

INTERIM STUDY PROPOSAL 2021-005

1
2
3 REQUESTING THE SENATE COMMITTEE ON STATE AGENCIES AND
4 GOVERNMENTAL AFFAIRS REQUESTING THAT THE SENATE COMMITTEE ON
5 STATE AGENCIES AND GOVERNMENTAL AFFAIRS CONDUCT A STUDY OF THE
6 LOST 40 AND THE FEASIBILITY OF THE STATE ASSUMING MANAGEMENT OF
7 THE LOST 40 TO CREATE A STATE PARK.
8

9 WHEREAS, the Lost 40 is a forty-acre tract of forest in southeastern
10 Calhoun County located along a tributary of Moro Creek known as Wolf Branch;
11 and
12

13 WHEREAS, the Lost 40 is known for its large, mature trees, with some
14 trees estimated to be more than two hundred (200) years old and standing more
15 than one hundred fifty (150') feet tall; and
16

17 WHEREAS, the Lost 40 is described generally as a mixed bottomland
18 hardwood-loblolly pine forest, with a variety of forest and soil types
19 present on the tract of land; and
20

21 WHEREAS, nearly one hundred fifty (150) different species of plants,
22 including thirty-eight (38) different varieties of trees, have been
23 documented as being present on the tract by the Arkansas Natural Heritage
24 Commission; and
25

26 WHEREAS, the Lost 40 is currently owned by PotlatchDeltic Corporation
27 and is protected by a forty-year cooperative management agreement signed in
28 1996 by PotlatchDeltic Corporation and the Arkansas Natural Heritage
29 Commission; and
30

31 WHEREAS, access to the Lost 40 is currently very limited; and
32

33 WHEREAS, the Lost 40 is believed to be among some of the last remaining
34 untouched forests in this state, which makes the Lost 40 a unique area that
35 could provide individuals with a rare opportunity to study information on an

1 original forest structure in the region and to appreciate the natural beauty
2 for which this state is known,

3

4 NOW THEREFORE,

5 BE IT PROPOSED BY THE SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL
6 AFFAIRS OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

7

8 THAT the Senate Committee on State Agencies and Governmental Affairs
9 conduct a study of the Lost 40, including a review of the cooperative
10 agreement between PotlatchDeltic Corporation and the Arkansas Natural
11 Heritage Commission, and of the feasibility of the state assuming management
12 of the Lost 40 in order to turn the Lost 40 into a state park for public use.

13

14 Respectfully submitted,

15

16

17

18 Senator Trent Garner

19 District 27

20 Prepared by: CRH/CRH

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

INTERIM STUDY PROPOSAL 2021-031

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 252

By: Senator T. Garner

Filed with: Senate Committee on State Agencies and Governmental Affairs
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO REGULATE THE LOCATION OF OFFICES
ESTABLISHED OR MAINTAINED BY THE ARKANSAS ECONOMIC
DEVELOPMENT COMMISSION; TO PROHIBIT THE ARKANSAS
ECONOMIC DEVELOPMENT COMMISSION FROM ESTABLISHING OR
MAINTAINING AN OFFICE IN CHINA; AND FOR OTHER
PURPOSES.

Subtitle

TO PROHIBIT THE ARKANSAS ECONOMIC
DEVELOPMENT COMMISSION FROM ESTABLISHING
OR MAINTAINING AN OFFICE IN CHINA.

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

SECTION 1. Arkansas Code § 15-4-209(b)(3), concerning the powers given
to the Arkansas Economic Development Commission, is amended to read as
follows:

- (3)(A) ~~Establish~~ Except as provided in subdivision (b)(3)(B) of this section, establish and maintain international offices, as approved by the Arkansas Economic Development Council, to assist with the export of Arkansas-produced goods and services as well as foreign direct investment, either through the use of contractual employees or by other means.
- (B) The commission shall not establish or maintain an office in China;

1 SECTION 2. Arkansas Code § 15-4-210(b), concerning the foreign
2 operations of the Arkansas Economic Development Commission, is amended to
3 read as follows:

4 (b)(1) The Except as provided in subdivision (b)(2) of this section,
5 the commission may establish an Arkansas operation in any country approved by
6 the Governor and the Arkansas Economic Development Council.

7 (2) The commission shall not establish or maintain an office in
8 China.

9
10 SECTION 3. DO NOT CODIFY. Closure of existing offices.

11 If the Arkansas Economic Development Commission has already established
12 or maintains an office in China as of the effective date of this act, the
13 commission shall close and vacate the office immediately upon the effective
14 date of this act.

15
16
17 Referred requested by the Arkansas Senate

18 Prepared by: MBM/KFW
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

INTERIM STUDY PROPOSAL 2021-046

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 714

By: Senator C. Tucker

Filed with: Senate Committee on State Agencies and Governmental Affairs
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO REQUIRE REPORTING AND DISCLOSURE OF
ELECTIONEERING COMMUNICATIONS; TO RESTRICT THE AMOUNT
OF MONEY SPENT ON CAMPAIGN COMMUNICATIONS PRODUCED IN
COORDINATION WITH A CANDIDATE FOR OFFICE; TO AMEND
THE LAW CONCERNING CAMPAIGN FINANCE CONTRIBUTIONS;
AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE REPORTING AND DISCLOSURE OF
ELECTIONEERING COMMUNICATIONS; AND TO
RESTRICT THE AMOUNT OF MONEY SPENT ON
CAMPAIGN COMMUNICATIONS PRODUCED IN
COORDINATION WITH A CANDIDATE FOR OFFICE.

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

SECTION 1. Arkansas Code Title 7, Chapter 6, Subchapter 2, is amended
to add an additional section to read as follows:

7-6-230. Coordinated communications.

(a)(1) A coordinated communication is an in-kind contribution to the
candidate, political party, ballot question committee, or independent
expenditure committee who or to the candidate, political party, ballot
question committee, or independent expenditure committee whose authorized
committee or agent cooperated, consulted, requested, suggested, or acted in
concert with:

1 (A) The person making the coordinated communication or his
2 or her authorized agent; or

3 (B) The person making the expenditure for the coordinated
4 communication or his or her authorized agent.

5 (2) The in-kind contribution under subdivision (a)(1) of this
6 section shall be subject to the contribution limits set forth under § 7-6-
7 203.

8 (b)(1) As used in this section, "coordinated communication" means a
9 political advertisement or communication funded by expenditures that contain
10 express advocacy or the functional equivalent of express advocacy made:

11 (A) In cooperation or consultation between:

12 (i)(a) A candidate or his or her authorized
13 committee or agent;

14 (b) A political party or its authorized agent;

15 (c) A ballot question committee; or

16 (d) An independent expenditure committee; and

17 (ii) The person making the:

18 (a) Communication or his or her authorized
19 agent; or

20 (b) Expenditure for the communication or his
21 or her authorized agent;

22 (B) In concert with or at the request or suggestion of:

23 (i) A candidate or his or her authorized committee
24 or agent;

25 (ii) A political party or its authorized agent;

26 (iii) A ballot question committee; or

27 (iv) An independent expenditure committee.

28 (2) "Coordinated communication" does not include:

29 (A) A candidate's, a political party committee's, ballot
30 question committee's, or independent expenditure committee's response to an
31 inquiry about that candidate's, political party committee's, ballot question
32 committee's, or independent expenditure committee's positions on legislative
33 or policy issues unless the response or the inquiry concerns the plans,
34 projects, activities, or needs of the campaign;

35 (B) Unless the public communication promotes, supports,
36 attacks, or opposes the endorsing candidate or another candidate who seeks

1 election to the same office the endorsing candidate is seeking, a public
2 communication:

3 (i) In which a candidate endorses another candidate;
4 and

5 (ii) That is made by the endorsing candidate;
6 (C) Unless the public communication promotes, supports,
7 attacks, or opposes the soliciting candidate or another candidate who seeks
8 election to the same office the soliciting candidate is seeking, a public
9 communication:

10 (i) In which a candidate solicits funds:
11 (a) For another candidate;
12 (b) For a political committee; or
13 (c) On behalf of an organization concerning a
14 state or local election in a manner corresponding to the circumstances set
15 forth in 11 C.F.R. § 300.65; and

16 (ii) That is made by the soliciting candidate; or
17 (D) A public communication in which a candidate is clearly
18 identified only in his or her capacity as the owner or operator of a business
19 that existed prior to the candidacy if:

20 (i) The medium, timing, content, and geographic
21 distribution of the public communication are consistent with public
22 communications made prior to the candidacy; and

23 (ii) The public communication does not promote,
24 support, attack, or oppose the communicating candidate or another candidate
25 who seeks election to the same office the communicating candidate is seeking.

26 (c)(1) In making a determination as to whether a communication is a
27 coordinated communication, the Arkansas Ethics Commission shall consider the
28 following without limitation:

29 (A) Whether the coordinated communication was paid for, in
30 whole or in part, by a person other than the candidate or his or her agent,
31 the candidate's authorized committee or its agent, or a political party or
32 its agent;

33 (B) Whether the content of the coordinated communication
34 is a public communication that republishes, disseminates, or distributes, in
35 whole or in part, campaign materials prepared by a candidate or a candidate's

1 campaign committee other than a photograph or other likeness of the candidate
2 obtained from a publicly available source; and

3 (C) Whether the conduct of the coordinated communication
4 meets one (1) or more of the following standards:

5 (i) The coordinated communication was created,
6 produced, or distributed at the request or suggestion of the candidate or his
7 or her agent, the candidate's committee or its agent, or the political party
8 or its agent;

9 (ii) The coordinated communication was created,
10 produced, or distributed at the request or suggestion of the person paying
11 for the communication, and the candidate or his or her agent, the candidate's
12 committee or its agent, or the political party or its agent approves the
13 request or suggestion;

14 (iii) The candidate or his or her agent, the
15 candidate's committee or its agent, or the political party or its agent was
16 materially involved in decisions regarding the content, intended audience,
17 means or mode of the coordinated communication, specific media outlet used,
18 timing, frequency, size, or prominence of the coordinated communication; or

19 (iv) The coordinated communication was created,
20 produced, or distributed after one (1) or more substantial discussions about
21 the communication between the person paying for the communication or the
22 employees or agents of that person and:

23 (a) The candidate or his or her agent;

24 (b) The candidate's committee or its agent;

25 (c) The political party or its agent;

26 (d) A ballot question committee; or

27 (e) An independent expenditure committee.

28 (2) As used in this subsection, the "candidate" means the
29 candidate who is positioned to benefit from the coordinated communication,
30 whether the coordinated communication promotes that candidate or criticizes
31 his or her opponent.

32 (d)(1) A person or an entity is an authorized agent of a candidate, a
33 candidate's committee, or a political party under this section if the person
34 or entity:

35 (A) Has actual authorization, either expressed or implied,
36 from a specific principal to engage in specific activities; and

1 (B) Engages in the activities on behalf of that specific
2 principal.

3 (2) If the activities carried out by an authorized agent would
4 result in a coordinated communication if carried out directly by the
5 candidate, authorized committee staff, or a political party official, the
6 activities of the authorized agent result in a coordinated communication.

7 (e) As used in this section:

8 (1)(A) "Political advertisement" means any campaign
9 communication:

10 (i) That is in any form, including without
11 limitation the following medias:

12 (a) Broadcast;

13 (b) Satellite;

14 (c) Cable;

15 (d) Electronic;

16 (e) Digital;

17 (f) Written;

18 (g) Print;

19 (h) Graphic; and

20 (i) Design;

21 (ii) That is publicly distributed;

22 (iii) Except as provided in subdivision (e)(1)(B) of
23 this section, that the person or committee making the advertisement or
24 communication pays money for the production or dissemination of the
25 advertisement or communication;

26 (iv) That refers to a clearly identified candidate
27 for public office;

28 (v) That is targeted to the relevant electorate for
29 that candidate; and

30 (vi) For which the only reasonable interpretation of
31 the advertisement or communication is that the advertisement or communication
32 is an attempt to influence a vote for or against a specific candidate or
33 specific set of candidates.

34 (B)(i) Payment of money under subdivision (e)(1)(A)(iii)
35 of this section does not include:

1 (a) Utility payments for telephone or internet
2 service made by the person or committee making the advertisement or
3 communication; or

4 (b) The costs of producing copies of flyers,
5 handbills, or other documents to be distributed by hand by one (1) or more
6 volunteers.

7 (ii) Payment of money under subdivision
8 (e)(1)(A)(iii) of this section includes without limitation money paid to a
9 person in exchange for the distribution by hand of printed advertisement or
10 printed communication such as door hangers or push cards.

11 (C) In making a determination under subdivision
12 (e)(1)(A)(vi) of this section, the Arkansas Ethics Commission shall consider:

13 (i) Whether the advertisement or communication
14 offers preferential support for or criticism of a clearly identified
15 candidate for office;

16 (ii) The proximity between the date of the
17 advertisement or communication and the date of the election for the clearly
18 identified candidate for office; and

19 (iii) Any other factor the commission deems relevant
20 to its determination.

21 (D) "Political advertisement" does not include any
22 communication that:

23 (i) Unless the facilities are owned or controlled by
24 any political party, political committee, or candidate, appears in a news
25 story, commentary, or editorial distributed through the facilities of any:

26 (a) Broadcast, cable, satellite radio, or
27 television station; or

28 (b) Newspaper, magazine, print media, or
29 internet media business;

30 (ii) Constitutes an independent expenditure that is
31 reported as required under this subchapter;

32 (iii) Constitutes a candidate debate or forum
33 conducted, or that solely promotes such a debate or forum and is made by or
34 on behalf of the person sponsoring the debate or forum;

35 (iv) Is disseminated as a flyer, handbill, or other
36 document distributed by hand by one (1) or more volunteers;

1 (v) Is disseminated by an organization to the
2 organization's own membership as reflected in the organizations membership
3 records or to persons who have requested to receive communications from the
4 organization for the purpose of indicating candidates whom the organization
5 supports in an upcoming election; or

6 (vi) Is disseminated by a person or committee on the
7 official website or social media account maintained by the person or
8 committee making the advertisement or communication;

9 (2) "Refers to a clearly identified candidate" means that the
10 candidate's name, nickname, photograph, or drawing appears, or the identity
11 of the candidate is otherwise apparent through an unambiguous reference such
12 as "the Governor", "your county judge", or "the incumbent", or through an
13 unambiguous reference to his or her status as a candidate such as "the
14 Republican nominee for Governor" or "the Democratic candidate for Secretary
15 of State in the State of Arkansas"; and

16 (3) "Targeted to the relevant electorate" means:

17 (A) If the advertisement or communication is publicly
18 distributed by a broadcast, cable, satellite radio, or television station or
19 by a newspaper, magazine, or other print media, the advertisement or
20 communication can be seen, heard, or read:

21 (i) By at least twenty-five thousand (25,000)
22 viewers, listeners, or readers in the state, in the case of a candidate for
23 statewide office;

24 (ii) By at least ten percent (10%) of a county,
25 municipality, or district population, in the case of a candidate for a county
26 office, municipal office, school district board of directors, or other
27 district office that is not the Senate or the House of Representatives; or

28 (iii) By at least two thousand five hundred (2,500)
29 viewers, listeners, or readers in the district, in the case of a candidate
30 for the Senate or the House of Representatives;

31 (B) If the advertisement or communication is publicly
32 distributed by direct mail, electronic mail, telephone, or by hand by a
33 person who has been paid to distribute the advertisement or communication,
34 the advertisement or communication is sent to or distributed to:

35 (i) At least two thousand five hundred (2,500)
36 individuals in the state, in the case of a candidate for statewide office;

1 (ii) At least one percent (1%) of a county,
2 municipality, or district population, in the case of a candidate for a county
3 office, municipal office, school district board of directors, or other
4 district office that is not the Senate or the House of Representatives; or

5 (iii) At least two hundred and fifty (250)
6 individuals, in the case of a candidate for the Senate or the House of
7 Representatives; or

8 (C) If the advertisement or communication is publicly
9 distributed by internet website, the advertisement or communication is
10 intended to be viewed by:

11 (i) At least two thousand five hundred (2,500)
12 individuals in the state, in the case of a candidate for statewide office;

13 (ii) At least one percent (1%) of a county,
14 municipality, or district population, in the case of a candidate for a county
15 office, municipal office, school district board of directors, or other
16 district office that is not the Senate or the House of Representatives; or

17 (iii) At least two hundred and fifty (250)
18 individuals, in the case of a candidate for the Senate or the House of
19 Representatives.

20
21
22 Referred requested by the Arkansas Senate

23 Prepared by: MBM/KFW
24
25
26
27
28
29
30
31
32
33
34
35
36

INTERIM STUDY PROPOSAL 2021-047

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

SENATE BILL 715

4 By: Senator C. Tucker
5 By: Representative Love

6 Filed with: Senate Committee on State Agencies and Governmental Affairs
7 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

8 AN ACT CONCERNING THE STATE FLAG OF ARKANSAS; TO
9 AMEND THE LAW CONCERNING THE SYMBOLS ON THE STATE
10 FLAG OF ARKANSAS; TO REDESIGNATE THE STARS ON THE
11 STATE FLAG OF ARKANSAS; AND FOR OTHER PURPOSES.

Subtitle

12 CONCERNING THE STATE FLAG OF ARKANSAS; TO
13 AMEND THE LAW CONCERNING THE SYMBOLS ON
14 THE STATE FLAG OF ARKANSAS; AND TO
15 REDESIGNATE THE STARS ON THE STATE FLAG
16 OF ARKANSAS.

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

18 SECTION 1. DO NOT CODIFY. Legislative findings.

19 The General Assembly finds that:

20 (1) Arkansas was once home to numerous thriving Native American
21 tribes, including the Quapaw, the Osage, the Caddo, and the Tunica;

22 (2) The name "Arkansas" is derived from the Native American word
23 "Acansa", a name that refers to the Quapaw and means "southern place";

24 (3) The forced migration of Native Americans along the Trail of
25 Tears during the 1830s brought even more Native American tribes through
26 Arkansas, such as the Cherokee, who established a large settlement along the
Arkansas River near modern-day Russellville before being forced to move

1 again, all the while suffering from disease, drought, and attacks from both
 2 other Native American tribes and neighboring settlers;

3 (4) The designation of the Menard-Hodges Site near Dumas,
 4 Arkansas, as a National Historic Landmark in 1989 as well as the designation
 5 of other sacred sites in Arkansas under President Clinton's 1996 Executive
 6 Order 13007 has allowed the modern Caddo, Cherokee, Osage, Quapaw, and Tunica
 7 to reclaim their ancestral ties to Arkansas;

8 (5) Today, the Arkansas Archeological Survey maintains ten (10)
 9 research stations across the state that work to preserve the history of
 10 Arkansas's original inhabitants;

11 (6) Native American history and culture are an important part of
 12 the history of this state;

13 (7) The territory of Arkansas was admitted to the United States
 14 of America as the twenty-fifth state on June 15, 1836;

15 (8) The state flag of Arkansas was designed by Willie Hocker of
 16 Jefferson County;

17 (9) The General Assembly adopted the design of Willie Hocker as
 18 the official flag of Arkansas on February 26, 1913;

19 (10) In 1923, Representative Neill Bohlinger of Pulaski County,
 20 a known and open member of the Ku Klux Klan, proposed that the design be
 21 altered with an additional blue star to commemorate the state's historical
 22 membership in the Confederate States of America, which the General Assembly
 23 voted to approve; and

24 (11) In 1924, the General Assembly moved the star commemorating
 25 the state's historical membership in the Confederate States of America above
 26 the word "ARKANSAS" on the flag and placed the star commemorating the United
 27 States of America in subordination to it.

28
 29 SECTION 2. Arkansas Code § 1-4-101(b), concerning the meaning of the
 30 symbols on the state flag of Arkansas, is amended to read as follows:

31 (b)(1) The three (3) stars ~~so placed are designed to~~ below the word
 32 "ARKANSAS" represent the:

33 (A) The three (3) nations, France, Spain, and,
 34 collectively, the United States Native American nations, which that have
 35 successively exercised dominion over Arkansas. These stars also indicate
 36 that; and

1 (B) Arkansas ~~was~~ as the third state carved out of the
2 Louisiana Purchase.

3 (2) Of ~~these~~ the three (3) stars below the word "ARKANSAS", the
4 twin stars parallel with each other signify that Arkansas and Michigan are
5 twin sister states, ~~having been admitted~~ that were offered admission to the
6 Union together on June 15, 1836, with Arkansas becoming the twenty-fifth
7 state admitted to the Union on June 15, 1836, and Michigan following a few
8 months later on January 26, 1837.

9 (3) The twenty-five (25) white stars on the band of blue show
10 that Arkansas was the twenty-fifth state admitted to the Union.

11 (4) The blue star above the word "ARKANSAS" ~~is to commemorate~~
12 ~~the Confederate States of America~~ represents the United States of America.

13 (5) The diamond signifies that this state is the only diamond-
14 bearing state in the Union.

15
16
17 Referred requested by the Arkansas Senate

18 Prepared by: MBM/KFW
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

INTERIM STUDY PROPOSAL 2021-070

1
2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021
5

A Bill

SENATE BILL 485

6 By: Senators K. Hammer, M. Johnson, Beckham, J. English, Flippo, Gilmore, Irvin, B. Johnson, Rapert,
7 Rice, B. Sample, G. Stubblefield, J. Sturch, D. Sullivan, D. Wallace

8 By: Representatives Gonzales, Barker, Beaty Jr., Beck, Bentley, S. Berry, Boyd, Bragg, Brooks, Brown,
9 Carr, Cavanaugh, Christiansen, Cloud, Coleman, Cozart, Crawford, Dalby, M. Davis, Eaves, Eubanks,
10 Evans, L. Fite, Gazaway, Haak, Hawks, Hollowell, Ladyman, Lowery, Lundstrum, Maddox, McCollum,
11 McGrew, McNair, S. Meeks, Payton, Penzo, Pilkington, Richmond, Rye, B. Smith, S. Smith, Speaks,
12 Vaught, Warren, Watson, Wing

13 Filed with: Arkansas Legislative Council
14 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

15
16 AN ACT TO AMEND ARKANSAS LAW CONCERNING EARLY VOTING;
17 TO AMEND ARKANSAS LAW CONCERNING ELECTIONS; AND FOR
18 OTHER PURPOSES.

Subtitle

19
20
21 TO AMEND ARKANSAS LAW CONCERNING EARLY
22 VOTING; AND TO AMEND ARKANSAS LAW
23 CONCERNING ELECTIONS.
24
25
26

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

28
29 SECTION 1. Arkansas Code § 7-5-418(a)(1)(A), concerning early voting,
30 is amended to read as follows:

31 (a)(1)(A) Except as provided in subdivision (a)(1)(B) of this section,
32 early voting shall be available to any qualified elector who applies to the
33 county clerk's designated early voting location, beginning fifteen (15) days
34 before a preferential primary or general election between the hours of 8:00
35 a.m. and 6:00 p.m. Monday through Friday and 10:00 a.m. and 4:00 p.m.

1 Saturday and ending at ~~5:00 p.m.~~ 4:00 p.m. on the ~~Monday~~ Saturday before the
2 election.

3

4

5 Referred requested by the Arkansas Senate

6 Prepared by: MBM/KFW

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

INTERIM STUDY PROPOSAL 2021-083

1
2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021

A Bill

SENATE BILL 562

5
6 By: Senator A. Clark

7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO AMEND THE LAW CONCERNING MANDATORY
11 ELECTRONIC REPORT FILING BY CANDIDATES; TO AMEND THE
12 LAW CONCERNING CAMPAIGN FINANCE REPORTS; AND FOR
13 OTHER PURPOSES.

14
15
16 **Subtitle**

17 TO AMEND THE LAW CONCERNING MANDATORY
18 ELECTRONIC REPORT FILING BY CANDIDATES;
19 AND TO AMEND THE LAW CONCERNING CAMPAIGN
20 FINANCE REPORTS.

21
22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. Arkansas Code § 7-6-230(a), concerning the alternative to
26 electronic filing of reports, is amended to read as follows:

27 (a)(1) A candidate required to file carryover fund reports in
28 electronic form under § 7-6-203 and campaign contribution and expenditure
29 reports in electronic form under § 7-6-207 may file reports in paper form
30 under this section if:

31 ~~(A) The candidate does not have access to the technology~~
32 ~~necessary to submit reports in electronic form; and~~

33 ~~(B) Submitting~~ submitting reports in electronic form would
34 constitute a substantial hardship for the candidate.

35 (2)(A) A candidate filing reports in paper form under
36 subdivision (a)(1) of this section shall submit with his or her first paper

1 report in an election cycle a notarized affidavit on a form prepared by the
2 Secretary of State declaring that:

3 (i) ~~The candidate does not have access to the~~
4 ~~technology necessary to submit reports in electronic form;~~

5 ~~(ii)~~ Submitting reports in electronic form would
6 constitute a substantial hardship for the candidate; ~~and~~

7 ~~(iii)~~(ii) The candidate agrees to file all other
8 reports in paper form for the duration of the election cycle; and

9 (iii) The candidate agrees to allow the office of
10 the Secretary of State to enter the reports of the candidate submitted in
11 paper form into electronic form.

12 (B) The Secretary of State shall:

13 (i) Not accept a report in paper form under
14 subdivision (a)(1) of this section if a notarized affidavit was not submitted
15 with the first paper report in the election cycle;

16 (ii) Provide written notice to the candidate within
17 five (5) business days if the report in paper form was not filed or accepted;
18 ~~and~~

19 (iii) Provide the reason the report in paper form
20 was not filed or accepted; and

21 (iv) Enter the information provided by the candidate
22 in paper form into the electronic form on behalf of the candidate.

23
24
25 Referred requested by the Arkansas Senate

26 Prepared by: MBM/KFW
27
28
29
30
31
32
33
34
35
36

INTERIM STUDY PROPOSAL 2021-087

State of Arkansas

As Engrossed: S4/20/21

93rd General Assembly

A Bill

Regular Session, 2021

SENATE BILL 674

By: Senators Elliott, *L. Chesterfield*, *C. Tucker*

By: Representatives V. Flowers, Ennett, McCullough, D. Whitaker

Filed with: Arkansas Legislative Council

pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO CREATE THE UNIFY ARKANSAS COMMISSION; TO PROMOTE RACIAL HEALING IN THE STATE; TO ESTABLISH THE OFFICIAL OBSERVANCE OF THE NATIONAL DAY OF RACIAL HEALING IN THE STATE; TO ENCOURAGE THE CREATION OF A COMMUNITY REMEMBRANCE COMMITTEE IN EACH COUNTY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE UNIFY ARKANSAS COMMISSION; TO ESTABLISH THE OFFICIAL OBSERVANCE OF THE NATIONAL DAY OF RACIAL HEALING IN THE STATE; AND TO ENCOURAGE THE CREATION OF A COMMUNITY REMEMBRANCE COMMITTEE IN EACH COUNTY.

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

SECTION 1. Arkansas Code Title 25 is amended to add an additional chapter to read as follows:

CHAPTER 44

UNIFY ARKANSAS COMMISSION

25-44-101. Legislative findings and intent.

(a) The General Assembly finds that:

1 (1) The National Day of Racial Healing in the State of Arkansas
2 is a statewide community observance created by the Arkansas Peace and Justice
3 Memorial Movement in 2020 to provide citizens of the state with the
4 opportunity to come together to courageously discuss truth, healing, and
5 transformation;

6 (2) The original National Day of Racial Healing observance was
7 developed by the W.K. Kellogg Foundation in Battle Creek, Michigan, in 2016;

8 (3) In 2020, Governor William Asa Hutchinson II issued the
9 nation's first-ever gubernatorial proclamation for the National Day of Racial
10 Healing, and he repeated his action in 2021; and

11 (4) In 2021, the Arkansas Peace and Justice Memorial Movement,
12 in association with the Arkansas Municipal League and the University of
13 Central Arkansas Center for Community and Economic Development, successfully
14 encouraged over one hundred (100) executives of political subdivisions,
15 presidents and chancellors of institutions of higher education, and school
16 superintendents throughout the state to issue their own proclamations.

17 (b) It is the intent of the General Assembly to:

18 (1) Establish a commission to promote truth and reconciliation
19 relating to incidents of documented *extralegal*, racial, religious, and
20 political injustice and violence;

21 (2) Encourage all county intergovernmental councils to establish
22 community remembrance committees and to assist the community remembrance
23 committees in their mission, including ensuring that the executives of all
24 political subdivisions, the presidents and chancellors of all institutions of
25 higher education, and all school superintendents in each county also
26 commemorate the National Day of Racial Healing in the state by the issuance
27 of a proclamation;

28 (3) Provide for the creation of an academic course of study of
29 Arkansas Black culture; and

30 (4) Encourage the House of Representatives and the Senate to
31 convene jointly, along with all state government elected executive officials
32 and the justices of the Supreme Court, at a time certain during each regular
33 session on the National Day of Racial Healing in the state to hear the
34 Governor present and read an annual proclamation for the National Day of
35 Racial Healing in the state.

36

1 25-44-102. Unify Arkansas Commission – Creation and duties.

2 (a) The Unify Arkansas Commission is created.

3 (b) The commission shall:

4 (1) Promote *truth, healing, and transformation* relating to
5 incidents of documented or verified *extralegal*, racial, religious, and
6 political injustice and violence, including without limitation lynching,
7 discriminatory cleansing, expulsion, and exploitation, that were perpetrated
8 against citizens, veterans, and others in Arkansas throughout its history as
9 a territory and as a state;

10 (2) Cooperate and assist with the erection of historical markers
11 at confirmed sites of the incidents identified in subdivision (b)(1) of this
12 section to memorialize the victims of those incidents;

13 (3) Coordinate and facilitate the public distribution of
14 scholarly research, publications, and interpretation of the incidents
15 identified in subdivision (b)(1) of this section;

16 (4) Assist in the development of programs, legislation, and
17 policies that promote truth and reconciliation relating to the incidents
18 identified in subdivision (b)(1) of this section;

19 (5) Obtain and maintain expertise concerning the incidents
20 identified in subdivision (b)(1) of this section;

21 (6)(A) Publish and submit reports with specific recommendations
22 to the executive and legislative branches concerning ways that the state can
23 and should officially, publicly, and individually address the incidents
24 identified in subdivision (b)(1) of this section.

25 (B)(i) In recognition of the one hundredth anniversary of
26 the Elaine Race Massacre, the commission shall immediately streamline a
27 report with specific recommendations relating to the Elaine Race Massacre,
28 including without limitation a public apology and the full posthumous
29 exoneration of all one hundred twenty-two (122) Black Arkansans who were
30 wrongfully convicted of various crimes, as well as Robert L. Hill, the
31 cofounder of the Progressive Farmers and Household Union of America, who fled
32 to Kansas to avoid unjust arrest and prosecution.

33 (ii) The commission shall present the report
34 required under subdivision (b)(6)(B)(i) of this section to the Attorney
35 General for approval by May 31, 2022.

1 (iii) Upon approval of the report submitted under
2 subdivision (b)(6)(B)(ii) of this section, within fourteen (14) days of
3 receipt, the Attorney General shall transmit the report to the Governor.

4 (iv) The Governor shall formally execute the report
5 transmitted by the Attorney General within fourteen (14) days of the
6 Governor's receipt of the report.

7
8 25-44-103. Unify Arkansas Commission – Members – Meetings – Staffing.

9 (a)(1) The Unify Arkansas Commission shall consist of the following
10 members:

11 (A) Two (2) members appointed by the Governor;

12 (B) Two (2) members appointed by the Speaker of the House
13 of Representatives;

14 (C) Two (2) members appointed by the President Pro Tempore
15 of the Senate; and

16 (D) Three (3) members appointed by the Chair of the
17 Arkansas Legislative Black Caucus.

18 (2)(A) Except as provided in subdivision (a)(2)(B) of this
19 section, a member of the Unify Arkansas Commission shall serve for a term of
20 four (4) years.

21 (B) The initial appointments to the Unify Arkansas
22 Commission shall be for staggered terms.

23 (b)(1) Except as provided in subdivision (b)(2) of this section, the
24 Unify Arkansas Commission, in consultation with the Board of Trustees of the
25 Arkansas Historical Association, shall provide a list of at least three (3)
26 but no more than five (5) qualified persons to each appointing official under
27 this section from which each appointing official is highly encouraged to
28 choose his or her appointees.

29 (2) If the Unify Arkansas Commission fails to provide the list
30 of qualified persons at least forty-five (45) days before the term of an open
31 position on the Unify Arkansas Commission begins, the appointing official
32 shall make the appointment without consulting the list.

33 (c) The members of the Unify Arkansas Commission shall select a chair,
34 who shall serve as the chair for two (2) years.

35 (d)(1) If a vacancy occurs on the Unify Arkansas Commission, the
36 vacancy shall be filled by the same process as the original appointment.

1 (2) The person appointed to fill the vacancy shall serve the
2 remainder of the vacating member's term.

3 (e) A member of the Unify Arkansas Commission may receive expense
4 reimbursement and stipends under § 25-16-901 et seq.

5 (f)(1) The Unify Arkansas Commission shall establish rules and
6 procedures for conducting its business.

7 (2)(A) A majority of the voting members of the Unify Arkansas
8 Commission shall constitute a quorum for transacting business of the Unify
9 Arkansas Commission.

10 (B) An affirmative vote of a majority of a quorum present
11 shall be required for the passage of a motion or other action of the Unify
12 Arkansas Commission.

13 (g) The Unify Arkansas Commission may:

14 (1) Hire and retain staff;

15 (2) Hire and employ consultants;

16 (3) Fix the compensation, duties, authority, and
17 responsibilities of the staff or consultants; and

18 (4) Be funded through a public-private partnership using
19 private funds held in trust by the Black History Commission of Arkansas.

20 (h) The Unify Arkansas Commission shall dissolve on December 31, 2034,
21 unless it is extended by the General Assembly at the request of the Unify
22 Arkansas Commission.

23
24 25-44-104. Custodian of records.

25 The Arkansas State Archives shall be the custodian of all property,
26 reference, and source materials of the Unify Arkansas Commission.

27
28 SECTION 2. DO NOT CODIFY. Unify Arkansas Commission initial
29 appointments.

30 (a)(1)(A) The Arkansas History Commission, Black History Commission of
31 Arkansas, the Arkansas State Archives, and the Board of Trustees of the
32 Arkansas Historical Association shall convene a joint public meeting using a
33 virtual platform no later than forty-five (45) days after the effective date
34 of this act.

35 (B) The date and time of the meeting required under
36 subdivision (a)(1)(A) of this section shall be set by the Chair of the

1 Arkansas History Commission, Chair of the Black History Commission of
2 Arkansas, the Director of the Arkansas State Archives, and the President of
3 the Arkansas Historical Association.

4 (2) After soliciting and accepting public recommendations, the
5 Arkansas History Commission, the Black History Commission of Arkansas, the
6 Arkansas State Archives, and the Board of Trustees of the Arkansas Historical
7 Association shall provide the lists required under § 25-44-103(b) to the
8 appointing officials no later than sixty (60) days after the effective date
9 of this act.

10 (b)(1) The first term of the appointees to the Unify Arkansas
11 Commission shall begin on January 1, 2022.

12 (2) The Governor's initial appointments under § 25-44-
13 103(a)(1)(A) shall be as follows:

14 (A) One (1) member whose initial term shall end on
15 December 31, 2025; and

16 (B) One (1) member whose initial term shall end on
17 December 31, 2026.

18 (3) The initial appointments of the Speaker of the House of
19 Representatives under § 25-44-103(a)(1)(B) shall be as follows:

20 (A) One (1) member whose initial term shall end on
21 December 31, 2024; and

22 (B) One (1) member whose initial term shall end on
23 December 31, 2025.

24 (4) The initial appointments of the President Pro Tempore of the
25 Senate under § 25-44-103(a)(1)(C) shall be as follows:

26 (A) One (1) member whose initial term shall end on
27 December 31, 2024; and

28 (B) One (1) member whose initial term shall end on
29 December 31, 2025.

30 (5) The initial appointments of the Chair of the Arkansas
31 Legislative Black Caucus under § 25-44-103(a)(1)(D) shall be as follows:

32 (A) One (1) member whose initial term shall end on
33 December 31, 2024;

34 (B) One (1) member whose initial term shall end on
35 December 31, 2025; and

1 (C) One (1) member whose initial term shall end on
2 December 31, 2026.

3 (c) The appointing officials under this act shall make their initial
4 appointments before January 1, 2022.

5
6 SECTION 3. Arkansas Code § 1-5-106, concerning state memorial days, is
7 amended to add additional subdivisions to read as follows:

8 (14) National Day of Racial Healing – Third Tuesday in January;
9 and

10 (15) Elaine Remembrance Week – October 1-7.

11
12 SECTION 4. Arkansas Code § 6-16-107(a), concerning patriotic
13 observances in elementary and secondary schools, is amended to read as
14 follows:

15 (a) February 1, as National Freedom Day, February 22, as the birthday
16 of George Washington, and such other days as may be designated by the State
17 Board of Education for patriotic observance shall be observed with
18 appropriate exercises.

19
20 SECTION 5. Arkansas Code Title 6, Chapter 16, Subchapter 1, is amended
21 to add additional sections to read as follows:

22 6-16-152. Elaine Remembrance Week.

23 (a) To educate students about the role of Black Arkansans in labor and
24 civil rights organizations and to highlight the sacrifices they made in
25 advancing the cause of racial equity, the first seven (7) days of October
26 shall be recognized as “Elaine Remembrance Week”.

27 (b) During Elaine Remembrance Week, particular study shall be made of
28 the Elaine Race Massacre, the deadliest race massacre in United States
29 history.

30 (c) Curricula and materials to be used during Elaine Remembrance Week
31 shall be devised, approved, and distributed by the State Board of Education
32 in cooperation with the Black History Commission of Arkansas and the Unify
33 Arkansas Commission by August 1 of each year.

34 (d) The Secretary of Education shall ensure that the curricula and
35 materials devised and approved by the State Board of Education under

1 subsection (c) of this section are reproduced and sent to all public school
2 districts in the state by September 1 of each year.

3
4 6-16-153. Arkansas Black culture course.

5 (a)(1) The State Board of Education shall allow for an elective
6 academic study of Arkansas Black culture course that consists of a
7 nonpartisan, unbiased academic study of Arkansas and American Black culture
8 and its influence on American literature, art, music, popular culture, and
9 politics, to be offered to students in public schools or school districts if
10 the academic study of Arkansas Black culture course meets the standards
11 listed in this section.

12 (2) The curriculum standards submitted by a public school or
13 school district for approval of an academic study of Arkansas Black culture
14 course shall meet the:

15 (A) Academic rigor and curriculum standards of other
16 elective courses approved by the state board; and

17 (B) Requirements of the Arkansas Constitution and the
18 United States Constitution.

19 (b)(1) A public school or school district that elects to offer an
20 academic study of Arkansas Black culture course shall implement the course in
21 accordance with state and federal law, including the manner in which the
22 course is taught in the classroom and the assignment of public school or
23 school district personnel teaching the course.

24 (2) Personnel assigned to teach the course shall be licensed to
25 teach in the State of Arkansas.

26 (c) A public school or school district that elects to offer an
27 academic study of Arkansas Black culture course shall use only the standards
28 in this section to:

29 (1) Evaluate textbooks for an academic study of Arkansas Black
30 culture course; and

31 (2) Teach an academic study of Arkansas Black culture course.

32 (d) The Division of Elementary and Secondary Education shall, by the
33 2022-2023 school year, identify, develop, and approve an Arkansas Black
34 culture course for high school credit that meets the requirements in
35 subsections (a) and (b) of this section.

36

1 SECTION 6. Arkansas Code Title 14, Chapter 13, Subchapter 1, is
2 amended to add an additional section to read as follows:

3 14-13-101. Community remembrance committees.

4 (a) Each county is encouraged to establish a community remembrance
5 committee to facilitate and encourage participation in regular, courageous,
6 ongoing dialogues among the citizens and elected officials of the county.

7 (b) Community remembrance committees:

8 (1) Shall be funded through a public-private partnership using
9 private funds that may be held in trust by and accessed through the Unify
10 Arkansas Commission;

11 (2)(A) Shall publicly recommend actions to all elected executive
12 and legislative branch officials on specific measures that the state should
13 take to correct the unjust outcome of any incident of documented
14 extrajudicial, racial, religious, or political injustice and violence,
15 including without limitation lynching, discriminatory cleansing, expulsion,
16 and exploitation, that were perpetrated against citizens, veterans, and
17 others in the respective county and in Arkansas generally throughout its
18 history as a territory and a state.

19 (B) Incidents regarding which a community remembrance
20 committee recommends actions under subdivision (b)(2)(A) of this section
21 shall have:

22 (i) Been a subject of the work of the Unify Arkansas
23 Commission for at least one (1) year; and

24 (ii) Occurred at least seventy (70) years before the
25 recommendation.

26 (C) A community remembrance committee shall:

27 (i) Not make more than three (3) recommendations
28 under subdivision (b)(2)(A) of this section in one (1) year; and

29 (ii) Publish each recommendation made under
30 subdivision (b)(2)(A) of this section; and

31 (3) May serve as committees of the Unify Arkansas Commission,
32 giving local citizens input on the Unify Arkansas Commission's operations
33 within each of the counties of the state.

34 (c) A community remembrance committee is encouraged to:

35 (1) Work with the Unify Arkansas Commission and the Department
36 of Parks, Heritage, and Tourism to erect historical markers at confirmed

1 sites to memorialize the victims of documented extrajudicial, racial,
2 religious, or political injustice and violence throughout the history of
3 Arkansas as both a territory and a state; and

4 (2) Host regular public meetings and other activities that focus
5 on future-building through countywide solidarity and collaboration across
6 differences with the goal of addressing ordinances, policies, regulations,
7 norms, cultures, institutions, and narratives that have historically
8 fostered, either explicitly or implicitly, *selective exclusion based on*
9 *partiality.*

10
11
12 */s/Elliott*
13
14

15 Referred requested by the Arkansas Senate

16 Prepared by: MBM/KFW
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

06-10-2021 17:18;

INTERIM STUDY PROPOSAL 2021-096

1
2
3 REQUESTING THE ARKANSAS LEGISLATIVE COUNCIL TO REQUEST THE HOUSE
4 COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS EXAMINE THE
5 EFFECTIVENESS AND COST SAVINGS OF USING WORK-FROM-ANYWHERE
6 STRATEGIES FOR STATE EMPLOYEES.

7
8 WHEREAS, the state utilized work-from-home or remote-work options
9 during the pandemic; and

10
11 WHEREAS, each state entity has developed a separate policy regarding
12 the use of remote work to perform state functions; and

13
14 WHEREAS, the General Assembly is responsible for studying the
15 feasibility, practicability, effectiveness, and cost savings realized through
16 various remote-work arrangements,

17
18 NOW THEREFORE,

19 BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE NINETY-THIRD
20 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 THAT the House Committee on State Agencies and Governmental Affairs
23 invite the Senate Committee on State Agencies and Governmental Affairs to
24 study without limitation the following:

25 (1) The best policies and practices for allowing employees of
26 the state to work from home or to otherwise work remotely;

27 (2) The feasibility and practicability of various remote-work
28 arrangements for employees engaged in all types of work and in all regions
29 throughout the state;

30 (3) The efficiency and effectiveness of the performance of state
31 employees utilizing remote-work arrangements;

32 (4) The potential cost savings realized through utilizing
33 remote-work options for state employees;

34 (5) The interest in state entities to use remote-work
35 arrangements; and

1 (6) The benefits, if any, to allowing state employees to
2 participate in remote-work arrangements.

3
4 Respectfully submitted,

5
6
7
8 Representative Julie Mayberry
9 District 27

10
11
12 Prepared by: MLD/MLD

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

INTERIM STUDY PROPOSAL 2021-097

1
2
3 REQUESTING THE ARKANSAS LEGISLATIVE COUNCIL TO STUDY THE
4 FEASIBILITY OF CONSOLIDATING INDIVIDUAL VOTING PRECINCT LOCATIONS
5 FOR THE PURPOSE OF UTILIZING VOTE CENTERS AND ELIMINATING VOTING
6 PRECINCT DESERTS IN RURAL AREAS FOR STATEWIDE SPECIAL, PRIMARY,
7 AND GENERAL ELECTIONS.

8
9 WHEREAS, elections are held through individual voting precincts for
10 statewide special, primary, and general elections; and

11
12 WHEREAS, vote centers have been successfully used in addition to
13 individual voting precincts;

14
15 WHEREAS, it is necessary to study the feasibility of consolidating
16 individual voting precinct locations for statewide special, primary, and
17 general elections for the purpose of utilizing vote centers in order to aid
18 in voting location awareness and visibility, as well as providing safer, more
19 secure, and more easily monitored elections; and

20
21 WHEREAS, voting access is critical in all areas of the state as well as
22 ensuring voters are not disenfranchised due to voting precinct deserts or
23 lack of broadband access,

24
25 NOW THEREFORE,

26 BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE NINETY-THIRD
27 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

28
29 THAT the Senate Committee on State Agencies and Governmental Affairs
30 invite the House Committee on State Agencies and Governmental Affairs, the
31 Senate Committee on City, County, and Local Affairs, and the House Committee
32 on City, County, and Local Affairs to study the elimination of individual
33 voting precincts in favor of utilizing vote centers.

34
35 BE IT FURTHER PROPOSED THAT the study proposed may include without limitation
36 the examination and assessment of the:

- 1 (1) Feasibility and benefits of vote centers;
- 2 (2) Benefits of greater visibility, access, and awareness of
3 vote centers to voters;
- 4 (3) Security benefits of consolidating precinct locations;
- 5 (4) Viability of voters in rural counties to be able to access
6 broadband internet connections and address other accessibility concerns as
7 related to elections and vote centers;
- 8 (5) Benefits of real time record updates for electronic poll
9 books provided by broadband internet access for vote centers;
- 10 (6) Benefits of extending the hours of Saturday voting to the
11 same hours as on weekday voting and completing early voting at 1:00 p.m. on
12 the Monday before the election;
- 13 (7) Number of people designated as poll workers at each poll
14 site and vote center, the total number of poll workers physically present at
15 each poll site and vote center during early voting and on election day, and
16 any shortage of poll workers;
- 17 (8) Available census data to determine areas of population
18 growth and reduction in the state in relation to the number of poll sites and
19 vote centers in each county;
- 20 (9) Feasibility of utilizing an incentive program to increase
21 the number of counties utilizing vote centers;
- 22 (10) Feasibility of using voting centers to allow greater voter
23 choice and real time voting in each county;
- 24 (11) Benefits associated with the use of early voting vote
25 centers;
- 26 (12) Voting patterns of when and where voters have been and are
27 choosing to vote for the last fifteen (15) years, including without
28 limitation whether voters are using absentee ballots, early voting locations,
29 or vote centers and an analysis of voting patterns across the state;
- 30 (13) Use of initiatives to focus on increasing the number of
31 voters voting, to encourage voting, and to mobilize the electorate;
- 32 (14) Maintenance and operating expenses of current voting
33 equipment, and anticipated costs of voting equipment and maintenance for the
34 next ten (10) years; and
- 35 (15) Benefits associated with a clear chain of accountability
36 for absentee ballots.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

BE IT FURTHER PROPOSED THAT the Secretary of State may assist the Senate Committee on State Agencies and Governmental Affairs, the House Committee on State Agencies and Governmental Affairs, the Senate Committee on City, County, and Local Affairs, and the House Committee on City, County, and Local Affairs with any information needed to complete the study required in this proposal.

BE IT FURTHER PROPOSED THAT the House Committee on State Agencies and Governmental Affairs and the Senate Committee on State Agencies and Governmental Affairs shall submit to the Legislative Council a final written report of their activities, findings, and recommendations with regard to the study requested in this proposal.

Respectfully submitted,

Senator Kim Hammer
District 33

Prepared by: MLD/MLD

INTERIM STUDY PROPOSAL 2021-106

1
2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021

A Bill

MLD/MLD
HOUSE BILL

5
6 By: Representative Love

7 Filed with: House Committee on State Agencies and Governmental Affairs
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT TO ESTABLISH A CORONAVIRUS 19 (COVID-19) LEAVE
11 BANK FOR STATE EMPLOYEES; AND FOR OTHER PURPOSES.

12
13
14 **Subtitle**

15 TO ESTABLISH A CORONAVIRUS 19 (COVID-19)
16 LEAVE BANK FOR STATE EMPLOYEES.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 21-4-203, concerning the definitions in the
22 Uniform Attendance and Leave Policy Act, is amended to add additional
23 subdivisions to read as follows:

24 (15) "Coronavirus 2019 (COVID-19) leave" means leave that is
25 taken after a positive coronavirus 2019 (COVID-19) test result of an
26 employee, of the spouse of the employee, or of a child of the employee when
27 the child resides in the same household as the employee, that requires the
28 employee's absence from duty for a period of time due to illness, quarantine,
29 or isolation; and

30 (16) "Coronavirus 2019 (COVID-19) leave bank" means a pool of
31 leave funded for employees by a state agency specifically for coronavirus
32 2019 (COVID-19) leave.

33
34 SECTION 2. Arkansas Code Title 21, Chapter 4, Subchapter 2, is amended
35 to add additional sections to read as follows:

1 21-4-218. Coronavirus 2019 (COVID-19) leave bank program for state
2 agencies.

3 (a)(1) The Department of Transformation and Shared Services shall have
4 administrative responsibility for developing, implementing, and maintaining
5 the statewide coronavirus 2019 (COVID-19) leave bank program.

6 (2) Each state agency shall participate in a coronavirus 2019
7 (COVID-19) leave bank to be administered by the Office of Personnel
8 Management under the program.

9 (b) A state agency shall fund the coronavirus 2019 (COVID-19) leave
10 bank with funds from the American Rescue Plan Act of 2021, Pub. L. No. 117-2.

11 (c) Coronavirus 2019 (COVID-19) leave with pay may be granted to an
12 employee when the employee is unable to perform his or her duties due to an
13 absence from work due to the need to quarantine or isolate or to care for a
14 spouse or child in quarantine or isolation.

15 (d)(1) An employee may be granted coronavirus 2019 (COVID-19) leave
16 without first having used:

17 (A) All available sick leave or annual leave; and

18 (B) Leave subject to the Family and Medical Leave Act of
19 1993, Pub. L. No. 103-3.

20 (2) While taking coronavirus 2019 (COVID-19) leave, an employee
21 shall:

22 (A) Be paid his or her regular salary;

23 (B) Accrue all other forms of leave; and

24 (C) Receive any other rights, privileges, and benefits to
25 which he or she is entitled.

26 (e) Up to two (2) consecutive weeks of coronavirus 2019 (COVID-19)
27 leave with full pay may be granted to an employee in a calendar year.

28 (f) The Secretary of the Department of Transformation and Shared
29 Services, or the secretary's designee, shall establish policies and
30 procedures:

31 (1) As deemed necessary to carry out the provisions of this
32 section; and

33 (2) To prescribe the standards and guidelines of the
34 extraordinary circumstances that the state agency director may use to
35 implement this section.

36

1 21-4-219. Coronavirus 2019 (COVID-19) leave bank program for state
2 entities.

3 (a)(1) The following state entities may establish, develop, implement,
4 and maintain a coronavirus 2019 (COVID-19) leave bank program for the
5 employees of the state entity:

- 6 (A) The General Assembly;
- 7 (B) The Bureau of Legislative Research;
- 8 (C) Arkansas Legislative Audit;
- 9 (D) The Arkansas Department of Transportation;
- 10 (E) The Arkansas State Game and Fish Commission;
- 11 (F) The Supreme Court;
- 12 (G) The Court of Appeals;
- 13 (H) The Administrative Office of the Courts;
- 14 (I) A constitutional office; and
- 15 (J) Institutions of higher education.

16 (2) A state entity may fund the coronavirus 2019 (COVID-19)
17 leave bank with funds from the American Rescue Plan Act of 2021, Pub. L. No.
18 117-2.

19 (b) Coronavirus 2019 (COVID-19) leave with pay may be granted to an
20 employee when the employee is unable to perform his or her duties due to an
21 absence from work due to the need to quarantine or isolate or to care for a
22 spouse or child in quarantine or isolation.

23 (c)(1) An employee may be granted coronavirus 2019 (COVID-19) leave
24 without first having used:

- 25 (A) All available sick leave or annual leave; and
- 26 (B) Leave subject to the Family and Medical Leave Act of
27 1993, Pub. L. No. 103-3.

28 (2) While taking coronavirus 2019 (COVID-19) leave, an employee
29 shall:

- 30 (A) Be paid his or her regular salary;
- 31 (B) Accrue all other forms of leave; and
- 32 (C) Receive any other rights, privileges, and benefits to

33 which he or she is entitled.

34 (d) Up to two (2) consecutive weeks of coronavirus 2019 (COVID-19)
35 leave with full pay may be granted to an employee in a calendar year.

1 (e) The administrative head of a state entity, or his or her designee,
2 shall establish policies and procedures:

3 (1) As deemed necessary to carry out the provisions of this
4 section; and

5 (2) To prescribe the standards and guidelines of the
6 extraordinary circumstances that the state entity may use to implement this
7 section.

8
9
10 Referred by Representative Love

11 Prepared by: MLD/MLD
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36