

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT
PROCLAMATION

TO ALL TO WHOM THESE PRESENTS COME – GREETINGS: EO 20-05

EXECUTIVE ORDER TO AMEND EXECUTIVE ORDER 20-03 REGARDING THE PUBLIC HEALTH EMERGENCY CONCERNING COVID-19 FOR THE PURPOSE OF ENCOURAGING TREATMENT AND COMMUNICATION BY TECHNOLOGY.

WHEREAS: An outbreak of coronavirus disease 2019 (COVID-19) has spread throughout China and to 59 other countries and territories, including the United States; and

WHEREAS: COVID-19 has been detected within the State of Arkansas and adjoining states, threatening the public safety of the citizens of Arkansas; and

WHEREAS: Great hardship has been brought to bear upon the citizens this state as a result of the spread of COVID-19; and

WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was declared in the state as a result of COVID-19, and that emergency is on-going; and

WHEREAS: Citizens of the state have been advised to take precautions to prevent the spread of COVID-19, including the advisement to minimize person to person contact, avoid large gatherings, and to stay home if they feel ill; and

WHEREAS: Citizens heeding this advice need access to the care of physicians and other mental health professionals;

NOW, THEREFORE, I, Asa Hutchinson, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101, *et seq.*, do hereby amend Executive Order 20-03 declaring an emergency in the State of Arkansas, and order the following for the duration of this emergency:

- (1) To fully leverage telehealth in Arkansas and mitigate the spread of COVID-19, I am suspending the provisions the Telemedicine Act at Ark. Code Ann. §17-80-401, *et seq.*, requiring an in-person encounter, or a face to face examination using real time audio and visual means to establish a professional relationship. Physicians licensed in Arkansas who have access to a patient's personal health record maintained by a physician may establish a professional relationship with a patient using any technology deemed appropriate by the provider, including the telephone, with a citizen located in Arkansas to diagnose, treat and if clinically appropriate, prescribe a non-controlled drug to that patient;
- (2) I am suspending the Rules and Regulations of the Arkansas Board of Examiners in Counseling regarding the requirement for a Technology-assisted Distance Counseling or Marriage Family Therapy specialization license, so that Licensed Associate Counselors, Licensed Professional Counselors, Licensed Associate Marriage and Family Therapists, and Licensed Marriage and Family Therapists, in good standing with the Arkansas Board of Examiners in Counseling, may provide reasonable mental health

treatment, using any technology deemed appropriate by the provider, including the telephone, to a citizen located in Arkansas.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 13th day of March, in the year of our Lord 2020.


Asa Hutchinson, Governor



Attest: 
John Thurston, Secretary of State

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT
PROCLAMATION

TO ALL TO WHOM THESE PRESENTS COME – GREETINGS: EO 20 – 14

EXECUTIVE ORDER TO AMEND EXECUTIVE ORDER 20-03 FOR THE PURPOSE OF SUSPENDING PROVISIONS REQUIRING IN-PERSON WITNESSING AND NOTARIZATION OF LEGAL DOCUMENTS IN THE STATE OF ARKANSAS

- WHEREAS: An outbreak of coronavirus disease 2019 (COVID-19) has spread throughout China and to 59 other countries and territories, including the United States; and
- WHEREAS: COVID-19 has been detected within the State of Arkansas and adjoining states, threatening the public safety of the citizens of Arkansas; and
- WHEREAS: Great hardship has been brought to bear upon the citizens this state as a result of the spread of COVID-19; and
- WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was declared in the state as a result of COVID-19, and that emergency is on-going; and
- WHEREAS: On March 13, 2020, I ordered the suspension of provisions requiring in-person encounters and face-to-face examinations using real-time audio and visual means to establish professional relationships in healthcare in the state; and
- WHEREAS: Arkansas law currently requires a last will and testament to be witnessed by two (2) or more persons who are in the presence of the testator; and
- WHEREAS: Arkansas law currently requires notaries public to witness the signing of legal documents in person or otherwise recognize the signature of the signer by virtue of familiarity with the signature; and
- WHEREAS: Policies in place at skilled nursing facilities, assisted living facilities and other residential facilities are now preventing witnesses and notaries public from meeting in person with elderly and disabled residents; and
- WHEREAS: The elderly and disabled populations of the state are among the most vulnerable to serious risk of harm to their health and finances because of COVID-19. These vulnerable populations are being deprived of the ability to obtain services and complete essential legal documents necessary to protect themselves, their property, and their loved ones; and
- WHEREAS: The requirement of in-person witnessing was established for the protection of Arkansas residents, but it now may prevent our most vulnerable populations from receiving legal services in a time of great need; and
- WHEREAS: The State of Arkansas has seen fit to provide electronic notary services to the citizens of the State pursuant to Arkansas Code Annotated § 21-14-301, *et seq.*; and
- WHEREAS: Videoconferencing technology and electronic signature technology have improved significantly, diminishing the risks of remote witnessing; and

WHEREAS: I have determined that the witnessing of legal documents via real-time audio and visual means is necessary and expedient to meet the state emergency, so long as each person participating in the signing is physically located in the State of Arkansas at the time of signing; and

WHEREAS: State resources are continuously being deployed to render maximum aid and assistance during this emergency; and

NOW, THEREFORE, I, Asa Hutchinson, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101, *et seq.*, do hereby amend Executive Order 20-12 regarding notarial services in the State of Arkansas during the duration of this epidemic, and order the suspension of provisions of Arkansas Code regarding Notaries Public for the duration of this emergency in the following manner:

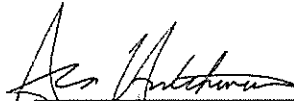
- (1) Suspend provisions of Ark. Code Ann. § 21-14-107(f)(2) that deem notarial certificates to be incomplete to allow an official signature or seal of a notarial certificate or seal to be executed at a time when the principal or signer is not present in person but is otherwise present remotely, as well as allow a signed or sealed notarial certificate to be executed with the understanding that the notarial certificate will be completed or attached to a document outside of the physical presence of the notary public, when a notary public who is an attorney licensed by the State of Arkansas, a notary public who is a title agent licensed by the State of Arkansas, a notary public who is supervised by either an attorney or a title agent licensed by the State of Arkansas, or a notary public employed by a financial institution registered or insured with the Arkansas State Bank Department, the Arkansas Securities Department, or the National Credit Union Administration (NCUA), is present via real-time audio and visual means for the remainder of this emergency; and
- (2) Suspend provisions of Ark. Code Ann. § 21-14-202 requiring notaries public, when a notary public who is an attorney licensed by the State of Arkansas, a notary public who is a title agent licensed by the State of Arkansas, a notary public who is supervised by either an attorney or a title agent licensed by the State of Arkansas, or a notary public employed by a financial institution registered or insured with the Arkansas State Bank Department, the Arkansas Securities Department, or the National Credit Union Administration (NCUA), to file their signatures, general descriptions of potential commercial documents to be notarized via facsimile signature, the names of persons signing documents via facsimile signature, and the written consent of such persons, to the Secretary of State for the remainder of this emergency when said notaries determine that documents would be best notarized via facsimile signature; and
- (3) Suspend provisions of Ark. Code Ann. § 21-14-302 requiring electronic notaries public, when a notary public who is an attorney licensed by the State of Arkansas, a notary public who is a title agent licensed by the State of Arkansas, a notary public who is supervised by either an attorney or a title agent licensed by the State of Arkansas, or a notary public employed by a financial institution

registered or insured with the Arkansas State Bank Department, the Arkansas Securities Department, or the National Credit Union Administration (NCUA), to have sufficient physical proximity to allow for the use and reliance on an electronic device, such as a telephone, computer, video-camera, or facsimile machine and otherwise register with a separate commission to perform electronic notarial acts under the laws of this state for the remainder of this emergency; and

- (4) Suspend provisions of Ark. Code Ann. § 21-14-307 requiring electronic notaries public, when a notary public who is an attorney licensed by the State of Arkansas, a notary public who is a title agent licensed by the State of Arkansas, a notary public who is supervised by either an attorney or a title agent licensed by the State of Arkansas, or a notary public employed by a financial institution registered or insured with the Arkansas State Bank Department, the Arkansas Securities Department, or the National Credit Union Administration (NCUA), to have sufficient physical proximity to allow said electronic notaries public to perform and witness electronic notarial acts if the document signer or witness does not appear in person before the electronic notary public at the time of the electronic notarial act, but is otherwise present via real-time audio and visual means for the remainder of this emergency consistent with the text of this executive order; and
- (5) Notwithstanding any general or special law to the contrary, notaries public, when a notary public who is an attorney licensed by the State of Arkansas, a notary public who is a title agent licensed by the State of Arkansas, a notary public who is supervised by either an attorney or a title agent licensed by the State of Arkansas, or a notary public employed by a financial institution registered or insured with the Arkansas State Bank Department, the Arkansas Securities Department, or the National Credit Union Administration (NCUA), may notarize signatures including Acknowledgments and Jurats virtually through real-time audio and visual means provided that both the notary public and the signer are both physically located in the State of Arkansas at the time of signing, and the signing of documents is visually seen by the person that confirms it; and
- (6) Pursuant to this Order, any person who witnesses or signs a document through real-time audio and visual means may be considered to be either "in the presence of," or as an "in person" witness, provided that the presence and identity of such witness are validated at the time of the signing by a notary public who is an attorney licensed by the State of Arkansas, a notary public who is a title agent licensed by the State of Arkansas, a notary public who is supervised by either an attorney or a title agent licensed by the State of Arkansas, or a notary public employed by a financial institution registered or insured with the Arkansas State Bank Department, the Arkansas Securities Department, or the National Credit Union Administration (NCUA). The identity and physical presence of any and all witnesses and signers in the State of Arkansas must be validated at the time of execution of the documents to be witnessed; and

- (7) For purposes of this Order, "real-time audio and visual means" means technology where all parties can see and hear the other parties simultaneously. Examples of "videoconference technology" include, but are not limited to, Skype, Zoom, FaceTime and other similar technologies; and
- (8) For purposes of this Order, if two (2) or more persons sign a document simultaneously in different locations, they must necessarily sign separate signature pages and therefore all documents executed in this manner must be executed in counterparts; and
- (9) Notwithstanding any general or special law to the contrary, absent an express prohibition in a document against signing in counterparts, all legal documents, including deeds, last wills and testaments, durable powers of attorney, and health care proxies, may be signed in counterpart; and
- (10) Authority granted pursuant to this Order shall automatically expire when the state of emergency is terminated, or at such other time as I may direct in a subsequent Executive Order;

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 9th day of April, in the year of our Lord 2020.


Asa Hutchinson, Governor

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT
PROCLAMATION

TO ALL TO WHOM THESE PRESENTS COME — GREETINGS:

EO 20 - 52

EXECUTIVE ORDER PURSUANT TO THE PUBLIC HEALTH EMERGENCY CONCERNING COVID-19, AS DECLARED IN EXECUTIVE ORDER 20-37 AND EXTENDED BY EXECUTIVE ORDERS 20-45, 20-48, and 20-51. FOR THE PURPOSE OF AMENDING EXECUTIVE ORDER 20-34 TO ENSURE ACCESS TO HEALTHCARE RESOURCES TO TREAT COVID-19

WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was declared for the entire State of Arkansas due to the outbreak of COVID-19; and

WHEREAS: On May 5, 2020, by Executive Order 20-25, the emergency was extended for forty-five additional days; and

WHEREAS: On June 18, 2020, by Executive Order 20-37, the emergency declared pursuant to Executive Order 20-03, and its amendments was terminated, and the public health and disaster emergency and declaration of the State of Arkansas as a disaster area resulting from the state-wide impact of COVID-19 was declared anew, pursuant to the Emergency Services Act at Ark. Code Ann. §§ 12-75-101, *et seq.*; and

WHEREAS: The emergency declared by Executive Order 20-37 was renewed by Executive Orders 20-45, 20-48, and 20-51. The emergency is ongoing; and

WHEREAS: COVID-19 continues to spread within the State of Arkansas and adjoining states, threatening the public safety of the citizens of Arkansas, and such spread is expected to continue; and

WHEREAS: On June 15, 2020, Executive Order 20-34 was signed to ensure that the State of Arkansas has adequate resources to treat citizens of Arkansas suffering from COVID-19, as well as patients with other illnesses and injuries, including, without limitation, drugs, medical devices, supplies, equipment, bed capacity, and healthcare providers; and

WHEREAS: Flexibility for hospital staffing and healthcare contingency plans are required to meet the current demands of increased hospitalizations during this public health emergency. All resources must be maintained and allocated to the greatest extent possible for the health and safety of the public; and

WHEREAS: I, as Governor, in consultation with the Secretary of Health, have determined that more actions must be taken to protect the people of the State of Arkansas from COVID-19;

NOW, THEREFORE, I, ASA HUTCHINSON, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101 *et seq.*, after consultation with the Secretary of Health, issue this Executive Order pursuant to the on-going public health emergency as declared in Executive Order 20-37 and renewed by Executive Orders 20-45, 20-48, and 20-51, and order the following:

- (1) As part of the State's response to the COVID-19 public health emergency and pursuant to the Declaration of the Secretary of the

U.S. Department of Health and Human Services under the Public Readiness and Emergency Preparedness Act, 42 U.S.C. 247d-6d, that was published in the Federal Register on March 17, 2020, I hereby authorize all health care providers who are licensed, certified, or otherwise authorized by law to administer healthcare in this State, and any partnership, association, corporation or other facility or institution that employs or contracts with such healthcare providers to provide healthcare services in their normal course of business or operation ("Healthcare Providers"), for the purpose of diagnosing, treating, mitigating, or curing COVID-19 or any complication therefrom, to use any drug, device, or product approved or cleared under the Federal Food, Drug and Cosmetic Act (21 U.S.C. §§ 301-392) ("FD&C Act"); licensed under the Public Health Service Act (42 U.S.C. §§ 201-291n); or authorized for emergency use under an Investigational Device Exemption or Investigational Drug Application of the FD&C Act.

- (2) In accordance with the Arkansas Emergency Services Act of 1973, all Healthcare Providers as defined herein are hereby requested and authorized pursuant to Ark. Code Ann. § 12-75-103(7) to provide healthcare services which include acts or treatment performed or furnished by a Healthcare Provider to a patient during the patient's medical care, treatment, or hospitalization that are directed at the treatment, mitigation, or symptoms of COVID-19 ("Healthcare Services") in response to the COVID-19 pandemic during the declared emergency and declare such individuals and entities as Emergency Responders during the COVID-19 public health emergency.
- (3) These Emergency Responders are hereby requested to perform Healthcare Services directed at the prevention, treatment, mitigation, or cure of COVID-19 and to perform other Emergency Management Functions within the scope of their licensure. Emergency Management Functions include: (a) triage, diagnostic testing, and/or treatment to individuals with known or suspected COVID-19; (b) cancelling, postponing, or denying elective procedures for an illness or condition that does not fall within the scope of the COVID-19 public health emergency pursuant to an order, directive, or recommendation from the Governor, the Arkansas Department of Health, the Arkansas Department of Human Services, or other State agency with the authority to order or recommend cessation of healthcare services; (c) redeploying or cross training staff not typically assigned to such duties, to the extent necessary to respond to the COVID-19 public health emergency; (d) planning to or enacting contingency standards and/or crisis standards of care measures, such as modifying numbers of beds, adjusting staffing, preserving personal protective equipment, and triaging access to services or equipment; and (e) reducing recordkeeping requirements to the extent necessary for Healthcare Providers to perform tasks as may be necessary to respond to the COVID-19 public health emergency.
- (4) As Emergency Responders pursuant to Ark. Code Ann. § 12-75-103, Healthcare Providers shall, pursuant to Ark. Code Ann. § 12-75-128, be immune from liability for any death, injury, or property damage

alleged to have been sustained as a result of any act or omission by such Emergency Responder in the course of providing emergency management functions during this public health emergency if the act or omission occurs as the result of a good faith effort on the part of the Healthcare Provider and was the direct result of the Healthcare Provider's providing Healthcare Services for: (a) the diagnosis, prevention, or treatment of COVID-19; (b) the assessment or care of an individual with a confirmed or suspected case of COVID-19; or (c) the care of any individual who presents at a healthcare facility or to a healthcare professional during the period of the COVID-19 public health emergency. Such immunity shall not extend to an act or omission that is willful, reckless, or intentional misconduct. Healthcare Providers shall also be immune from liability for using any prescription drug or device to treat a known or suspected COVID-19 infection provided that: (i) prescription of the drug or device is within the scope of the Healthcare Provider's license; (ii) the Healthcare Provider prescribes the drug or device in accordance with the most current written recommendations of a U.S. Government agency; and (iii) the Healthcare Provider informs the patient of known positive and negative outcomes of the drug or device and documents the patient's informed consent to the treatment in the patient's medical record.

- (5) This Executive Order shall supersede Executive Order 20-34.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 21st day of December, in the year of our Lord 2020.



A handwritten signature in blue ink, appearing to read "Asa Hutchinson", is written over a horizontal line.

Asa Hutchinson, Governor

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT
PROCLAMATION

EO 20-33

TO ALL TO WHOM THESE PRESENTS COME—GREETINGS

EXECUTIVE ORDER PURSUANT TO THE PUBLIC HEALTH EMERGENCY CONCERNING COVID-19, AS DECLARED IN EXECUTIVE ORDER 20-03 AND EXTENDED BY EXECUTIVE ORDER 20-25, FOR THE PURPOSE OF PROTECTING ARKANSAS BUSINESSES FROM LIABILITY RELATED TO COVID-19.

WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was declared for the entire State of Arkansas due to the outbreak of COVID-19; and

WHEREAS: On May 5, 2020, by Executive Order 20-25, the emergency was extended, and that emergency is ongoing; and

WHEREAS: COVID-19 continues to spread within the State of Arkansas and adjoining states, threatening the public safety of the citizens of Arkansas, and such spread is expected to continue; and

WHEREAS: Arkansas business owners are fearful of opening their businesses or keeping them open during the COVID-19 outbreak because of the threat of litigation arising from alleged exposure to COVID-19 on their premises or during activities that they manage; and

WHEREAS: It is essential to the economic and financial stability of the State of Arkansas during this emergency for businesses in the state to reopen or to remain open to provide goods and services to the people of Arkansas without the threat of civil liability related to COVID-19; and

WHEREAS: I, as Governor, in consultation with the Secretary of Health, have determined that more actions must be taken to protect the people of the State of Arkansas from COVID-19.

NOW, THEREFORE, I, Asa Hutchinson, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101 *et seq.*, after consultation with the Secretary of Health, do hereby Issue this Executive Order pursuant to the on-going public health emergency as declared in Executive Order 20-03 and extended by Executive Order 20-25, and order the following:


- (1) To protect businesses that open or remain open during the COVID-19 emergency, all persons in the State of Arkansas and the person's employees, agents, and officers shall be immune from civil liability for damages or injuries caused by or resulting from exposure of an individual to COVID-19 on the premises owned or operated by those persons or during any activity managed by those persons.
- (2) The immunity provided under this Executive Order does not apply to willful, reckless, or intentional misconduct resulting in injury or damages. It is presumed that a person and person's employees, agents, and officers are not committing willful, reckless, or intentional misconduct under this order if the person and the person's, agents, and officers are (a) substantially complying with health and safety directives or guidelines issued by the Governor or the Secretary of the Department of Health; or (b) acting in good faith

while attempting to comply with health and safety directives or guidelines issued by the Governor or the Secretary of the Department of Health.

- (3) The immunity provided under this Executive Order does not extend to workers' compensation benefits paid by or on behalf of an employer to an employee under the Workers' Compensation Law, Ark. Code Ann. § 11-9-101 et seq., or a comparable workers' compensation law of another jurisdiction.
- (4) The immunity provided under this Executive Order is in addition to any other immunity provided by state or federal law.
- (5) The immunity provided under this Executive Order applies to claims brought before the Arkansas State Claims Commission.
- (6) The immunity provided under this Executive Order applies to all actions, lawsuits, or claims filed after the date of its execution and shall automatically expire when the emergency is terminated.
- (7) The following terms are defined for purposes of this Executive Order:
 - A. "COVID-19" means coronavirus disease 2019 or the virus that causes coronavirus disease 2019 in some individuals.
 - B. "COVID-19 public health emergency" means a public health emergency declared by the Governor under the Arkansas Emergency Services Act of 1973, Ark. Code Ann. § 12-75-101 et seq., and resulting from the emergence and spread of COVID-19.
 - C. "Person" means an individual, entity, organization, group, association, partnership, business, institution of learning, commercial concern, corporation, or company.
 - D. "Premises" means real property and any appurtenant building or structure.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 15th day of June, in the year of our Lord 2020.





Asa Hutchinson, Governor



STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

March 19, 2021

Senator Terry Rice, Co-Chair
Representative Jeff Wardlaw, Co-Chair
Arkansas Legislative Council
State Capitol Building
Little Rock, AR 72201

RE: Supplement to Request to Extend Emergency to include Executive Order
21-06

Dear Senator Rice and Representative Wardlaw:

On March 19, 2021, I signed Executive Order 21-06 to extend the state income tax filing date to match the federal filing date. This order was issued pursuant to the current public health emergency, expiring on March 31, 2021. Therefore, in addition to those orders included with my original letter, I am also seeking to extend this Executive Order until May 30, 2021.

Thank you for your attention to this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Asa Hutchinson", written over a horizontal line.

Asa Hutchinson

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT

PROCLAMATION

EO 21-06

TO ALL TO WHOM THESE PRESENTS COME — GREETINGS:

EXECUTIVE ORDER PURSUANT TO THE PUBLIC HEALTH EMERGENCY CONCERNING COVID-19, AS DECLARED BY EXECUTIVE ORDER 20-37 AND EXTENDED BY EXECUTIVE ORDERS 20-45, 20-48, 20-23, and 21-03 FOR THE PURPOSE OF EXTENDING THE STATE INDIVIDUAL TAX FILING DEADLINE

WHEREAS: An outbreak of coronavirus disease 2019 (COVID-19) has spread throughout the world resulting in a global pandemic; and

WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was declared in the state as a result of COVID-19, pursuant to the Emergency Services Act at Ark. Code Ann. §§ 12-75-101, *et seq.* The emergency was subsequently renewed by Executive Order 20-25; and

WHEREAS: On June 18, 2020, by Executive Order 20-37, the emergency declared pursuant to Executive Order 20-03, and its amendments, was terminated, and the public health and disaster emergency and declaration of the State of Arkansas as a disaster area resulting from the state-wide impact of COVID-19 was declared anew, pursuant to the Emergency Services Act at Ark. Code Ann. §§ 12-75-101, *et seq.* The emergency was subsequently renewed by Executive Orders 20-45, 20-48, 20-51, 20-53, and 21-03; and

WHEREAS: COVID-19 continues to adversely impact the citizens of Arkansas; and

WHEREAS: On March 17, 2021, the United States Treasury Department and Internal Revenue Service announced the federal income tax filing due date is extended from April 15, 2021, to May 17, 2021, and taxpayers may also defer federal income tax payments due on April 15, 2021, to May 17, 2021, without penalties and interest, regardless of the amount owed; and

WHEREAS: Ark. Code Ann. § 26-51-806 requires individual tax returns and tax payments to be submitted by April 15, 2021; and

WHEREAS: Ark. Code Ann. § 26-18-505 authorizes the Secretary of the Department of Finance and Administration to grant a reasonable extension of time to file any return required under any state tax law upon written request for good cause shown. Good cause includes when any taxpayer is affected by a disaster emergency declared by the Governor; and

WHEREAS: There is an urgent need for the State of Arkansas to bring relief to its citizens by extending the individual tax filing and payment date to be consistent with the extensions granted by the federal government; and

WHEREAS: It is not practical during this time to require Arkansas citizens to submit a written request for a filing extension; and

WHEREAS: All individual taxpayers in this state have been affected by this emergency;

NOW, THEREFORE, I, ASA HUTCHINSON, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101, *et seq.*, issue this Executive Order pursuant to the on-going public health

emergency as declared in Executive Order 20-37 and extended by Executive Orders 20-45, 20-48, 20-23, and 21-03, and order the following:

- (1) The provisions of Ark. Code Ann. §26-18-505(a)(1) requiring a written request for an extension to file an individual income tax return are hereby waived for the duration of this emergency;
- (2) The provisions of Ark. Code Ann. §26-18-505(a)(4) requiring the promulgation of rules to waive the requirement for a written request for an extension are hereby waived for the duration of this emergency; and
- (3) The Secretary of the Department of Finance and Administration is hereby ordered to extend the 2020 individual income tax filing date and individual income tax payment date from April 15, 2021, to May 17, 2021. This extension includes 2020 returns of Subchapter S Corporations, fiduciaries and estates, partnerships and composite returns.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 19th day of March, in the year of our Lord 2021.



Asa Hutchinson, Governor



Attest:



John Thurston, Secretary of State