period that begins on July 1<sup>st</sup> of every year and ends on June 30 of the following year.
- f. “Medical care” – all emergency and non-emergency medical care rendered by a veterinarian of the canine handlers choosing.
- g. “Retired canine” – a canine that is both retired from the Division of the Arkansas State Police and adopted by a Division canine handler, or a family member of the Division canine handler.
- h. “Terminal illness” – a disease or condition that cannot be cured and is likely to lead to a person’s death and prevents or significantly impairs the person’s ability to work as a law enforcement officer or to otherwise earn comparable wages in another line of work.
- i. “TR-1 form” – Department of Public Safety Travel Authorization form, otherwise known as DPS 203-1.
- j. “Veterinarian” – medical professional who is qualified to treat animals and practices veterinary medicine.

**Rule 7. Eligibility Criteria** – In order to be eligible for relief under Rino’s Law, an individual must be either:

- a. A Division canine handler and submit a signed TR-1 form as detailed in Rule 8.
- b. Be a family member of a Division canine handler and submit a signed TR-1 form as detailed in Rule 8, and a W-9 form as detailed in Rule 9.

**Rule 8. Application for Relief** – On an application for reimbursement under this section by either a Division canine handler or a family member, the Secretary of the Department of Public Safety or their designee shall require the following:

- a. A signed TR-1 form that has logged all expenses to be reimbursed. Specifically, the expenses shall be logged under the “Incidentals” column.
- b. The TR-1 form shall include all supporting documents and required receipts for expenses incurred in connection to the purchase of food, flea and tick infestation prevention, and veterinarian bills on behalf of the canine.
- c. Whenever feasible, supporting documents and required receipts should reference the name of both the Division canine handler, the family member of a Division canine handler who has either adopted or otherwise owns the canine, and/or the retired canine’s name.
- d. Any other information or records the Secretary determines might be necessary to establish the need of the officer or their family for a grant to be issued under this program.
- e. The TR-1 form must be submitted 30 days before the end of the fiscal year.

**Rule 9. Family members eligible for relief** – Upon the Division canine handler’s death or diagnosis of a terminal illness, his or her family members may apply to adopt the retired canine and apply for relief under Rino’s Law. The family member who has either adopted or otherwise owns the canine is required to submit a completed W-9 form to the Arkansas Department of Public Safety, in addition to the TR-1 form as detailed in Rule 8.

**Rule 10. Reimbursement Limits** – Each family of a Division canine handler or Division canine handler who is determined to be eligible to receive reimbursement under Rino’s Law may receive payment of up to two thousand five hundred dollars (\$2,500.00) per year for the costs of food, flea and tick infestation prevention, and veterinarian bills. Those eligible to receive reimbursement may submit multiple requests for reimbursement throughout the year, but no later than 30 days before the end of the fiscal year, up to \$2,500.00 or may elect to submit one request for reimbursement 30 days before the end of the fiscal year for bills that total \$2,500.00 combined.

**Rule 11. Reimbursement Denials** – The Secretary of the Department of Public Safety or their designee shall have the ability to deny a request for reimbursement in whole or in part made under this section. The denial shall be in writing and state the reasons why the request was denied.

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**Rule 11. Reimbursement Denials** – The Secretary of the Department of Public Safety or their designee shall have the ability to deny a request for reimbursement in whole or in part made under this section. The denial shall be in writing and state the reasons why the request was denied.

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

# A Bill

HOUSE BILL 1319

4  
5 By: Representative M. Berry  
6 By: Senator B. Johnson  
7

## For An Act To Be Entitled

8  
9 AN ACT TO PROVIDE FOOD AND MEDICAL CARE TO A CANINE  
10 RETIRED FROM THE DIVISION OF ARKANSAS STATE POLICE IN  
11 CERTAIN CIRCUMSTANCES; TO CREATE RINO'S LAW; AND FOR  
12 OTHER PURPOSES.  
13  
14

## Subtitle

15  
16 TO PROVIDE FOOD AND MEDICAL CARE TO A  
17 CANINE RETIRED FROM THE DIVISION OF  
18 ARKANSAS STATE POLICE IN CERTAIN  
19 CIRCUMSTANCES; AND TO CREATE RINO'S LAW.  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as  
25 Rino's Law.  
26

27 SECTION 2. Arkansas Code Title 12, Chapter 8, Subchapter 1, is amended  
28 to add an additional section to read as follows:

29 12-8-127. Food and medical care for retired canine.

30 (a) The Department of Public Safety shall provide payment of up to two  
31 thousand five hundred dollars (\$2,500) per year for the costs of food, flea  
32 and tick infestation prevention, and veterinarian bills for a canine that is:

33 (1) Retired from the Division of Arkansas State Police; and

34 (2) Adopted by a division canine handler.

35 (b) The department shall promulgate rules for the implementation of  
36 this section.



## NOTICE OF RULEMAKING AND PUBLIC HEARING

Pursuant to Arkansas Code Annotated §25-15-201 et seq., notice is hereby given that the Arkansas Department of Public Safety is enacting a new rule to address legislation establishing Rino's Law that was passed during the 2023 legislative session. The proposed rules can be obtained through our website at [https://bit.ly/ASP\\_Proposed\\_Rules](https://bit.ly/ASP_Proposed_Rules). Written comments from the public will be accepted from October 15, 2023 to November 14, 2023, and should be mailed to the Arkansas Department of Public Safety, #1 State Police Plaza Drive, Att: Tess Bradford, Little Rock, Arkansas 72209.





**Mike A. Hagar**  
Secretary

State of Arkansas  
Governor Sarah Huckabee Sanders



**Mike A. Hagar**  
Director

# ARKANSAS STATE POLICE

1 State Police Plaza Drive Little Rock, Arkansas 72209-4822 [www.asp.arkansas.gov](http://www.asp.arkansas.gov)

*"SERVING WITH PRIDE AND DISTINCTION SINCE 1935"*

ARKANSAS  
STATE POLICE  
COMMISSION

October 13, 2023

**Statement for reason and summary of proposed rule – Rino's Law**

Good afternoon,

The proposed rules are required new rules for new legislation from the 2023 legislative session. The purpose is to provide payment of up to \$2,500.00 per year for the costs of food, flea and tick infestation prevention, and veterinarian bills for retired canines adopted by an ASP canine handler.

Sincerely,

Tess Bradford, Attorney  
Arkansas Department of Public Safety  
Arkansas State Police  
1 State Police Plaza Drive  
Little Rock, Arkansas 72209

Steve Edwards  
Chairman  
*Marianna*

Jeff Teague  
Vice-Chairman  
*El Dorado*

John Allison  
Secretary  
*Conway*

Jim Hinkle  
*Conway*

Ken Reeves  
*Harrison*

Neff Basore  
*Bella Vista*

Mike Akin  
*Monticello*