

SUMMARY OF GENERAL LEGISLATION

.....

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SUMMARY OF CONTENTS

REGULAR SESSION ACTS	1-123
AGRICULTURE	1-2
ALCOHOLIC BEVERAGES.....	2-3
ANIMALS	3-4
BOARDS AND COMMISSIONS	4-10
CHILDREN.....	10-13
CITIES AND COUNTIES	13-19
CIVIL LAW AND PROCEDURE	19
COMMERCIAL LAW	19-21
CONSTITUTIONAL OFFICERS	21-22
CONSUMER PROTECTION.....	22-23
CORRECTIONS	23-24
COURTS	24-27
CRIMINAL LAW AND PROCEDURE	27-34
DISABILITIES	34-35
ECONOMIC DEVELOPMENT	35-37
EDUCATION - GENERAL.....	37-48
EDUCATION - HIGHER.....	48-53
ELECTIONS.....	53-55
EMERGENCY SERVICES.....	55-56
ENERGY	56-57
ENVIRONMENTAL LAW	57-58
ETHICS	58
FAMILY LAW	58-62
FINANCIAL INSTITUTIONS.....	62
FIRE PROTECTION.....	62-63
FIREARMS.....	63
FREEDOM OF INFORMATION ACT.....	63-64
GAMBLING AND AMUSEMENT DEVICES.....	64-65

GENERAL ASSEMBLY	65-67
HEALTH.....	67-76
HIGHWAYS	76-77
IMPROVEMENT DISTRICTS	77
INSURANCE	77-80
LABOR AND INDUSTRIAL RELATIONS.....	80-81
LAW ENFORCEMENT	81-83
MANUFACTURED HOMES.....	83
MILITARY AND VETERANS.....	83-84
MINORITIES	84-85
MOTOR VEHICLES.....	85-90
MUSEUMS AND LIBRARIES	90
NATURAL RESOURCES.....	90-91
PROFESSIONS AND OCCUPATIONS	91-94
PROPERTY RIGHTS AND INTERESTS	94-96
PUBLIC OFFICERS AND EMPLOYEES	96-98
PUBLIC PROPERTY	98-99
RACING.....	99
RETIREMENT.....	99-104
STATE AGENCIES	104-112
TAXES.....	112-118
TECHNOLOGY.....	118
TOBACCO.....	118-119
TOURISM.....	119
TRANSPORTATION	119-121
UTILITIES.....	121-123
WELFARE AND GOVERNMENTAL ASSISTANCE	123
WILLS, ESTATES, AND TRUSTS.....	123
PROPOSED CONSTITUTIONAL AMENDMENTS	124
EFFECTIVE DATE OF ACTS	124
LEGISLATIVE SESSION DATES.....	125-128

TABLE OF CONTENTS

REGULAR SESSION ACTS	1-123
AGRICULTURE	1
DAIRY GRANT PROGRAM.....	1
EARTHMOVING EQUIPMENT PERMITS	1
<i>Limit On Towing Dirt Pans</i>	1
FARM VEHICLES	1
<i>Mini-Trucks</i>	1
FARMLANDS, TERMINATION OF ORAL LEASE	1
FOREIGN INVESTMENT ACT, ARKANSAS AGRICULTURAL	1
INTERSTATE PEST CONTROL COMPACT	1
LIENS, CENTRAL FILING.....	1
RICE CERTIFICATION	1
SMALL FARM WINERIES.....	1
SOIL TESTING AND RESEARCH FUND.....	1
STATE FAIR AND LIVESTOCK SHOW.....	2
<i>General Revenues Appropriated</i>	2
STATE GRAPE DESIGNATION	2
STATE NUT DESIGNATION	2
YOUNG AND BEGINNING FARMER ADVISORY BOARD.....	2
 ALCOHOLIC BEVERAGES	 2
BEER, ALE, AND MALT BEVERAGES	2
<i>Manufacturer's Wholesale Price</i>	2
LARGE ATTENDANCE FACILITIES	2
MINORS	2
<i>Member Of Family</i>	2
<i>Religious Ceremonies</i>	2
<i>Social Host Liability</i>	2
ON-PREMISES CONSUMPTION; SMALL RESTAURANT WINE PERMITS.....	2
PERMITS, ALCOHOLIC BEVERAGES	3
SMALL BREWERIES.....	3
SMALL FARM WINERIES.....	3
SUNDAY SALES.....	3
 ANIMALS	 3
ANIMAL CRUELTY	3
KILLING OR INJURING LAW ENFORCEMENT ANIMALS	3
RABIES CONTROL.....	3
SPECIAL LICENSE PLATE.....	4
<i>Support Animal Rescue And Shelters</i>	4

BOARDS AND COMMISSIONS 4

ACADEMIC FACILITIES REVIEW BOARD 4

ACUPUNCTURE AND RELATED TECHNIQUES, BOARD OF 4

ALTERNATIVE ENERGY COMMISSION 4

AMUSEMENT RIDE SAFETY ADVISORY BOARD STIPENDS 4

APPRAISER LICENSING AND CERTIFICATION 4

ARCHITECTS, STATE BOARD OF 4

ATHLETIC COMMISSION 4

AUCTIONEER'S LICENSING BOARD 4

Late Renewals And Recovery Fund 4

BLACK HISTORY COMMISSION OF ARKANSAS 4

Curtis H. Sykes Memorial Grant Program 4

BLUE RIBBON COMMITTEE ON HIGHWAY FINANCE 5

Roadway Improvement Study 5

BURIAL ASSOCIATION BOARD 5

CAREER EDUCATION, STATE BOARD OF 5

CEMETERY BOARD 5

Insolvent Cemeteries 5

CLERKS' CONTINUING EDUCATION BOARDS 5

CLOSING THE ACHIEVEMENT GAP IN ARKANSAS 5

COORDINATION OF EDUCATIONAL EFFORTS 5

COSMETOLOGY 5

State Board Abolished 5

Technical Advisory Committee 5

COUNSELORS 5

Alcoholism And Drug Abuse Counselors 5

DORMANT BOARDS AND COMMISSIONS 5

ECONOMIC DEVELOPMENT COMMISSION 6

Energy Efficiency Standards 6

Regulatory Review Committee 6

Technology Acceleration Fund 6

ELECTRICAL EXAMINERS, BOARD OF 6

ELECTRONIC RECORDS 6

Electronic Recording Comm'n; Automated Records Systems Fund Comm. 6

Electronic Records Study Commission 6

ENERGY OFFICE 6

ENGINEERS AND SURVEYORS 6

FORESTRY COMMISSION 7

Law Enforcement Officer 7

GAME AND FISH COMMISSION 7

Hunting And Fishing Licenses 7

HIGHER EDUCATION COORDINATING BOARD 7

Uniform Measurable Exit Standards For Remedial Courses 7

HIGHWAY COMMISSION 7

LAND INFORMATION BOARD 7

LAW ENFORCEMENT STANDARDS AND TRAINING 7

LIQUEFIED PETROLEUM GAS BOARD 7

Emergency Gas Deliveries 7

LOTTERY COMMISSION 7

MARTIN LUTHER KING JR. COMMISSION 8

MASSAGE THERAPY, STATE BOARD OF.....	8
MEDICAL BOARD.....	8
<i>Acupuncturists</i>	8
<i>Additional Member</i>	8
<i>Radiologist Assistants And Radiology Practitioner Assistants</i>	8
MUNICIPAL AIRPORT COMMISSIONS.....	8
NURSING, STATE BOARD OF.....	8
<i>Nursing Student Loan Program</i>	8
<i>Stipends</i>	8
OIL AND GAS COMMISSION	8
<i>Administration Of The Natural Gas Pipeline Safety Act Of 1968</i>	8
<i>Functions Of The Commission</i>	9
<i>Membership</i>	9
OLD STATE HOUSE.....	9
PHARMACY, STATE BOARD OF.....	9
PHYSICAL THERAPY, STATE BOARD OF	9
PLANT BOARD.....	9
PROFESSIONAL BAIL BONDSMAN LICENSING BOARD	9
PROFESSIONAL LICENSURE STANDARDS BOARD.....	9
PROJECT GRADUATION COMMISSION.....	9
PUBLIC FACILITIES BOARDS	9
<i>Municipalities</i>	9
PUBLIC SERVICE COMMISSION	9
RURAL DEVELOPMENT COMMISSION	10
RURAL MEDICAL PRACTICE.....	10
<i>Income Incentives To Physicians</i>	10
SUBPOENAS	10
<i>Alternatives And Methods For Challenging</i>	10
<i>State Board Of Education; Professional Licensure Standards Board</i>	10
<i>State Board Of Health</i>	10
TOWING AND RECOVERY BOARD	10
<i>Distribution Of Fines Collected For Unlawful Towing Operations</i>	10
YOUNG AND BEGINNING FARMER ADVISORY BOARD.....	10
 CHILDREN	 10
ADOPTION	10
<i>Fast-Tracked Adoptions Of Garrett's Law Babies</i>	10
<i>Home Studies</i>	10
ARKIDS FIRST EXPANSION	10
BODY ART ON MINORS	10
CHILD ABUSE AND NEGLECT.....	11
<i>Access To Records At Children's Advocacy Centers</i>	11
<i>Mandated Reporters</i>	11
<i>Removal Of Name From The Child Maltreatment Central Registry</i>	11
<i>Task Force On Abused And Neglected Children</i>	11
<i>The Child Maltreatment Act</i>	11
CHILD CARE FACILITIES.....	11
<i>Evacuation Plans For Emergency Procedures</i>	11
<i>Minimum Levels Of General Liability Coverage</i>	11

CHILD WELFARE AGENCY LICENSING ACT	12
CHILDREN IN CUSTODY OF DEPARTMENT OF HUMAN SERVICES.....	12
<i>Notice to, Reporting Concerning Grandparents And Other Adult Relatives</i>	12
<i>Public Disclosure Of Information On Fatalities And Near Fatalities</i>	12
FOSTER CARE	12
<i>Kinship Foster Care Program Repeal</i>	12
<i>Transition Plan</i>	12
GUARDIANSHIP	12
<i>Jurisdiction</i>	12
<i>Relative Caregivers, Guardianship Subsidy</i>	12
JUVENILE LAW	12
<i>Amendments To Juvenile Code</i>	12
<i>Confessions And Waivers Of Counsel</i>	13
<i>Juvenile Safety Plans</i>	13
NOVELTY LIGHTERS.....	13
TANNING FACILITIES	13
<i>Parental Consent</i>	13
YOUTH SERVICES, DIVISION OF	13
<i>System Of Education In Residential Facilities</i>	13
CITIES AND COUNTIES.....	13
ALDERMANIC VACANCIES	13
AMBULANCE TRANSPORTS	13
ANNUAL COUNTY FINANCIAL REPORT	13
CIRCUIT CLERKS	13
CITY ADMINISTRATOR FORM OF GOVERNMENT	14
CITY SERVICES.....	14
CIVIL SERVICE	14
CIVIL SERVICE COMMISSIONERS, BOARD OF.....	14
CORONERS	14
<i>Coroner's Advisory Task Force</i>	14
<i>Pronouncement Of Death</i>	14
COUNTY ACCOUNTING.....	14
COUNTY AND DISTRICT OFFICIALS	14
<i>Reimbursement Of Allowable Expenses</i>	14
COUNTY AND MUNICIPAL ELECTIONS.....	14
COUNTY CLERKS.....	14
COUNTY HEALTH OFFICER.....	14
COUNTY JUDGE	15
<i>Actions On Behalf Of Counties</i>	15
COUNTY OFFICER COMPENSATION	15
COUNTY ORDINANCES	15
COUNTY PROCUREMENT	15
COUNTY RECORDERS.....	15
COUNTY TAX BOOKS	15
DISTRICT COURTS	15
<i>Municipal Disbursements</i>	15
ELECTIONS.....	15
<i>Ballot Presentation</i>	15

<i>City Annexation Elections</i>	15
<i>Recall Elections</i>	15
<i>Surplus Campaign Funds</i>	15
ELECTRONIC RECORDS	15
<i>Access</i>	15
<i>Electronic Recording Comm'n; Automated Records Systems Fund Committee</i>	16
EMERGENCY VACANCIES	16
INFRASTRUCTURE	16
<i>Road Maintenance, Repair, And Resurfacing</i>	16
ISSUANCE OF BONDS	16
LIBRARIES	16
LIENS, PRIORITY	16
LOCAL GOVERNMENT JOINT INVESTMENT TRUST ACT	16
MAYORS	16
<i>Reports</i>	16
<i>Vetoes</i>	16
MONROE COUNTY	16
MUNICIPAL ACCOUNTING LAW	16
<i>Disbursements</i>	16
<i>Turnback</i>	17
MUNICIPAL AIRPORT COMMISSIONS	17
MUNICIPAL OFFICER VACANCIES	17
MUNICIPAL ORDINANCES	17
PAYMENT OF DEBTS	17
PLANNING AND DEVELOPMENT DISTRICT	17
PUBLIC FACILITIES BOARDS	17
<i>Municipalities</i>	17
QUORUM COURTS	17
<i>County Tax Settlements</i>	17
REIMBURSEMENT FOR MEAL TIPS	17
RETIREMENT	17
<i>Health Benefits, Employees</i>	17
<i>Mayors</i>	18
SALES AND USE TAXES	18
<i>County - Delayed Effective Date</i>	18
<i>County - Extension Of Tax</i>	18
<i>Municipal - Capital Improvements</i>	18
<i>Municipal - Extension Of Tax</i>	18
<i>Municipal - Rental Accommodations</i>	18
SOLID WASTE LANDFILLS	18
TIF DISTRICTS	18
TOWING AND STORAGE	18
<i>Guidelines To Allow Regulation Of Nonconsensual Towing and Storage</i>	18
UNSANITARY CONDITIONS	18
UTILITIES	18
<i>Certificate Of Convenience</i>	18
WATER AND SEWER DEPARTMENTS	19
WATER DISTRICTS, REGIONAL	19
WATER SERVICE FACILITIES, RURAL	19
<i>Purchase By Annexing Municipalities</i>	19

CIVIL LAW AND PROCEDURE..... 19

CITATION BY MAIL, CODE ENFORCEMENT OFFICERS 19
 GAMBLING DEBT RECOVERY 19
 IMITATION FIREARMS..... 19
 LANDLORD AND TENANT 19
 Evictions 19
 VENUE 19

COMMERCIAL LAW 19

ABANDONED PROPERTY 19
 Jewelry..... 19
 BUSINESS ORGANIZATIONS 19
 Mergers And Conversions 19
 Registered Agents..... 19
 CREDIT CARD PROCESSING SERVICES 20
 CREDITORS' CLAIMS, LIMITATION ON..... 20
 FAIR DEBT COLLECTION PRACTICES..... 20
 IMITATION FIREARMS..... 20
 MECHANIC'S AND MATERIALMEN'S LIENS 20
 NOVELTY LIGHTERS..... 20
 PREPAID FUNERAL BENEFITS 20
 SALES AND USE TAXES 20
 Withdrawal From Stock..... 20
 SALVAGE AUCTION BUYER'S FEE..... 20
 SAMPLE DRUG DISTRIBUTION..... 20
 SECURITIES 20
 SIGNATURE BY MARK..... 21
 SOLICITATION OF ADVERTISING 21
 Written Contracts 21
 SURETY BONDS..... 21
 TANNING FACILITIES 21
 Parental Consent For Consumers Under Eighteen (18) Years Of Age 21
 UNIFORM MONEY SERVICES ACT 21

CONSTITUTIONAL OFFICERS..... 21

ATTORNEY GENERAL..... 21
 Disposition Reports, Legislative Audit 21
 Law Enforcement Agency..... 21
 Racial Profiling 21
 COMMISSIONER OF STATE LANDS 22
 GOVERNOR..... 22
 Old State House Report 22
 SECRETARY OF STATE..... 22
 International Student Exchange Visitor Placement Organizations..... 22
 Central Filing For Agricultural Liens 22
 Foreign Investment Act, Arkansas Agricultural 22

CONSUMER PROTECTION.....	22
FAIR MORTGAGE LENDING ACT	22
MOTOR VEHICLE SALES	22
<i>Motor Vehicle Dealer To Pay Off Lien Within Ten Days</i>	22
NEW MOTOR VEHICLE QUALITY ASSURANCE ACT.....	22
<i>Substantially Altered Vehicles Over 10,000 Pounds</i>	22
REFUND ANTICIPATION LOAN ACT.....	23
CORRECTIONS	23
BOARD OF CORRECTIONS	23
<i>Per Diem Stipends And Expense Reimbursement</i>	23
GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION.....	23
<i>Issuance Or Sale Of Items Produced</i>	23
<i>Purchase By School Districts And Public Agencies</i>	23
INMATES	23
<i>Dental Hygiene</i>	23
<i>Expansion Of Existing Skills Training Programs and Education</i>	23
<i>Labor</i>	23
<i>Medical Examinations</i>	23
<i>Meritorious Good Time</i>	23
<i>Possession Of Prohibited Articles</i>	24
SEXUAL CONTACT BETWEEN EMPLOYEE AND PERSON IN CUSTODY	24
<i>Criminal Penalty</i>	24
UNLICENSED TRANSITIONAL HOUSING	24
COURTS	24
ARKANSAS REPORTS, PUBLICATION	24
CHILD SUPPORT	24
<i>Release From Obligation</i>	24
CLERKS	24
<i>Continuing Education</i>	24
<i>Judgments, Entry Of</i>	24
COURT OF APPEALS.....	24
<i>Appeals From The Arkansas Public Service Commission</i>	24
<i>Unpublished Opinions</i>	24
COURTS - CIRCUIT, DISTRICT, AND CITY.....	24
<i>City Courts To Be Consolidated With District Courts</i>	24
<i>Election Of District Judges</i>	25
<i>Filing Fees; Pilot Program Judgeships</i>	25
<i>First Judicial District</i>	25
<i>Fourth Judicial District</i>	25
<i>Legislative Audit Of City Courts</i>	25
<i>Municipal Disbursements</i>	25
<i>Salaries Of The Judges And Other Personnel</i>	25
<i>Territorial Jurisdiction</i>	25
DRUG COURTS - COSTS.....	25
FAMILY LAW	25

<i>Paternity</i>	25
FEES AND FINES	25
<i>Court Technology Improvement Act Of 2009</i>	25
<i>Payment And Collection Of Fines, Costs, And Restitution</i>	25
<i>Third-Party Entities; Payment With A Credit Card</i>	26
<i>Uniform Filing Fees</i>	26
FUNDING OF THE JUDICIAL SYSTEM, LEGISLATIVE TASK FORCE	26
IMPROVEMENT DISTRICT REPORTING REQUIREMENTS	26
JUVENILE SAFETY PLAN	26
PROSECUTING ATTORNEYS	26
<i>Disposition Reports, Legislative Audit</i>	26
<i>Fifteenth Judicial District</i>	26
<i>Thirteenth Judicial District</i>	26
<i>Twentieth Judicial District</i>	26
SECURITY OFFICERS	26
TRANSITIONAL HOUSING FACILITIES	27
CRIMINAL LAW AND PROCEDURE	27
ABORTION, PARTIAL-BIRTH	27
AGGRAVATED RESIDENTIAL BURGLARY	27
ASSAULT	27
ASSET FORFEITURE ACTION	27
<i>Rights And Responsibilities Of Parties</i>	27
BAIL BONDS	27
BATTERY IN THE SECOND DEGREE	27
<i>Code Enforcement And Animal Control Officers</i>	27
BODY ART ON MINORS	27
CAPITAL PUNISHMENT, LETHAL INJECTION	27
<i>Methods Of Execution Act</i>	27
CONTROLLED SUBSTANCES	27
<i>Sale Or Purchase Of Ephedrine</i>	27
<i>Second Or Subsequent Offense</i>	28
COUNSELORS, UNLICENSED PRACTICE	28
CRIMINAL JUSTICE, LEGISLATIVE TASK FORCE ON	28
DAMAGING EQUIPMENT OF TELEPHONE, CABLE, ELECTRIC COMPANIES	28
DEFRAUDING A SECURED CREDITOR	28
<i>Use Of Insurance Proceeds In Contravention Of A Security Agreement</i>	28
DNA SAMPLES	28
<i>Juli's Law</i>	28
DOMESTIC ABUSE	28
<i>Amendments To The Domestic Abuse Act Of 1991</i>	28
DOMESTIC BATTERY	29
DRIVING WHILE INTOXICATED	29
<i>Chemical Test Administration</i>	29
<i>Consent To Testing</i>	29
<i>First-Time Offender</i>	29
<i>Vehicle Interlock Device</i>	29
<i>Victim Impact Panel</i>	29
DRUG OR ALCOHOL SCREENING TEST, INTENT TO DEFRAUD	29

<i>Sale, Distributing, And Marketing Of Human Or Synthetic Urine</i>	29
EMERGENCY LIGHTS AND SIRENS - PROHIBITED USE.....	30
ESCAPE FROM CUSTODY	30
EXPLOSIVES.....	30
EXPUNGEMENT OF RECORD.....	30
FLEEING	30
FORGERY AND FRAUDULENT PRACTICES	30
<i>Financing Statements</i>	30
FURNISHING OR SELLING ALCOHOL TO MINORS.....	30
<i>Religious Ceremonies</i>	30
<i>Social Host Liability</i>	30
IMPAIRING THE OPERATION OF A VITAL PUBLIC FACILITY	31
INHALATION OF INTOXICATING COMPOUNDS	31
INTERFERENCE WITH A LAW ENFORCEMENT OFFICER	31
<i>Code Enforcement And Animal Control Officers</i>	31
JUVENILE COURT PROCEEDINGS	31
<i>Extended Juvenile Jurisdiction</i>	31
JUVENILE LAW	31
KILLING OR INJURING LAW ENFORCEMENT ANIMALS	31
MISDEMEANOR FINES	31
NEGLIGENT HOMICIDE	31
<i>Penalty Enhancements</i>	31
NOVELTY LIGHTERS.....	31
OBSTRUCTING GOVERNMENTAL OPERATIONS	32
<i>Falsely Identifying One's Self To Animal Control or Code Enforcement Officer</i> ..	32
OFFENSES COMMITTED IN THE PRESENCE OF A CHILD	32
<i>Homicide - Sentence Enhancement</i>	32
ORDERS OF PROTECTION	32
PERSONS SENTENCED UNDER THE 70% RULE.....	32
<i>Meritorious Good Time</i>	32
PROCEDURE FOR SEALING CRIMINAL RECORDS	32
<i>City And District Courts</i>	32
RACING OR OBSERVING A DRAG RACE ON A PUBLIC HIGHWAY	32
RAPE	32
REGULATION OF TOBACCO PRODUCTS	33
<i>Enforcement And Penalties</i>	33
SEX OFFENDERS	33
SEXUAL ASSAULT	33
SEXUAL SOLICITATION	33
SPECULATIVE OFFERING OF TICKET SALES VIA THE INTERNET.....	33
THEFT	33
<i>Cattle Or Livestock</i>	33
THEFT OF PROPERTY	33
<i>Enhanced Penalties, State Of Emergency</i>	33
UNIFORM CONTROLLED SUBSTANCES ACT	33
<i>Destruction Of Seized Methamphetamine-Contaminated Motor Vehicles</i>	33
<i>Hydromorphone Hydrochloride</i>	33
VICTIM RESTITUTION.....	34
<i>Installment Payments</i>	34
VOYEURISM, PENALTY ENHANCEMENT FOR.....	34
WARRANTLESS ARREST	34

<i>Interference With Emergency Communication</i>	34
DISABILITIES	34
ADULT DAY CARE CENTERS	34
ADULT MALTREATMENT CUSTODY	34
DIVERSITY REPRESENTATION.....	34
HEARING IMPAIRMENT AIDS AND INSTRUMENTS.....	34
<i>Hearing Aids, Coverage For</i>	34
HUNTING AND FISHING LICENSES.....	34
IMPAIRMENTS	34
<i>Long-Term Care Facilities</i>	34
INDIVIDUALS WITH MENTAL RETARDATION	35
<i>Drafting Of Bills And Resolutions</i>	35
INTERMEDIATE CARE FACILITIES PROVIDER FEE	35
NONPROFIT ORGANIZATIONS SERVING CERTAIN DISABILITIES.....	35
PERSONS WITH A SERIOUS WALKING HANDICAP.....	35
<i>Use Of An All-Terrain Vehicle</i>	35
SPECIAL EDUCATION	35
<i>Out-Of-State Transfers</i>	35
ECONOMIC DEVELOPMENT	35
2008 HOUSING ACT VOLUME CAP	35
ALTERNATIVE FUELS DEVELOPMENT ACT	35
<i>Production Incentives</i>	35
DEVELOPMENT FINANCE AUTHORITY.....	35
<i>Arkansas Housing Trust Fund</i>	35
DIGITAL PRODUCT AND MOTION PICTURE INDUSTRY	35
ECONOMIC DEVELOPMENT COMMISSION	36
<i>Technology Acceleration Fund</i>	36
INDUSTRY DEVELOPMENT	36
<i>Consolidated Incentive Act Of 2003</i>	36
MINORITY BUSINESS ECONOMIC DEVELOPMENT ACT	36
MOTOR VEHICLE RACING FACILITIES.....	36
NATURAL RESOURCES.....	36
<i>Wildlife Observation Trails</i>	36
NONPROFIT INCENTIVE ACT OF 2005.....	36
POSTDOCTORAL SCIENCE AND ENGINEERING GRANT PROGRAM.....	36
PUBLIC CORPORATIONS FOR ECONOMIC DEVELOPMENT ACT	36
REDUCING POVERTY AND PROMOTING ECONOMIC OPPORTUNITY	36
RISK CAPITOL MATCHING FUND	37
RURAL DEVELOPMENT COMMISSION	37
TAXES.....	37
TOURISM DEVELOPMENT	37
<i>Lodging</i>	37

EDUCATION - GENERAL	37
ACADEMIC FACILITIES AND TRANSPORTATION, COMMISSION	37
ACHIEVEMENT GAP	37
<i>Parental Access To Public School Data On Achievement Gaps</i>	37
ADMINISTRATION	38
<i>Superintendent Contracts</i>	38
ADMINISTRATORS	38
<i>Confidentiality Of Ethics Complaint Review</i>	38
<i>Lifetime Teaching License</i>	38
<i>Military Leave</i>	38
<i>Personnel Policies</i>	38
AUDITS, EDUCATIONAL INSTITUTION	38
BUSES	38
<i>School Bus Safety Equipment Grant Pilot Program</i>	38
BUSES	39
<i>School Bus Safety Plans</i>	39
CAREER EDUCATION, DEPARTMENT OF	39
CHRONICALLY UNDERPERFORMING SCHOOLS.....	39
<i>Intervention Strategies</i>	39
COLLEGE AND CAREER READINESS PLANNING PROGRAM	39
<i>College Preparations</i>	39
COMMISSIONS	39
<i>Academic Facilities And Transportation</i>	39
<i>Closing The Achievement Gap</i>	39
<i>Coordination Of Educational Efforts</i>	39
<i>Early Childhood</i>	39
<i>Project Graduation Commission</i>	39
COMPUTER NETWORK, PUBLIC SCHOOL	40
COUNSELORS.....	40
<i>Administrator's License</i>	40
CURRICULUM	40
<i>Concurrent Enrollment Courses</i>	40
<i>Vocational And Technical Education</i>	40
DEFIBRILLATORS, AUTOMATED EXTERNAL.....	40
<i>The Antony Hobbs III Act</i>	40
DESEGREGATION	40
DISTRICTS, PUBLIC SCHOOL	40
<i>Advertisement Of A Bond Sale</i>	40
<i>Audit Reports</i>	40
<i>Boards Of Directors, Executive Session</i>	40
<i>School Board Of Directors</i>	41
<i>School District Purchases</i>	41
EDUCATION SERVICE COOPERATIVES.....	41
ELECTIONS, SCHOOL	41
EMPLOYEES, NONLICENSED	41
<i>Child Maltreatment Central Registry Check</i>	41
<i>Personnel Policies For Classified Employees, Committee On</i>	41
FACILITIES, PUBLIC SCHOOL	42

<i>Appeals Review Board</i>	42
<i>Bonded Debt Assistance</i>	42
<i>Facilities Distress</i>	42
<i>Inspections Of Public School Facilities</i>	42
FUNDING, PUBLIC SCHOOL	42
<i>98% Uniform Rate Of Tax</i>	42
<i>Arkansas Smart Core Incentive Funding Program</i>	42
<i>Categorical Funds, National School Lunch Program</i>	43
<i>Educational Adequacy</i>	43
<i>Foundation Funding</i>	43
<i>Isolated Schools</i>	43
<i>Miscellaneous Funds</i>	43
<i>Student Growth Funding</i>	43
<i>Uniform Rate Of Tax</i>	43
GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION	44
GRANTS	44
<i>Teacher Programs</i>	44
IMPROVEMENT DISTRICT ASSETS	44
INT'L STUDENT EXCHANGE VISITOR PLACEMENT ORGANIZATION	44
<i>Registration With The Secretary Of State</i>	44
LEADERSHIP COORDINATING COUNCIL	44
MILITARY CHILDREN, EDUCATIONAL ACCESS	44
MOBILE LEARNING TECHNOLOGY PILOT PROGRAM	44
PERSONNEL	44
<i>National Board For Professional Teaching Standards Certification</i>	44
<i>Policies, Nonlicensed Personnel</i>	45
<i>Professional Development Credit</i>	45
<i>Professional Development On Higher Education Awareness</i>	45
PRIVATE RESIDENT AND CORRESPONDENCE SCHOOLS	45
PROFESSIONAL LICENSURE STANDARDS BOARD	45
<i>Legislative Audit</i>	45
PUBLIC SCHOOLS	45
<i>End-Of-Course Assessments</i>	45
<i>Fiscal Distress</i>	46
<i>Parental Involvement Plans</i>	46
<i>Students</i>	46
<i>Uniform Spring Break</i>	46
SPECIAL EDUCATION	46
<i>Out-Of-State Transfers</i>	46
STUDENTS	46
<i>Attendance</i>	46
<i>Kindergarten Enrollment Age</i>	46
<i>Prekindergarten</i>	46
SUBPOENA POWER	47
TASK FORCES	47
<i>Legislative Task Force On Arkansas History Education</i>	47
<i>Legislative Task Force On Athletic Training In Public Schools</i>	47
TEACHER RETIREMENT SYSTEM	47
<i>Group Health Insurance Premiums</i>	47
TEACHERS	47
<i>Child Maltreatment Central Registry Check</i>	47

Confidentiality Of Ethics Complaint Review 47
Lifetime Teaching License 47
Military Leave 47
Personnel Policies 47
TEACHERS 48
 Recruitment And Retention In High-Priority Districts 48
TEACHING CREDENTIAL, BIRTH THROUGH PREKINDERGARTEN 48
TECHNICAL CORRECTIONS TO TITLE 6 48
TESTING ACCOMMODATION 48
WORKFORCE EDUCATION, DEPARTMENT OF 48

EDUCATION - HIGHER..... 48

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM..... 48
AFFORDABILITY OF ARKANSAS UNDERGRADUATE EDUCATION..... 49
 Interim Study By Senate And House Committees On Education 49
CAMPUS SAFETY 49
CHILD CARE ASSISTANCE, TWO-YEAR COLLEGES 49
CLEAN AIR ON CAMPUS ACT OF 2009 49
 Smoking Prohibited 49
CONCURRENT ENROLLMENT COURSES 49
CONTRACTING BID AWARDS 49
DEGREE REQUIREMENTS 49
 Associate Of Applied Science 49
DEPARTMENT OF HIGHER EDUCATION 49
 Remediation Information 49
EMPLOYEES 50
 Additional Positions 50
 Administrators 50
 Classified Personnel..... 50
 Disclosure Of Financial Interest By Employees And Former Employees..... 50
 Growth Pool, Four-Year Institutions 50
 Growth Pool, Two-Year Institutions 50
ENRICHMENT PROGRAM FOR HEALTH CARE STUDENTS, SUMMER 50
ENVIRONMENTAL TRAINING ACADEMY, ARKANSAS - RENAMED 50
FOUR-YEAR INSTITUTIONS FUNDING FORMULA 50
GRANTS 50
 Higher Education Opportunities Grant Program..... 50
 Teacher Opportunity Program 50
 Teacher Programs..... 51
HIGHER EDUCATION COORDINATING BOARD 51
 Uniform Measurable Exit Standards For Remedial Courses 51
POSTDOCTORAL SCIENCE AND ENGINEERING GRANT PROGRAM..... 51
PRIVATE BORROWING 51
PROFESSIONAL LICENSURE STANDARDS BOARD..... 51
PUBLIC IMPROVEMENT PROJECTS 51
 Award Procedure 51
REPORTS 51
RURAL MEDICAL PRACTICE..... 51
 Income Incentives To Physicians 51

SCHOLARSHIPS AND TUITION	51
<i>Arkansas Academic Challenge Scholarship Program</i>	51
<i>Arkansas National Guard Tuition Incentive Program</i>	52
<i>Children And Spouses Of Certain Public Service Employees</i>	52
<i>Faculty/Administrator Development Fellows Program</i>	52
<i>Governor's Scholars Program</i>	52
<i>Limitation on Expenses for Institutional Scholarships</i>	52
<i>Military Dependents Scholarship</i>	52
<i>Nursing Student Loan Program</i>	52
SOLICITATION OF ADVERTISING	52
<i>Written Contracts</i>	52
TASK FORCE	52
<i>Arkansas Safe Campus Task Force</i>	52
TECHNICAL COLLEGES	52
TRANSFERABILITY OF COURSES	53
UNIVERSITY OF ARKANSAS AT LITTLE ROCK	53
<i>Criminal Justice Department</i>	53
ELECTIONS.....	53
ABSENTEE BALLOTS	53
<i>Intent To Defraud</i>	53
ADMINISTRATION OF ELECTIONS GENERALLY	53
ANNEXATION ELECTIONS.....	53
BALLOT PRESENTATION	53
CAMPAIGN CONTRIBUTIONS	54
CERTIFICATION PETITIONS	54
COUNTY AND MUNICIPAL ELECTIONS.....	54
ELECTION LAWS	54
<i>Clarification, Simplification, And General Cleanup Of Election Laws</i>	54
JUDICIAL ELECTIONS	54
PRESIDENTIAL PREFERENTIAL PRIMARY ELECTION	54
PRIMARY ELECTIONS.....	54
<i>One (1) Unopposed Candidate</i>	54
RECALL ELECTIONS	54
SCHOOL ELECTIONS	55
SPECIAL ELECTIONS.....	55
SURPLUS CAMPAIGN FUNDS.....	55
VOTER REGISTRATION	55
<i>Use Of Federal Write-In Absentee Ballot</i>	55
EMERGENCY SERVICES	55
COUNTY HEALTH OFFICER.....	55
EMERGENCY MANAGEMENT	55
<i>Disaster Preparedness Program - Earthquakes</i>	55
EMERGENCY TRANSPORTATION	56
EMERGENCY VOLUNTEER HEALTH PRACTITIONERS	56
HOMELAND SECURITY	56
INFECTIOUS DISEASES, TESTING	56

LICENSED EMERGENCY MEDICAL SERVICES PERSONNEL.....	56
ORGANIZED MILITIA, ROLE IN EMERGENCIES OR DISASTERS	56
PUBLIC SAFETY COMMUNICATIONS	56
<i>Rates</i>	56
TRAUMA SYSTEM.....	56
<i>Funding Procedures</i>	56
ENERGY	56
ALTERNATIVE ENERGY COMMISSION	56
RENOVATION AND CONSTRUCTION STANDARDS FOR STATE BUILDINGS	56
SUSTAINABLE BUILDING DESIGN AND PRACTICES	57
ENVIRONMENTAL LAW	57
CONSTRUCTION ASSISTANCE LAW	57
DRINKING WATER FUND	57
ENVIRONMENTAL QUALITY, ARKANSAS DEPARTMENT OF	57
MOLD INVESTIGATORS	57
SOLID WASTE	57
TASK FORCE ON WATER SOURCE PROTECTION	57
TRANSPORTATION	57
<i>The Electric Autocycle Act</i>	57
UNDERGROUND STORAGE TANKS	57
<i>Self-Audits</i>	57
WASTEWATER.....	58
<i>Nonmunicipal Domestic Sewage Treatment Works</i>	58
WATER	58
<i>Storage Of Fluids Used By Gas Exploration</i>	58
ETHICS	58
GENERAL REVISIONS	58
LOBBYISTS AND PUBLIC OFFICIALS	58
POLITICAL ADVERTISEMENTS	58
FAMILY LAW	58
ADOPTION	58
<i>Fast-Tracked Adoption Of Garrett's Law Babies</i>	58
<i>Relinquishment And Termination Of Parent And Child Relationship</i>	58
<i>Withdrawal Of Consent</i>	58
CHILD ABUSE AND NEGLECT.....	59
<i>Access To Records Of Children's Advocacy Centers</i>	59
<i>Child Maltreatment Act</i>	59
<i>Mandated Reporters</i>	59
CHILD CUSTODY AND VISITATION	59
<i>Grandparent Or Great-Grandparent Visitation</i>	59
CHILD SUPPORT	59

<i>Office Of Child Support Enforcement</i>	59
<i>Release From Obligation</i>	59
CHILD WELFARE AGENCY LICENSING ACT	59
CHILDREN IN CUSTODY OF DEPARTMENT OF HUMAN SERVICES.....	60
<i>Notice To And Reporting Concerning Grandparents, Other Adult Relatives</i>	60
<i>Public Disclosure Of Information On Fatalities And Near Fatalities</i>	60
DECEASED PERSONS	60
<i>Arkansas Final Disposition Rights Act Of 2009</i>	60
DEPARTMENT OF HUMAN SERVICES	60
<i>Classification Of Certain Employees</i>	60
DOMESTIC VIOLENCE	60
<i>Domestic Battery</i>	60
<i>Orders Of Protection</i>	60
FOSTER CARE	60
<i>Consent To Medical Treatment</i>	60
<i>Kinship Foster Care Program Repeal</i>	60
<i>Transition Plan</i>	61
JUVENILE COURT PROCEEDINGS	61
<i>Extended Juvenile Jurisdiction</i>	61
JUVENILE LAW	61
<i>Amendments To Juvenile Code</i>	61
<i>Confessions And Waivers Of Counsel</i>	61
JUVENILE SAFETY PLANS	61
NONSUPPORT ARREARAGES	61
PATERNITY SUITS	61
REGISTRY	62
RELATIVE CAREGIVERS, GUARDIANSHIP SUBSIDY	62
REVISED UNIFORM ADOPTION ACT	62
<i>Home Studies</i>	62
FINANCIAL INSTITUTIONS	62
CREDIT CARD PROCESSING SERVICES	62
EMERGENCY POWERS OF BANK COMMISSIONER.....	62
FAIR MORTGAGE LENDING ACT	62
HIGHER EDUCATION BORROWING.....	62
PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS	62
SURETY BONDS.....	62
FIRE PROTECTION.....	62
FIRE DEPARTMENT CERTIFICATION STANDARDS	62
FIRE EXTINGUISHERS, FIRE PROTECTION SYSTEMS, SPRINKLERS	62
PROTECTION DISTRICTS.....	63
<i>Debt Limits</i>	63
VOLUNTEER FIRE DEPARTMENTS	63
FIREARMS.....	63

CONCEALED HANDGUN LICENSES.....	63
INTERSTATE SALE AND PURCHASE.....	63
POSSESSION OF FIREARMS.....	63
FREEDOM OF INFORMATION ACT.....	63
ATTORNEY'S FEES.....	63
ELECTRONIC OR COMPUTERIZED RECORDS.....	63
<i>Bulk Commercial Requests</i>	63
EXEMPTIONS TO THE FREEDOM OF INFORMATION ACT.....	64
PUBLIC EMPLOYEES REQUESTING RECORDS.....	64
<i>Prevent Retaliation</i>	64
PUBLIC SCHOOL ADMINISTRATORS AND TEACHERS.....	64
<i>Confidentiality Of Ethics Complaint Review</i>	64
WATER SYSTEMS, PUBLIC.....	64
<i>Exemption</i>	64
GAMBLING AND AMUSEMENT DEVICES.....	64
CHARITABLE BINGO.....	64
GAMBLING DEBT RECOVERY.....	64
LOTTERY, ARKANSAS STATE.....	64
GENERAL ASSEMBLY.....	65
ABUSED AND NEGLECTED CHILDREN TASK FORCE.....	65
AFFORDABILITY OF ARKANSAS UNDERGRADUATE EDUCATION.....	65
ALZHEIMER'S TASK FORCE.....	65
ARKANSAS CODE, CORRECTIONS, ARKANSAS CODE REVISION COMMISSION.....	65
AUTISM TASK FORCE.....	65
BUREAU OF LEGISLATIVE RESEARCH.....	66
<i>References To Individuals With Mental Retardation</i>	66
CRIMINAL JUSTICE TASK FORCE.....	66
CYBERINFRASTRUCTURE TASK FORCE.....	66
FISCAL SESSIONS.....	66
FUNDING OF THE JUDICIAL SYSTEM TASK FORCE.....	66
HOUSE JOINT COMMITTEES.....	66
LEGISLATIVE AUDIT.....	66
<i>City Courts</i>	66
<i>Disposition Reports</i>	66
<i>School District Audit Reports</i>	66
LOTTERY COMMISSION LEGISLATIVE OVERSIGHT COMMITTEE.....	66
REDUCING POVERTY AND PROMOTING ECONOMIC OPPORTUNITY.....	67
REPORTS TO THE GENERAL ASSEMBLY.....	67
<i>Higher Education</i>	67
RURAL MEDICAL PRACTICE STUDY.....	67
SICKLE CELL DISEASE TASK FORCE.....	67
SUBPOENA POWER.....	67

SUBSTANCE ABUSE TREATMENT SERVICES TASK FORCE 67
 SUSTAINABLE BUILDING DESIGN AND PRACTICES TASK FORCE 67
 TRANSITIONAL EMPLOYMENT ASSISTANCE ANNUAL REPORTS 67

HEALTH..... 67

ABORTION, PARTIAL-BIRTH 67
 ABUSED AND NEGLECTED CHILDREN TASK FORCE 67
 ACUPUNCTURE RULES..... 67
 ADULT DAY CARE CENTERS 67
 ADULT MALTREATMENT 68
 ADULT MALTREATMENT CUSTODY 68
 ALCOHOLISM AND DRUG ABUSE COUNSELORS 68
 ALLERGIC REACTIONS..... 68
 Citizens Certified To Give Emergency Medications 68
 ALZHEIMER'S TASK FORCE 68
 ARKIDS FIRST EXPANSION 68
 AUTISM TASK FORCE 68
 BLOOD DONATIONS..... 68
 BOARD MEMBERS, DEVELOPMENTALLY DISABLED 68
 BODY ART ON MINORS 68
 CEMETERIES 68
 Cemetery Act For Perpetually Maintained Cemeteries 69
 Permanent Maintenance Fund 69
 CERVICAL CANCER TASK FORCE 69
 CHILD CARE FACILITIES..... 69
 Evacuation Plans For Emergency Procedures 69
 CIGARETTE FIRE SAFETY STANDARD ACT 69
 COLORECTAL CANCER 69
 CONSENT TO MEDICAL TREATMENT..... 69
 Authority Of Foster Parents And Preadoptive Parents 69
 CORONERS 69
 COUNSELORS, UNLICENSED PRACTICE 69
 COUNTY HEALTH OFFICER..... 69
 DECEASED PERSONS 70
 Arkansas Final Disposition Rights Act Of 2009 70
 DEFIBRILLATORS, AUTOMATED EXTERNAL 70
 The Antony Hobbs III Act 70
 DELEGATED MEDICAL PROCEDURES 70
 DEMOGRAPHIC DATA 70
 DIVERSITY REPRESENTATION 70
 DRUG COVERAGE STANDARDS..... 70
 EMERGENCY TRANSPORTATION 70
 EMERGENCY VOLUNTEER HEALTH PRACTITIONERS 70
 FIRE EXTINGUISHERS, FIRE PROTECTION SYSTEMS, SPRINKLERS 70
 FIREWORKS, COMMERCIAL SALES OF 70
 FIREWORKS, APPLICATION FOR PUBLIC DISPLAY PERMITS 71
 FIREWORKS, LICENSING PERIOD FOR 71
 FOOD..... 71
 Inspection And Permitting Of Food Service Establishments 71

HARVESTED RAINWATER	71
HEALTH CARE FACILITIES	71
<i>Capital Expenditure Limit</i>	71
HEALTH DISPARITIES REPORT.....	71
HEARING IMPAIRMENT AIDS AND INSTRUMENTS.....	71
<i>Coverage For Hearing Aids</i>	71
HOSPITAL ACCESS FEE	71
INFECTIOUS DISEASES, TESTING	71
IN-HOME HEALTH CARE.....	71
INMATE DENTAL HYGIENE.....	71
INMATE MEDICAL EXAMINATIONS	72
INTERMEDIATE CARE FACILITIES PROVIDER FEE	72
LONG-TERM CARE FACILITIES	72
<i>Licensure</i>	72
<i>Quality Surveys</i>	72
<i>Resident Maltreatment</i>	72
<i>Withholding Cardiopulmonary Resuscitation</i>	72
MESSAGE THERAPY ACT	72
MEDICAID.....	72
<i>Asthma Medication Study</i>	72
<i>Disposing Of Funds That Should Be Held for Recoupment of Medicaid Costs</i>	73
<i>Prekindergarten Notification</i>	73
MEDICAL ETHICS.....	73
MENTAL HEALTH PARITY ACT	73
MINORITY HEALTH COMMISSION	73
MOBILE DENTAL FACILITIES	73
MOLD INVESTIGATORS	73
NONPROFIT BOARDS	73
NURSING, STATE BOARD OF.....	73
<i>Stipends</i>	73
OPTOMETRISTS AND OPHTHALMOLOGISTS	73
<i>Contact Lenses</i>	73
ORTHOTICS/PROSTHETICS	73
PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS.....	74
<i>Compliance By State Employee, Public School Employees' Health Benefit Plans</i>	74
PHARMACY BENEFIT PLANS	74
<i>Payments To Pharmacies And Pharmacists</i>	74
PHARMACY BOARD RULES	74
PROSTATE CANCER SCREENING	74
PROVIDER APPLICATIONS	74
PUBLIC DRINKING WATER QUALITY	74
RABIES CONTROL.....	74
RADIOLOGIST ASSOCIATES AND ASSISTANTS	74
RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS	74
<i>Income Incentives To Physicians</i>	74
RURAL MEDICAL PRACTICE STUDY	74
SAMPLE DRUG DISTRIBUTION.....	74
SEXUAL CONTACT -- EMPLOYEE AND PERSON IN CUSTODY	75
<i>Criminal Penalty</i>	75
SICKLE CELL TASK FORCE	75
SUBSTANCE ABUSE TREATMENT SERVICES TASK FORCE	75

SUMMER ENRICHMENT PROGRAMS FOR HEALTH CARE STUDENT	75
<i>Increase Opportunities Among Underrepresented Student Populations</i>	75
TANNING FACILITIES	75
<i>Parental Consent For Consumers Under Eighteen (18) Years Of Age</i>	75
TRAUMA SYSTEM.....	75
<i>Funding Procedures</i>	75
TREATMENT OF THE MENTALLY ILL.....	75
<i>Involuntary Admissions</i>	75
WASTEWATER.....	76
<i>Nonmunicipal Domestic Sewage Treatment Works</i>	76
 HIGHWAYS	 76
DRIVER SAFETY	76
<i>Primary Seatbelt Law</i>	76
EARTHMOVING EQUIPMENT PERMITS	76
<i>Limit On Towing Dirt Pans</i>	76
HIGHWAY DESIGNATIONS	76
<i>Rock 'N' Roll Highway 67</i>	76
MAXIMUM WEIGHT AND SIZE LIMITATION FOR MOTOR VEHICLES	76
<i>Towing Large Vehicles, Tractors, And Tractor-Trailers</i>	76
REVENUE BONDS.....	76
ROADWAY IMPROVEMENT STUDY	76
<i>Blue Ribbon Committee On Highway Finance</i>	76
SAFETY ISSUES	76
<i>Wrong-Way Crashes On Controlled-Access Highways, Analysis Of</i>	76
SCENIC HIGHWAYS.....	77
<i>Crowley's Ridge Scenic Highway</i>	77
SPECIAL PERMITS.....	77
<i>Sealed Containerized Cargo</i>	77
WEIGHT LIMITS.....	77
<i>Front Or Steering Axle Weight Limits</i>	77
 IMPROVEMENT DISTRICTS	 77
ASSETS	77
FIRE PROTECTION DISTRICTS	77
<i>Assessments</i>	77
<i>Debt Limits</i>	77
FORMATION OF DISTRICT	77
LIEN PETITIONS	77
REPORTING REQUIREMENTS.....	77
RUNNING WATER LEVEE DISTRICT.....	77
 INSURANCE	 77
CASUALTY INSURANCE.....	77
CHILD CARE CENTERS	78
<i>Minimum Levels Of General Liability Coverage</i>	78

CONTRACTOR WORKERS' COMPENSATION	78
CREDITORS' CLAIMS	78
DEFRAUDING A SECURED CREDITOR.....	78
<i>Use Of Insurance Proceeds In Contravention Of A Security Agreement</i>	78
DRUG COVERAGE STANDARDS.....	78
HEALTH INSURANCE.....	78
<i>Comprehensive Health Insurance Pool</i>	78
<i>Coverage For Orthotics</i>	78
<i>Group Accident And Health Insurance Associations</i>	78
<i>Hearing Aids, Coverage</i>	79
<i>Limited Benefit Health Insurance Policies</i>	79
HEALTH PROVIDER APPLICATIONS	79
INSURANCE COMMISSIONER	79
<i>Cease And Desist Powers</i>	79
INSURANCE DEPARTMENT	79
<i>General Omnibus And Technical Corrections Bill</i>	79
LIFE INSURANCE AND ANNUITIES.....	79
<i>Insurance Agents</i>	79
LIFE SETTLEMENTS ACT	79
MENTAL HEALTH PARITY ACT.....	79
MOTOR VEHICLES	79
<i>Accident Response Service Fees Prohibited</i>	79
<i>Government-Owned And Operated Storage Facility</i>	80
<i>Liability Insurance</i>	80
<i>Third-Party Motor Vehicle Insurance Claims</i>	80
PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS.....	80
<i>Compliance By State Employee, Public School Employees' Health Benefit Plans</i>	80
PHARMACY BENEFIT PLANS	80
<i>Payments To Pharmacies And Pharmacists</i>	80
PROSTATE CANCER SCREENING.....	80
RAILROAD EMPLOYEE TRANSPORTATION SERVICES	80
TITLE INSURANCE.....	80
VICTIMS OF DOMESTIC ABUSE.....	80
 LABOR AND INDUSTRIAL RELATIONS	 80
AMUSEMENT RIDE SAFETY ADVISORY BOARD STIPENDS	80
BREASTFEEDING BREAK TIME	81
DRUG TESTS FOR EMPLOYEES	81
<i>Employer Responsibility</i>	81
LABOR, DEPARTMENT OF	81
<i>Director</i>	81
UNLAWFUL FEE COLLECTIONS	81
WAGE DISPUTES	81
WORKERS' COMPENSATION, CONTRACTOR	81
WORKFORCE SERVICES, DEPARTMENT OF.....	81
 LAW ENFORCEMENT	 81
ARRESTS	81

AWARD OF SERVICE PISTOL	81
BACKGROUND CHECKS	82
CHILD ABUSE AND NEGLECT.....	82
<i>Child Maltreatment Act</i>	82
<i>Code Enforcement Officers and County Inspectors</i>	82
CODE ENFORCEMENT OFFICERS, CITATION BY MAIL	82
FORESTRY COMMISSION.....	82
INMATE CUSTODY AND TRANSPORTATION	82
<i>Court Proceedings</i>	82
INMATE DISCIPLINE IN CORRECTIONAL FACILITIES	82
LAW ENFORCEMENT STANDARDS AND TRAINING	82
<i>Chiefs Of Police</i>	82
LAW ENFORCEMENT VEHICLES.....	83
<i>Resale</i>	83
NOTIFICATION OF DEATH.....	83
REGULATION OF TOBACCO PRODUCTS	83
<i>Enforcement And Penalties</i>	83
RULES OF THE ROAD	83
<i>School Buses, Reporting Unlawful Passing</i>	83
STATE POLICE	83
<i>Weighing Vehicles Hauling Coal</i>	83
TWENTIETH JUDICIAL DISTRICT.....	83
<i>Prosecuting Attorney</i>	83
MANUFACTURED HOMES	83
MANUFACTURED HOME AND MOBILE HOME DEFINITIONS	83
MILITARY AND VETERANS.....	83
MILITARY CODE	83
<i>Sexual Misconduct And Sexual Harassment Offenses</i>	83
MILITARY HONORS.....	83
MILITARY LEAVE	84
<i>Teachers And Administrators</i>	84
NATIONAL GUARD TUITION INCENTIVE PROGRAM.....	84
ORGANIZED MILITIA, ROLE IN EMERGENCIES OR DISASTERS.....	84
SPECIAL LICENSE PLATES	84
<i>Cold War Veterans</i>	84
<i>Gold Star Family Special License Plates</i>	84
<i>Redesign Of Plates Issued To Honor Military Service And Veterans</i>	84
<i>Retired Members Of The Armed Forces</i>	84
MINORITIES	84
BLACK HISTORY COMMISSION OF ARKANSAS.....	84
<i>Curtis H. Sykes Memorial Grant Program</i>	84
DEMOGRAPHIC DATA	84
DIVERSITY REPRESENTATION.....	84

HEALTH DISPARITIES REPORT.....	84
MARTIN LUTHER KING JR. COMMISSION.....	85
MINORITY BUSINESS ECONOMIC DEVELOPMENT ACT	85
MINORITY HEALTH COMMISSION	85
RACIAL PROFILING	85
SICKLE CELL TASK FORCE	85
MOTOR VEHICLES.....	85
ACCIDENTS	85
<i>Accident Response Service Fees Prohibited</i>	85
ALL-TERRAIN VEHICLES	85
<i>Use By A Person With A Serious Walking Handicap</i>	85
DEALERS.....	85
<i>Payment Of Outstanding Liens</i>	85
DRIVER SAFETY.....	86
<i>Fewer Distractions Mean Safer Driving Act</i>	86
<i>Primary Seatbelt Law</i>	86
<i>Text Messaging While Driving, Prohibition Against</i>	86
DRIVER SERVICES	86
<i>Federal Compliance</i>	86
DRIVER'S LICENSES AND IDENTIFICATION CARDS	86
<i>Driver's License Photographs</i>	86
<i>Restrictions On Hardship Licenses Issued To Youthful Drivers</i>	87
<i>Validity Periods For Applicants Who Are Not Citizens Of The U.S.</i>	87
<i>Voluntary Enhanced Security Driver's License, Identification Card Act</i>	87
DRIVING WHILE INTOXICATED.....	87
<i>Chemical Test Administration</i>	87
<i>Consent To Testing</i>	87
DUPLICATE TITLES	87
<i>Notice To Lienholder</i>	87
EARTHMOVING EQUIPMENT PERMITS	87
<i>Limit On Towing Dirt Pans</i>	87
ELECTRIC AUTOCYCLE ACT.....	87
GOVERNMENT-OWNED AND OPERATED STORAGE FACILITY.....	87
<i>Proof Of Insurance</i>	87
GRADUATED DRIVER'S LICENSES	88
<i>Prohibiting The Use Of A Cellular Telephone Device</i>	88
LICENSING AND REGISTRATION.....	88
<i>Alteration Of Temporary Cardboard Buyer's Tags Prohibited</i>	88
<i>Mini-Trucks</i>	88
<i>Registration Of A Fleet Of Motor Vehicles</i>	88
<i>Vehicles Used In Business Operations</i>	88
MOTOR VEHICLE LIABILITY INSURANCE.....	88
MOTOR VEHICLE RACING FACILITIES.....	88
NEGLIGENT HOMICIDE.....	88
<i>Penalty Enhancements</i>	88
NEW MOTOR VEHICLE QUALITY ASSURANCE ACT.....	89
<i>Gross Vehicle Weight Rating Of A Vehicle, Increase In The</i>	89
NEW MOTOR VEHICLES	89

<i>Event Data Recorders Or "Black Boxes"</i>	89
<i>Motor Vehicle Commission Act</i>	89
SALVAGE TITLES	89
SCHOOL BUSES	89
<i>Rules Of The Road, Reporting Unlawful Passing</i>	89
SPECIAL LICENSE PLATES	89
<i>Gold Star Family Special License Plates</i>	89
<i>Redesign Of Plates Issued To Honor Military Service And Veterans</i>	89
<i>Special License Plate For Cold War Veterans</i>	89
<i>Special License Plates For Retired Members Of The Armed Forces</i>	89
<i>Support Animal Rescue And Shelters</i>	89
SUBSTANTIALLY ALTERED MOTOR VEHICLES	90
<i>New Motor Vehicle Quality Assurance Act</i>	90
TEMPORARY TAGS	90
TOWING AND STORAGE	90
<i>Towing Large Vehicles, Tractors, And Tractor-Trailers</i>	90
UNIFORM MOTOR VEHICLE ADMINISTRATION	90
<i>Transportation Of Vehicles To Dealers</i>	90
WEIGHT LIMITS	90
<i>Front Or Steering Axle Weight Limits</i>	90
MUSEUMS AND LIBRARIES.....	90
LIBRARIES	90
<i>County Libraries</i>	90
<i>Maintenance And Operation Costs</i>	90
<i>Disclosure Of Personally Identifiable Information</i>	90
OLD STATE HOUSE COMMISSION	90
NATURAL RESOURCES.....	90
LIQUEFIED PETROLEUM GAS BOARD	90
MINERAL RIGHTS	91
OIL AND GAS COMMISSION	91
<i>Changes To Numerous Provisions</i>	91
<i>Membership</i>	91
WATER SOURCE PROTECTION TASK FORCE.....	91
PROFESSIONS AND OCCUPATIONS.....	91
ACCOUNTANTS	91
ALCOHOLISM AND DRUG ABUSE COUNSELORS	91
APPRAISERS	91
<i>Appraisal Management Companies</i>	91
<i>Penalties For Improperly Influencing An Appraiser</i>	91
ARCHITECTS, REGISTERED INTERIOR DESIGNERS	91
AUCTIONEERS	91
<i>Auctions Conducted Over The Internet</i>	91
<i>Late Renewals And Recovery Fund</i>	92

BAIL BONDSMEN.....	92
<i>Board Membership</i>	92
<i>Credit Or Certificate Of Deposit</i>	92
<i>Education Programs</i>	92
<i>Summons On Bail Bond Surety</i>	92
COSMETOLOGY.....	92
<i>Cosmetology Board Abolished</i>	92
<i>Schools Of Cosmetology</i>	92
<i>Technical Advisory Committee</i>	92
COUNSELORS, UNLICENSED PRACTICE.....	92
DELEGATED MEDICAL PROCEDURES.....	92
ELECTRIC SIGN INSTALLATION.....	92
ELECTRICIANS, LICENSURE OF MASTER OR JOURNEYMAN.....	92
EMERGENCY VOLUNTEER HEALTH PRACTITIONERS.....	93
ENGINEERS AND SURVEYORS.....	93
MANDATED REPORTERS.....	93
<i>Child Abuse And Neglect</i>	93
MASSAGE THERAPY ACT.....	93
MEDICAL ETHICS.....	93
MEDICAL PROFESSIONS.....	93
OPTOMETRISTS AND OPHTHALMOLOGISTS.....	93
<i>Contact Lenses</i>	93
ORTHOTICS / PROSTHETICS.....	93
PHARMACY BOARD RULES.....	93
PHYSICAL THERAPISTS.....	93
PROFESSIONS INVOLVING DISABILITIES, ELDERLY, CHILDREN.....	94
<i>Criminal History Checks</i>	94
RADIOLOGIST ASSOCIATES AND ASSISTANTS.....	94
SCRAP METAL DEALERS.....	94
SURVEYORS.....	94
<i>Powers And Duties Of The State Surveyor</i>	94
<i>Registration</i>	94
TERMITE AND OTHER STRUCTURAL PESTS LICENSE.....	94
VOCATIONAL AND TECHNICAL EDUCATION.....	94
WATER WELL CONSTRUCTION, COMMISSION ON.....	94
PROPERTY RIGHTS AND INTERESTS.....	94
ABANDONED PROPERTY.....	94
<i>Jewelry</i>	94
APPRAISAL MANAGEMENT COMPANIES.....	95
CENTRAL FILING FOR AGRICULTURAL LIENS.....	95
FOREIGN INVESTMENT ACT, ARKANSAS AGRICULTURAL.....	95
LANDLORD AND TENANT.....	95
<i>Evictions</i>	95
<i>Security Deposits</i>	95
MECHANIC'S AND MATERIALMEN'S LIENS.....	95
MINERAL INTERESTS TAX.....	95
MINERAL RIGHTS, NONPRODUCING.....	95
OIL AND GAS COMMISSION.....	95

OIL AND GAS LEASE	96
PERSONAL PROPERTY TAX	96
<i>Sales Proceeds Deductions</i>	96
RESIDENTIAL-LANDLORD TENANT.....	96
SEIZURE AND SALE OF GOODS	96
TERMINATION OF ORAL LEASE OF FARMLANDS	96
UNCLAIMED PROPERTY	96
<i>Agricultural Farm Supply Cooperative Associations</i>	96
PUBLIC OFFICERS AND EMPLOYEES.....	96
CATASTROPHIC LEAVE	96
COMPENSATION FOR SICK LEAVE.....	96
CONSTITUTIONAL OFFICERS.....	97
COUNTY AND DISTRICT OFFICIALS	97
<i>Reimbursement Of Allowable Expenses</i>	97
DEATH BENEFITS.....	97
ELECTED OFFICIALS	97
<i>Leave Of Absence For Military Service</i>	97
ETHICS.....	97
<i>General Revisions</i>	97
<i>Lobbyists And Public Officials</i>	97
FORFEITURE OF OR DISQUALIFICATION FROM EMPLOYMENT.....	98
<i>Conviction Of A Felony Offense Related To Public Employment</i>	98
FREEDOM OF INFORMATION ACT.....	98
<i>Public Employees Requesting Records</i>	98
IMMUNITY	98
INSURANCE COMMISSIONER	98
NOTARIES PUBLIC.....	98
PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS.....	98
<i>Compliance By State Employee, Public School Personnel Health Benefit Plans</i> ...	98
UNIFORM CLASSIFICATION AND COMPENSATION	98
PUBLIC PROPERTY.....	98
ARKANSAS BUILDING AUTHORITY.....	98
<i>Design Professional Contracts</i>	98
<i>Duties</i>	98
COMMODITIES CONTRACTS	98
HERITAGE TRAILS SYSTEM ACT	99
HOLD HARMLESS CLAUSE IN CONSTRUCTION CONTRACTS	99
PUBLIC ROADS OR NAVIGABLE WATERCOURSES	99
<i>Easements</i>	99
ROYALTIES FROM MINERAL LANDS.....	99
WASTEWATER SYSTEMS.....	99
RACING.....	99
MOTOR VEHICLE RACING FACILITIES.....	99

RETIREMENT.....	99
CONCURRENT EMPLOYMENT	99
GENERAL RETIREMENT	99
<i>Trustees, Fiduciary Duties</i>	99
JUDICIAL RETIREMENT SYSTEM.....	99
<i>Retirement Benefits</i>	99
LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS	100
<i>Board Members - Financial Disclosure</i>	100
<i>Local Fire Pension</i>	100
<i>Military Credit</i>	100
<i>Police Funds - Confiscated Goods</i>	100
<i>Police Funds - Surviving Spouse Benefits</i>	100
<i>Trustees</i>	100
LOCAL POLICE AND FIRE RETIREMENT SYSTEM	100
<i>Benefits Multiplier</i>	100
<i>Credit for Volunteer Services</i>	100
<i>Credited Service - Military</i>	100
<i>Early Retirement</i>	100
<i>Local Plan Consolidation With LOPFI</i>	100
<i>Members Benefits</i>	100
<i>Overpayments</i>	101
MAYORS OF CITIES OF THE SECOND CLASS	101
MUNICIPALITIES	101
PROCUREMENT	101
PUBLIC EMPLOYEES' RETIREMENT SYSTEM	101
<i>Benefit Calculations</i>	101
<i>Benefits</i>	101
<i>Bonus Payments</i>	101
<i>Credited Service - Military</i>	101
<i>Deferred And Reduced Annuities - Contributory Service</i>	101
<i>Food Service Employees Of The Department Of Parks And Tourism</i>	101
<i>Public Safety Member</i>	102
<i>Retirement Age</i>	102
<i>State Police Retirement System</i>	102
STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM	102
<i>Health Cost Offsets</i>	102
STATE POLICE RETIREMENT SYSTEM	102
<i>Combined With The Arkansas Public Employees' Retirement System</i>	102
<i>Deferred And Reduced Annuities - Contributory Service</i>	102
TEACHER RETIREMENT SYSTEM	103
<i>Definition Of Salary</i>	103
<i>Drop Benefit Recoupment</i>	103
<i>Error Correction</i>	103
<i>Final Average Salary, Calculation</i>	103
<i>Group Health Insurance Premiums</i>	103
<i>Income Tax Exemption</i>	103
<i>Lump Sum Death Benefit</i>	103
<i>Member Benefits</i>	103

One-Time Ad Hoc Benefit 103
Rescission Of Retirement..... 103
Retirement Age..... 104
Survivor Benefits..... 104
Technical Corrections..... 104
Time A Retired Member Remains Retired Before Returning To Work..... 104
Waiver Of Penalties And Interest..... 104

STATE AGENCIES 104

LAW ENFORCEMENT STANDARDS AND TRAINING, COMMISSION..... 104
Chiefs Of Police 104
ACUPUNCTURE RULES..... 104
ATTORNEY'S FEES 104
CAREER EDUCATION, DEPARTMENT OF 104
CEMETERY BOARD 105
Cemetery Act For Perpetually Maintained Cemeteries 105
Permanent Maintenance Fund 105
CHILD SUPPORT ENFORCEMENT, OFFICE OF..... 105
Review Of Title IV-A Cases 105
COLLECTION AGENCIES, STATE BOARD OF 105
Fair Debt Collection Practices 105
COMMODITIES CONTRACTS 105
COMPUTER SYSTEMS 105
CONTRACTING BID AWARDS 105
CORRECTION, DEPARTMENT OF 105
Expansion Of Existing Inmate Skills Training Programs And Education 105
DEMOGRAPHIC DATA 105
DESIGN PROFESSIONAL CONTRACTS 105
DEVELOPMENT FINANCE AUTHORITY..... 106
Housing Trust Fund 106
Technology Acceleration Fund 106
DIVERSITY REPRESENTATION..... 106
ECONOMIC DEVELOPMENT COMMISSION 106
Division Of Minority Business Enterprise 106
Renovation And Construction Standards..... 106
EMERGENCY MANAGEMENT, DEPARTMENT OF 106
Disaster Preparedness Program - Earthquakes..... 106
ENVIRONMENTAL QUALITY, DEPARTMENT OF..... 106
Salvage Auction Buyer's Fee..... 106
FEDERAL SURPLUS PROPERTY PROGRAM 106
FINANCE AND ADMINISTRATION, DEPARTMENT OF 107
Information Sharing 107
Voluntary Alternative Driver's Licenses And Identification Cards 107
GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION..... 107
HEALTH DISPARITIES REPORT..... 107
HEALTH, DEPARTMENT OF 107
Administering The Statewide Trauma Care System 107
Criminal History Checks 107
HOLD HARMLESS CLAUSE IN CONSTRUCTION CONTRACTS 107

HUMAN SERVICES, DEPARTMENT OF	107
<i>Child Care Facilities</i>	107
<i>Child Maltreatment Central Registry</i>	107
<i>Classification Of Certain Employees</i>	108
<i>Criminal History Checks</i>	108
<i>Kinship Foster Care Program Repeal</i>	108
INFORMATION SYSTEMS, DEPARTMENT OF	108
INSURANCE COMMISSIONER	108
<i>Cease And Desist Powers</i>	108
INSURANCE DEPARTMENT, STATE	108
<i>General Omnibus And Technical Corrections</i>	108
LABOR, DEPARTMENT OF	108
<i>Unlawful Fee Collections</i>	108
<i>Director</i>	108
<i>Employer Required Drug Tests</i>	108
LOTTERY COMMISSION, ARKANSAS	109
MEDICAL BOARD, STATE	109
<i>Additional Member</i>	109
MINORITY HEALTH COMMISSION	109
PARKS AND TOURISM, DEPARTMENT OF	109
<i>Heritage Trails System</i>	109
PAYROLLS	109
<i>Additional Deductions</i>	109
PHARMACY, STATE BOARD OF	109
<i>Sample Drug Distributors</i>	109
PROCUREMENT	109
<i>American Recovery And Reinvestment</i>	109
<i>Resolution Of Protested Solicitations And Awards For State Contracts</i>	109
PUBLIC FINANCE	109
<i>Procurement</i>	109
PUBLIC MEETINGS	110
<i>Notice Requirements</i>	110
PUBLIC OFFICERS AND EMPLOYEES	110
<i>Forfeiture Of Or Disqualification From Public Employment</i>	110
PUBLIC SERVICE COMMISSION	110
<i>Electric Generation And Transmission Cooperative</i>	110
<i>Exempt Entities</i>	110
<i>Storm Damage Bonds</i>	110
<i>Storm Restoration Costs</i>	110
<i>Tax Division</i>	110
<i>Utilities Certificate Of Convenience</i>	110
SCIENCE AND TECHNOLOGY AUTHORITY	110
<i>Postdoctoral Science And Engineering Grant Program</i>	110
<i>Technology Acceleration Fund</i>	111
SECRETARY OF STATE	111
<i>Book Report</i>	111
STATE POLICE, ARKANSAS DEPARTMENT OF	111
<i>Purchase Of Service Shotgun</i>	111
<i>Salvage Auction Buyer's Fee</i>	111
SUBPOENAS	111
SUSTAINABLE BUILDING DESIGN PROGRAM	111

WORKFORCE INVESTMENT BOARD	111
WORKFORCE SERVICES, DEPARTMENT OF	111
<i>Amendments to Workforce Services Laws</i>	111
<i>Information Sharing</i>	111
YOUTH SERVICES, DIVISION OF	112
<i>Education In Residential Facilities</i>	112
TAXES.....	112
ASSESSMENT ADJUSTMENT	112
CHARITABLE BINGO	112
CIGARETTE TAX	112
<i>Border City</i>	112
DISCLOSURE OF TAX RECORDS	112
ECONOMIC DEVELOPMENT	113
GROSS RECEIPTS	113
<i>Exemptions, Machinery And Equipment</i>	113
<i>Failure To Report</i>	113
<i>Heavy Equipment</i>	113
<i>Sale Of Natural Gas And Electricity To Manufacturers</i>	113
INCOME TAX.....	113
<i>Cigarette Receptacle Tax Credit</i>	113
<i>Credit For Rehabilitation Of Historic Structures</i>	113
<i>Delta Geotourism Incentive</i>	114
<i>Developmental Disability</i>	114
<i>Geotourism Income Tax Credit</i>	114
<i>Private Wetland And Riparian Zone Creation, Restoration, Conservation</i>	114
<i>Refunds Resulting From IRS Corrections</i>	114
<i>Retirement Contributions</i>	114
<i>Setoff Against An Arkansas Individual Income Tax Refund</i>	114
<i>Technical Corrections</i>	114
<i>Tuition Savings Program Account</i>	114
<i>Veterans</i>	114
<i>Windmill Blade Manufacturers</i>	115
PERSONAL PROPERTY TAX	115
<i>Assessment</i>	115
<i>Sales Proceeds Deductions</i>	115
PUBLIC SERVICE COMMISSION	115
<i>Tax Division</i>	115
REAL PROPERTY TAX.....	115
<i>Homestead Exemption</i>	115
<i>Mineral Interests</i>	115
<i>Mineral Rights, Nonproducing</i>	115
<i>Reappraisal</i>	115
SALES AND USE TAX - LOCAL.....	116
<i>Aviation Fuel</i>	116
<i>Capital Improvements</i>	116
<i>County Tax Books</i>	116
<i>Delayed Effective Date</i>	116
<i>Extension</i>	116

<i>Municipal</i>	116
<i>Purchase Of Travel Trailer</i>	116
<i>Rental Accommodations</i>	116
SALES AND USE TAX - STATE	116
<i>Farmers' Markets</i>	116
<i>Food</i>	116
<i>Machinery And Equipment</i>	116
<i>Mini-Warehouse</i>	116
<i>Search Dog Association, Inc., Exemptions</i>	117
<i>Streamlined Sales Tax</i>	117
<i>Thermal Imaging Equipment, Exemption</i>	117
<i>Utilities Used By A Manufacturer</i>	117
SEIZURE AND SALE OF GOODS	117
SEVERANCE TAX	117
<i>Biomass Exemption</i>	117
<i>Monthly Reporting</i>	117
STAMP DEPUTY	117
STATE AGENCIES	117
<i>Information Sharing</i>	117
TAX PROCEDURES, STATE	117
<i>Standard Of Proof In Claims For Exemptions, Deductions Or Credits</i>	117
TEACHER RETIREMENT SYSTEM	118
<i>Income Tax Exemption</i>	118
TOBACCO TAX	118
VALUATION OF PROPERTY FOR ASSESSMENT	118
TECHNOLOGY	118
CONNECT ARKANSAS BROADBAND	118
CYBERINFRASTRUCTURE	118
IDENTITY THEFT PROTECTION	118
INFORMATION SYSTEMS, DEPARTMENT OF	118
<i>Information Systems</i>	118
TOBACCO	118
CIGARETTE TAX	118
<i>Border City</i>	118
FORFEITURE PROCEDURES	119
<i>Nonpayment Of Excise Tax</i>	119
STAMP DEPUTY	119
TOBACCO PRODUCTS, REGULATION OF	119
<i>Enforcement And Penalties</i>	119
TOBACCO TAX	119
TOURISM	119
HERITAGE TRAILS SYSTEM	119
ROCK 'N' ROLL HIGHWAY	119

SCENIC HIGHWAYS	119
<i>Crowley's Ridge Scenic Highway</i>	119
TRANSPORTATION	119
AMBULANCES	119
BOAT LIVERY	119
DRIVER SERVICES	120
INFRASTRUCTURE	120
<i>County Road Maintenance, Repair, And Resurfacing</i>	120
LICENSES	120
<i>Omnibus DWI Act</i>	120
MOTOR VEHICLE ACCIDENTS	120
<i>Accident Response Service Fees Prohibited</i>	120
MOTOR VEHICLES	120
<i>Temporary Vehicle Tags</i>	120
MOTOR VEHICLES, DEPARTMENT OF	120
<i>Salvage Titles</i>	120
PERSONAL WATERCRAFT	120
<i>Minimum Age For Operation</i>	120
PUBLIC ROADS OR NAVIGABLE WATERCOURSES	121
<i>Easements</i>	121
RAILROAD	121
<i>Railroad Employee Transportation Services</i>	121
<i>Safe Transportation Of Railroad Employees</i>	121
SPECIAL PERMITS	121
<i>Sealed Containerized Cargo</i>	121
STATE POLICE, ARKANSAS	121
<i>Weighing Vehicles Hauling Coal</i>	121
TOWING	121
<i>Distribution Of Fines For Unlawful Towing Operations</i>	121
<i>Nonconsensual Towing And Storage Of Vehicles, Guidelines</i>	121
UTILITIES	121
CITIES	121
ELECTRIC GENERATION AND TRANSMISSION COOPERATIVE	121
<i>Rates</i>	121
GAS PIPELINE CERTIFICATION	122
<i>Definition Of "Transportation Of Gas"</i>	122
PUBLIC SERVICE COMMISSION	122
<i>Storm Damage Bonds</i>	122
<i>Tax Division</i>	122
STORM RESTORATION COSTS	122
TELECOMMUNICATIONS	122
<i>Providers</i>	122
<i>Rural Telecommunications Cooperative</i>	122
TELEPHONE, CABLE, ELECTRIC COMPANIES - DAMAGING EQUIPMENT ..	122
WATER SYSTEMS, PUBLIC	123
<i>Freedom Of Information Act Exemption</i>	123

WELFARE AND GOVERNMENTAL ASSISTANCE.....	123
CHILD CARE ASSISTANCE, TWO-YEAR COLLEGES	123
INDIVIDUAL DEVELOPMENT ACCOUNT OVERSIGHT	123
TEA PROGRAM ANNUAL REPORTS	123
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES	123
<i>Independent Evaluator</i>	123
WORKFORCE INVESTMENT BOARD	123
WILLS, ESTATES, AND TRUSTS.....	123
CHILDREN, GUARDIANSHIP OF.....	123
CLAIMS AGAINST AN ESTATE.....	123
UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT	123
PROPOSED CONSTITUTIONAL AMENDMENTS.....	124
EFFECTIVE DATE OF ACTS.....	124
LEGISLATIVE SESSION DATES	125

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REGULAR SESSION ACTS

AGRICULTURE

DAIRY GRANT PROGRAM

Act 968 (SB934) - The act creates a program for grants and incentives to assist Arkansas dairy farmers in continuing to produce milk in this state, if funds are available. The act will be regulated by the Secretary of the Arkansas Agriculture Department.

EARTHMOVING EQUIPMENT PERMITS

Limit On Towing Dirt Pans

Act 406 (HB1455) - The act provides that no more than two (2) dirt pans can be towed under a permit for earthmoving equipment.

FARM VEHICLES

Mini-trucks

Act 146 (HB1239) - The act allows the agriculture industry to use mini-trucks, which are more fuel efficient than motor vehicles that are typically used in farming operations. The mini-trucks can be licensed as Class Eight farm or natural resource vehicles under this act.

FARMLANDS, TERMINATION OF ORAL LEASE

Act 815 (SB993) - The act requires written notice by certified mail on or before June 30 in order to terminate an oral lease of farmlands for the following year. The act became effective April 3, 2009.

Act 190 (SB35) - The act, later repealed and reenacted effective April 3, 2009, by Act 815 of 2009, requires written notice by certified mail on or before June 30 in order to terminate an oral lease of farmlands for the following year.

FOREIGN INVESTMENT ACT, ARKANSAS AGRICULTURAL

Act 643 (HB2029) - The act specifies when agricultural land acquired by a foreign party for nonfarming purposes must be registered with the Secretary of State. The act is retroactive to April 19, 1979.

INTERSTATE PEST CONTROL COMPACT

Act 401 (HB1387) - The act joins Arkansas in the Interstate Pest Control Compact. The act becomes effective on September 1, 2009.

LIENS, CENTRAL FILING

Act 942 (HB1984) - The act provides central filing with the Secretary of State for agricultural liens and farm-related security interests for new filings and continuation statements unless the collateral described in a financing statement is a farm-stored commodity financed by a loan through the Commodity Credit Corporation of the United States Department of Agriculture. If the collateral described in a financing statement is a farm-stored commodity financed by a loan through the Commodity Credit Corporation of the United States Department of Agriculture, the UCC lien may continue to be filed at the county level through midnight, December 31, 2012. The act becomes effective on January 1, 2010.

RICE CERTIFICATION

Act 275 (HB1343) - The act repeals the July 1, 2009, expiration date of the Arkansas Rice Certification Act. The act became effective on March 3, 2009.

SMALL FARM WINERIES

Act 1195 (HB2252) - The act authorizes Arkansas small farm wineries to sell their wines to small farm wine wholesalers.

SOIL TESTING AND RESEARCH FUND, UNIVERSITY OF ARKANSAS, DIVISION OF AGRICULTURE

Act 326 (SB361) - The act increases the fee for monthly fertilizer tonnage reports. The fees are increased to \$2.40 per ton or fractional ton. The fees are credited to the Plant Board Fund and to the University of Arkansas, Division of Agriculture, Soil Testing and Research Fund.

AGRICULTURE

STATE FAIR AND LIVESTOCK SHOW

General Revenues Appropriated

Act 690 (HB1793) - The act amends the general revenues appropriated to the Arkansas State Fair and Livestock Show Association and establishes the amount at eight hundred eighty-seven thousand nine hundred eight dollars (\$887,908) for fiscal years 2010 through 2016.

STATE GRAPE DESIGNATION

Act 547 (HB2193) - The act designates the Cynthiana grape as the official grape of the State of Arkansas.

STATE NUT DESIGNATION

Act 638 (HB1906) - The act designates the pecan as the official state nut of the State of Arkansas.

YOUNG AND BEGINNING FARMER ADVISORY BOARD

Act 543 (HB1964) - The act authorizes the Arkansas Young and Beginning Farmer Advisory Board to locate its offices within the Arkansas Agriculture Department.

ALCOHOLIC BEVERAGES

BEER, ALE, AND MALT BEVERAGES

Manufacturer's Wholesale Price

Act 783 (HB1807) - The act requires that a manufacturer's wholesale price for beer, ale, and malt beverages be the same wholesale price for all wholesalers in the state and that the wholesale price be consistent with the manufacturer's freight-on-board price.

LARGE ATTENDANCE FACILITIES

Act 790 (HB1955) - The act allows certain large attendance facilities to sell alcoholic beverages at any time the facility is open except on Christmas Day and Easter.

MINORS

Member Of Family

Act 352 (HB1585) - The act provides that the crime of knowingly furnishing or selling an alcoholic beverage to a minor, § 3-3-202, does not apply to the serving of an alcoholic beverage to a member of a person's family.

Religious Ceremonies

Act 948 (HB2151) - The act provides that the crime of knowingly furnishing or selling alcoholic beverages to a minor does not apply to the serving of beer in any religious ceremony or rite.

Social Host Liability

Act 976 (HB1586) - The act provides for criminal liability for a social host who knowingly serves alcohol to minors or who knowingly allows minors to consume alcohol on his or her property. The act does not apply to any consumption of alcohol during religious ceremonies or for religious purposes.

ON-PREMISES CONSUMPTION AND SMALL RESTAURANT WINE PERMITS

Act 763 (SB923) - The act allows a city, town, or county to establish by ordinance a lesser period of time during which on-premises consumption of alcoholic beverages may occur. The act establishes a small restaurant wine permit. The act went into effect on April 1, 2009.

ALCOHOLIC BEVERAGES

PERMITS, ALCOHOLIC BEVERAGES

Act 294 (SB121) - The act authorizes a permit holder that allows on-premises consumption of alcoholic beverages to operate on Sundays between the hours of 10:00 a.m. and 12:00 midnight. The act creates temporary permits and the fees for the temporary permits for the sale of beer, wine, and spirits. The act creates the minimum wholesale liquor permit and the restaurant and wine permit. The act increases the permit fees for various liquor permits. The act repeals certain provisions of the Sunday sales laws and permits a referendum election on the issue of authorizing the Sunday sale of alcoholic beverages for off-premises consumption. The permit fees provisions of the act are effective beginning with the 2010-2011 renewal and new permit period. The remaining sections of the act became effective March 3, 2009.

SMALL BREWERIES

Act 1459 (SB334) - The act allows off-premises sales by small breweries, expands the sales opportunities for small breweries, and authorizes Sunday beer sales by small breweries.

SMALL FARM WINERIES

Act 1195 (HB2252) - The act authorizes Arkansas small farm wineries to sell their wines to small farm wine wholesalers.

SUNDAY SALES

Act 7 (HB1036) - The act authorizes the sale of alcoholic beverages on Sundays at restaurants if the restaurant is located in the same city as a large attendance facility.

ANIMALS

ANIMAL CRUELTY

Act 33 (SB77) - The act repeals certain criminal statutes affecting animals, including cruelty to animals, § 5-62-101, and creates a more comprehensive cruelty to animals statute at § 5-62-103 that includes harsher sentences for repeat offenses. The act creates the new offense of aggravated cruelty to a dog, cat, or horse, which is a Class D felony. A sentence enhancement is provided if the offense of aggravated cruelty to a dog, cat, or horse is committed in the presence of a child. Both the new cruelty to animals and aggravated cruelty to a dog, cat, or horse statutes provide for psychiatric treatment if ordered by the court. The act contains exemptions covering acts that are not prohibited, such as: (1) harming an animal while protecting a person or a person's property from damage; (2) humanely euthanizing animals; (3) performing certain practices under the Arkansas Veterinary Medical Practice Act; (4) rendering emergency care to an animal; (5) performing accepted animal husbandry practices; (6) performing pest control; (7) conducting training for or participating in a rodeo; (8) hunting, trapping, or fishing; (9) training dogs; or (10) conducting research or educational activities. The act further provides for a procedure governing the seizure and disposition of an animal, as well as steps an owner can take to regain possession of a seized animal. Veterinarians are absolved from civil or criminal liability under the act. The act amends the dogfighting statute to cover all animal fighting.

KILLING OR INJURING ANIMALS USED BY LAW ENFORCEMENT OR SEARCH AND RESCUE DOGS

Act 530 (HB1744) - The act expands the offense of "killing or injuring animals used by law enforcement or search and rescue dogs" to include purposely causing or attempting to cause physical contact that is likely to cause physical injury to the animal.

RABIES CONTROL

Act 159 (HB1274) - The act modernizes the Rabies Control Act by repealing §§ 20-19-201 through 20-19-203 and allows the State Board of Health to establish reasonable vaccination requirements for rabies vaccinations for dogs and cats.

ANIMALS

SPECIAL LICENSE PLATE

Support Animal Rescue And Shelters

Act 692 (HB2222) - The act creates the Animal Rescue and Shelter Trust Fund and allows the Department of Finance and Administration to issue a special license plate that bears the decal "Support Animal Rescue and Shelters". The act becomes effective on July 1, 2009.

BOARDS AND COMMISSIONS

ACADEMIC FACILITIES REVIEW BOARD

Act 937 (HB1852) - The act amends § 6-20-2513 and adds § 6-20-2516 to establish an Academic Facilities Appeals Review Board to hear the appeal filed by a school district on the determination of the Division of Public School Academic Facilities and Transportation concerning the state's financial participation in a public school academic facilities project for the school district under the Arkansas Public School Academic Facilities Funding Act. The act provides for an appeal of the decision of the board to the Commission for Arkansas Public School Academic Facilities and Transportation.

ACUPUNCTURE AND RELATED TECHNIQUES, BOARD OF

Act 1461 (SB402) - The act prohibits acupuncturists from administering, dispensing, or prescribing legend drugs and authorizes the Arkansas State Medical Board to approve the rules of the Board of Acupuncture and Related Techniques.

ALTERNATIVE ENERGY COMMISSION

Act 1301 (HB1796) - The act creates the Arkansas Alternative Energy Commission to study the feasibility of creating or expanding alternative energy use in the state.

AMUSEMENT RIDE SAFETY ADVISORY BOARD STIPENDS

Act 404 (HB1452) - The act authorizes members of the Amusement Ride Safety Advisory Board to receive a stipend of sixty dollars (\$60.00) for attendance at board meetings.

APPRAISER LICENSING AND CERTIFICATION

Act 413 (HB1500) - The act increases penalties under the Arkansas Appraiser Licensing and Certification Act and prohibits improperly influencing an appraiser.

ARCHITECTS, STATE BOARD OF

Act 1367 (SB827) - The act transfers the State Board of Registered Interior Designers and the Arkansas State Board of Landscape Architects to the Arkansas State Board of Architects. The act renames the Arkansas State Board of Architects as the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

ATHLETIC COMMISSION

Act 781 (HB1785) - The act amends the powers and duties of the State Athletic Commission to allow the commission to regulate all combative sports in the state, including mixed martial arts. The act allows the commission to collect five percent (5%) of the gate receipts for combative sports matches or exhibitions held in the state.

AUCTIONEER'S LICENSING BOARD

Late Renewals And Recovery Fund

Act 773 (HB1160) - The act modifies the procedure for late renewal of auctioneer licenses and extends the auctioneer recovery fund to fifteen thousand dollars (\$15,000) per violation.

BLACK HISTORY COMMISSION OF ARKANSAS

Curtis H. Sykes Memorial Grant Program

Act 660 (SB379) - The act creates the Curtis H. Sykes Memorial Grant Program to assist with collecting materials bearing on the history of black Arkansans from the earliest times, encouraging historical work and research in the background of black Arkansans to help the young citizens of the state appreciate their heritage, and performing work in relation to the history of black Arkansans. The program is contingent on an appropriation and availability of funds.

BOARDS AND COMMISSIONS

BLUE RIBBON COMMITTEE ON HIGHWAY FINANCE

Roadway Improvement Study

Act 374 (HB1551) - The act creates the Arkansas Blue Ribbon Committee on Highway Finance to seek input from the public and transportation stakeholders to define an equitable and adequate system to properly finance improvements to the systems of state highways, county roads, and city streets. The committee is to recommend legislation for the 2011 regular session of the General Assembly. The act became effective on March 10, 2009.

BURIAL ASSOCIATION BOARD

Act 552 (SB318) - The act repeals language providing that the Burial Association Board shall determine the amount of license fees based on a burial association's membership, reserves, or a combination of membership and reserves.

CAREER EDUCATION, STATE BOARD OF

Act 787 (HB1884) - The act renames the Department of Workforce Education as the Department of Career Education and renames the State Board of Workforce Education and Career Opportunities as the State Board of Career Education. The act becomes effective on July 1, 2009.

CEMETERY BOARD

Insolvent Cemeteries

Act 429 (SB451) - The act establishes an insolvent cemetery loan fund to assist insolvent perpetual care cemeteries and creates an insolvent cemetery grant fund to provide grants to qualified applicants to maintain and operate insolvent perpetual care cemeteries.

CLERKS' CONTINUING EDUCATION BOARDS

Act 480 (SB380) - The act separates the county and circuit clerks' continuing education boards.

CLOSING THE ACHIEVEMENT GAP IN ARKANSAS, COMMISSION ON

Act 1314 (HB2164) - The act modifies the membership of the Commission on Closing the Achievement Gap in Arkansas. The act increases the duties of the commission.

COORDINATION OF EDUCATIONAL EFFORTS

Act 1470 (SB840) - The act amends § 6-1-301 to add two (2) members to the Arkansas Commission for Coordination of Educational Efforts who are from the private sector and have an interest in science, technology, engineering, or math.

COSMETOLOGY

State Board Abolished

Act 4 (SB39) - The act abolishes the State Board of Cosmetology, transfers the duties and powers of the board to the State Board of Health and the Department of Health, and creates the Cosmetology Technical Advisory Committee.

Technical Advisory Committee

Act 381 (SB311) - The act expands the number of positions on the Cosmetology Technical Advisory Committee.

COUNSELORS

Alcoholism And Drug Abuse Counselors

Act 443 (HB1379) - The act replaces certification with licensure for alcoholism and drug abuse counselors and authorizes the registration of clinical alcoholism and drug abuse counselor supervisors.

DORMANT BOARDS AND COMMISSIONS

Act 1484 (SB959) - The act abolishes numerous dormant boards and commissions.

BOARDS AND COMMISSIONS

ECONOMIC DEVELOPMENT COMMISSION

Energy Efficiency Standards

Act 1494 (HB1663) - The act creates the Sustainable Energy-Efficient Buildings Program to promote energy conservation in buildings owned by a state agency or a state-supported institution of higher education. Under this program, the Arkansas Energy Office of the Arkansas Economic Development Commission shall develop policies and guidelines that meet the standards for the renovation or construction of a building owned by a state agency and shall develop and administer an energy management program to meet the energy reduction standards for state buildings. Each state institution of higher education shall develop policies and guidelines that meet the standards for the renovation or construction of a building owned by the institution and may develop and administer an energy management program for its buildings.

Regulatory Review Committee

Act 809 (SB884) - The act creates the Regulatory Review Committee to assist the Director of the Arkansas Economic Development Commission in the review of proposed rules for the commission.

Technology Acceleration Fund

Act 967 (SB920) - The act creates the Technology Acceleration Fund, which is to be used by the Arkansas Economic Development Commission, the Arkansas Science and Technology Authority, and the Arkansas Development Finance Authority for investment incentives for technology development that will enhance the state's economy. Any proposed use of the fund requires a joint recommendation of the three state agencies and the Governor's approval.

ELECTRICAL EXAMINERS, BOARD OF

Act 312 (HB1390) - The act authorizes the Board of Electrical Examiners to establish the experience qualifications for an applicant for a temporary license for a master electrician or journeyman electrician in the rules promulgated by the board.

ELECTRONIC RECORDS

Electronic Recording Commission And The Automated Records Systems Fund Committee

Act 725 (SB804) - The act amends the terms of the members of the Electronic Recording Commission. The act clarifies that members of the Electronic Recording Commission and the Automated Records Systems Fund Committee may receive expense reimbursement as provided by law.

Electronic Records Study Commission

Act 1477 (SB871) - The act creates the Arkansas Electronic Records Study Commission to make recommendations to the General Assembly regarding amendments to the Freedom of Information Act of 1967 in order to address the issue of bulk commercial access to electronic or computerized records. The commission shall exist until July 1, 2011.

ENERGY OFFICE

Act 1196 (HB2260) - The act authorizes the Arkansas Energy Office of the Arkansas Economic Development Commission to collect data for the allocation of aviation fuel for the purpose of planning and administering an emergency plan and to promulgate rules that require a city or a county that issues permits for the construction of a new building to adopt the 2004 Arkansas Energy Code for New Building Construction.

ENGINEERS AND SURVEYORS

Act 444 (HB1426) - The act changes the name of the State Board of Registration for Professional Engineers and Land Surveyors to the State Board of Licensure for Professional Engineers and Professional Surveyors. The act changes the registration requirement for professional engineers and professional surveyors to a licensure requirement.

BOARDS AND COMMISSIONS

FORESTRY COMMISSION

Law Enforcement Officer

Act 1198 (HB2274) - The act authorizes the executive head of the Arkansas Forestry Commission to appoint an institutional law enforcement officer.

GAME AND FISH COMMISSION

Hunting And Fishing Licenses

Act 623 (HB1604) - The act authorizes the Arkansas Game and Fish Commission to issue a lifetime hunting and fishing license for thirty-five dollars and fifty cents (\$35.50) to an Arkansas resident who is over the age of sixty-five (65) years or is a totally disabled military veteran or for one thousand dollars (\$1,000) to any Arkansas resident. The act requires the commission to provide for a three-year hunting and fishing license for a totally disabled resident.

HIGHER EDUCATION COORDINATING BOARD

Uniform Measurable Exit Standards For Remedial Courses

Act 971 (HB1990) - The act requires the Arkansas Higher Education Coordinating Board, in collaboration with state-supported institutions of higher education, to develop uniform measurable exit standards for remedial courses that are comparable to the ACT or SAT equivalent required for college-level enrollment in credit courses no later than the fall semester of 2010.

HIGHWAY COMMISSION

Act 1396 (HB2045) - The act authorizes the State Highway Commission to issue a special permit for towing businesses for the operation of wreckers or towing vehicles used as emergency vehicles when the operation or movement of the vehicle or combination of vehicles exceeds the maximum size and weight limitations imposed by law.

LAND INFORMATION BOARD

Act 244 (HB1356) - The act renames the Arkansas State Land Information Board to the Arkansas Geographic Information Systems Board and makes the statewide digital cadastre system a required function of the board. The act implements the Centerline Program and the Orthophotography Program as ongoing functions of the board and eliminates the requirement for a fee system for the board.

LAW ENFORCEMENT STANDARDS AND TRAINING, ARKANSAS COMMISSION ON

Act 205 (HB1371) - The act adds a State Police officer to the Commission on Law Enforcement Standards and Training.

LIQUEFIED PETROLEUM GAS BOARD

Emergency Gas Deliveries

Act 528 (HB1629) - The act authorizes the Director of the Liquefied Petroleum Gas Board to authorize a liquefied petroleum gas company to fill or service another liquefied petroleum gas company's container during a declared emergency.

LOTTERY COMMISSION

Act 605 (SB26) - Act 606 (HB1002) - Identical acts 605 and 606 create the Arkansas Lottery Commission and provide for the establishment of lotteries under Amendment 87 of the Arkansas Constitution. The acts provide that net proceeds of the lottery shall supplement the Arkansas Academic Challenge Scholarship Program and revise the program to address the additional funds. The acts became effective on March 25, 2009. Act 1405 (HB2243) - The act makes technical and substantive amendments to identical Acts 605 and 606, the "Arkansas Scholarship Lottery Act". The act became effective on April 9, 2009.

BOARDS AND COMMISSIONS

MARTIN LUTHER KING JR. COMMISSION

Act 309 (SB91) - The act reconstitutes the Martin Luther King Jr. Commission, providing for the reappointment of the commission's membership as specified in the act within sixty (60) days of the effective date of the act. The act amends the commission's duties and provides that the Governor shall appoint the executive director of the commission. The act becomes effective on July 1, 2009.

MASSAGE THERAPY, STATE BOARD OF

Act 1305 (HB1951) - The act amends provisions of the Massage Therapy Act. The act changes the definition of massage therapy; the membership of the Arkansas State Board of Massage Therapy; the authorization of the board to require criminal background checks for license applicants; and the fee structure for licenses. The act establishes two-year licenses, increases the required number of continuing education credits for license holders, and prohibits the massage of certain areas of the body. The act became effective on April 9, 2009.

MEDICAL BOARD

Acupuncturists

Act 1461 (SB402) - The act prohibits acupuncturists from administering, dispensing, or prescribing legend drugs and authorizes the Arkansas State Medical Board to approve the rules of the Board of Acupuncture and Related Techniques.

Additional Member

Act 1273 (SB958) - The act adds one (1) member at large to the State Medical Board.

Radiologist Assistants And Radiology Practitioner Assistants

Act 1457 (SB79) - The act authorizes the Arkansas State Medical Board to license and regulate the practice of radiologist assistants and radiology practitioner assistants. The act authorizes the board to establish a fee for licensure and creates penalties for misconduct.

MUNICIPAL AIRPORT COMMISSIONS

Act 568 (SB797) - The act allows one (1) member of a municipal airport commission to have financial dealings or interests in an aeronautical enterprise while he or she is a member of the commission.

NURSING, STATE BOARD OF

Nursing Student Loan Program

Act 9 (HB1022) - The act authorizes additional funding for the Nursing Student Loan Program to promote teaching in nursing education programs and authorizes hiring an administrator for the loan program. The act became effective on February 3, 2009.

Stipends

Act 746 (SB373) - The act increases the stipend for members of the Arkansas State Board of Nursing to one hundred ten dollars (\$110) per day for each meeting.

OIL AND GAS COMMISSION

Administration Of The Natural Gas Pipeline Safety Act Of 1968

Act 452 (HB1573) - The act empowers the Oil and Gas Commission to submit a certification under the Natural Gas Pipeline Safety Act of 1968 for a natural gas pipeline or associated facility that is not affiliated with an Arkansas natural gas public utility and is majority-owned by a production company or its affiliate. The act removes the exclusion of the gathering of gas in a rural area from the definition of "transportation of gas" in the Arkansas Natural Gas Pipeline Safety Act of 1971.

BOARDS AND COMMISSIONS

OIL AND GAS COMMISSION

Functions Of The Commission

Act 1175 (HB1580) - The act amends provisions pertaining to the Oil and Gas Commission including: the number of votes needed to adopt a rule; the appointment and duties of the Director of Production and Conservation; the conduct of a proceeding by a hearing officer; the remittance of the assessment by the producer; amendments to the commission's rules; increased penalties for certain violations of rules and statutes administered by the commission; changes to the operator's proof of financial responsibility; additional provisions relating to the plugging of a dry or abandoned well; and increases in the aggregated amounts for the annual distribution of royalties.

Membership

Act 389 (HB1026) - The act requires that a majority of the members of the Oil and Gas Commission be experienced in the development, production, or transportation of oil and gas.

OLD STATE HOUSE

Act 558 (SB448) - The act changes the date on which the annual report is due to be presented to the Governor by the Old State House Commission.

PHARMACY, STATE BOARD OF

Act 355 (SB120) - The act amends statutes regarding the regulatory authority of the Arkansas State Board of Pharmacy.

PHYSICAL THERAPY, STATE BOARD OF

Act 1471 (SB844) - The act clarifies who may advertise or promote themselves as practicing physical therapy and clarifies licensing requirements of the board.

PLANT BOARD

Act 367 (HB1359) - The act increases the amount of the surety bond and insurance required for an applicant to the State Plant Board for a termite and other structural pests license or any combination of licenses that includes the classification of termite and other structural pests. The act became effective July 1, 2009.

Act 1467 (SB803) - The act authorizes the State Plant Board to license and regulate mold investigators, to establish standards for mold investigations, and to establish qualifications for mold investigators.

PROFESSIONAL BAIL BONDSMAN LICENSING BOARD

Act 683 (SB878) - The act added one (1) lay member to the Professional Bail Bondsman Licensing Board.

PROFESSIONAL LICENSURE STANDARDS BOARD

Act 337 (HB1214) - The act amends § 6-17-422 to provide for the annual election of a chair of the board, who will be a nonvoting member except in the case of a tie. The act clarifies that the rulemaking and hearings of the board are subject to the Arkansas Administrative Procedure Act.

PROJECT GRADUATION COMMISSION

Act 1306 (HB1956) - The act establishes the Arkansas Project Graduation Commission.

PUBLIC FACILITIES BOARDS

Municipalities

Act 407 (HB1457) - The act changes the selection procedure for members of public facilities boards in municipalities in certain metropolitan statistical areas.

PUBLIC SERVICE COMMISSION

Act 246 (HB1431) - The act changes the date from April to June for the submission of the Arkansas Public Service Commission's annual report to the Governor. The act became effective on February 26, 2009.

BOARDS AND COMMISSIONS

RURAL DEVELOPMENT COMMISSION

Act 541 (HB1946) - The act amends Arkansas law governing the reappointment of members to the Arkansas Rural Development Commission, providing that a member appointed to fill the unexpired portion of a term may be reappointed to serve a five-year term, a member appointed to a five-year term by the Governor shall not be eligible for reappointment by the Governor but may be appointed by the President Pro Tempore of the Senate or the Speaker of the House of Representatives, and that the Governor may appoint to a five-year term a person previously appointed to the commission by the President Pro Tempore of the Senate or the Speaker of the House of Representatives

RURAL MEDICAL PRACTICE

Income Incentives To Physicians

Act 708 (HB1950) - The act authorizes the Arkansas Rural Medical Practice Student Loan and Scholarship Board to grant community match income incentives to physicians who promise to work in the community for four (4) years.

SUBPOENAS

Alternatives And Methods For Challenging

Act 1182 (HB1986) - The act allows for alternatives to providing testimony in person to an individual who is the subject of a subpoena from a state board or commission. The act provides a method for challenging a subpoena issued by a state board or commission.

State Board Of Education; Professional Licensure Standards Board

Act 1283 (HB1372) - The act grants subpoena power to the State Board of Education and the Professional Licensure Standards Board. The act became effective April 9, 2009.

State Board Of Health

Act 83 (HB1109) - The act adds the State Board of Health to the list at § 25-15-104(a)(1) of state boards and commissions that have the power to issue subpoenas.

TOWING AND RECOVERY BOARD

Distribution Of Fines Collected For Unlawful Towing Operations

Act 644 (HB2034) - The act clarifies the distribution of fines collected related to unlawful towing operations. The act becomes effective on July 1, 2009.

YOUNG AND BEGINNING FARMER ADVISORY BOARD

Act 543 (HB1964) - The act authorizes the Arkansas Young and Beginning Farmer Advisory Board to locate its offices within the Arkansas Agriculture Department.

CHILDREN

ADOPTION

Fast-Tracked Adoptions Of Garrett's Law Babies

Act 474 (SB330) - The act amends the law regarding the fast-tracked adoption of Garrett's Law babies by requiring an adoptive home study to be completed before a Garrett's Law baby is placed in an adoptive home.

Home Studies

Act 724 (SB516) - The act amends the hearing provisions of the Revised Uniform Adoption Act to clarify when the Department of Human Services shall conduct an adoptive home study and the required criminal background checks for a home study.

ARKIDS FIRST EXPANSION

Act 435 (HB1700) - The act requires the Department of Human Services to seek a Medicaid waiver to increase the eligibility level for ARKids First to two hundred fifty percent (250%) of the federal poverty level and seeks parity of coverage under ARKids First for mental health care.

BODY ART ON MINORS

Act 1212 (SB825) - The act makes it a D felony to perform body art on a minor in an unlicensed facility.

CHILDREN

CHILD ABUSE AND NEGLECT

Access To Records At Children's Advocacy Centers

Act 1366 (SB779) - The act addresses the availability of records of children's advocacy centers and limits access to those records to which there is a reasonable expectation of privacy.

Mandated Reporters

Act 629 (HB1715) - The act adds persons in positions for advocacy relating to child abuse, rape, and sexual abuse, as well as victim-witness coordinators and victim assistance professionals, to the list of mandated reporters of suspected child abuse or neglect.

Act 1409 (HB2271) - The act amends the law concerning mandated reporters for child maltreatment to add a sexual abuse advocate or volunteer, a rape crisis advocate or volunteer, a child abuse advocate or volunteer, a victim/witness coordinator, and a victim assistance professional or volunteer.

Removal Of Name From The Child Maltreatment Central Registry

Act 954 (SB595) - The act amends the procedures for removal of a person's name from the Child Maltreatment Central Registry by allowing a person to petition the Department of Human Services for removal if the offender has not had a subsequent true report for one (1) year and more than one (1) year has passed since the offender's name was placed on the central registry. The act only applies to the types of child maltreatment identified in the department's policy and procedure manual that are allowed to be removed from the central registry.

Task Force On Abused And Neglected Children

Act 494 (SB815) - The act extends the operation of the Arkansas Legislative Task Force on Abused and Neglected Children until December 31, 2010.

The Child Maltreatment Act

Act 749 (SB464) - The act modernizes the law related to child abuse and neglect by adopting the Child Maltreatment Act and repealing the law that it is meant to replace, the Arkansas Child Maltreatment Act. The scope of this act is child maltreatment, which includes child abuse and neglect, the Child Abuse Hotline, reporting suspected child maltreatment, and the procedure for notice, investigation, hearings, and protective custody of a child related to child maltreatment matters. The act includes procedures for the Child Maltreatment Central Registry.

Act 758 (SB786) - The act updates references to the Child Maltreatment Act that was enacted as Act 749 of 2009 so that other Arkansas Code citations to the Child Maltreatment Act are consistent with Act 749.

CHILD CARE FACILITIES

Evacuation Plans For Emergency Procedures

Act 801 (SB342) - The act requires child care facilities to create written evacuation plans for emergency procedures in coordination with the Division of Child Care and Early Childhood Education of the Department of Human Services.

Minimum Levels Of General Liability Coverage

Act 778 (HB1581) - The act directs the Division of Child Care and Early Childhood Education of the Department of Human Services in collaboration with the State Insurance Department, to develop and promulgate rules requiring sufficient and appropriate minimum levels of general liability insurance coverage for licensed child care centers and licensed and registered child care family homes, including coverage for transportation services when applicable. The act became effective on April 3, 2009.

CHILDREN

CHILD WELFARE AGENCY LICENSING ACT

Act 723 (SB515) - The act amends the Child Welfare Agency Licensing Act to clarify that the formal discovery rules under the Arkansas Rules of Civil Procedure and certain evidentiary rules in the Arkansas Rules of Evidence shall control during adverse action hearings to the extent of a conflict with the Arkansas Administrative Procedure Act. The act addresses subpoenas and background checks under the Child Welfare Agency Licensing Act. The act clarifies that a licensed child welfare agency may meet or exceed the minimum standards required by the Child Welfare Agency Review Board.

CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES

Notice To And Reporting Concerning Grandparents And Other Adult Relatives

Act 1311 (HB2013) - The act provides notice to grandparents and other adult relatives of a child who has been taken into the custody of the Department of Human Services related to a child maltreatment matter. The act requires court reports to include information about and recommendations concerning placement and visitation with a grandparent or other adult relative.

Public Disclosure Of Information On Child Fatalities And Near Fatalities

Act 674 (SB493) - The act clarifies the procedure for public disclosure of information related to child fatalities or near fatalities and the reporting requirements of the Division of Children and Family Services of the Department of Human Services.

Act 675 (SB494) - The act establishes the parameters of the public disclosure of information on fatalities and near fatalities in child maltreatment matters.

FOSTER CARE

Kinship Foster Care Program Repeal

Act 324 (SB350) - The act repeals the kinship foster care program in the Division of Children and Family Services of the Department of Human Services, § 9-28-501 et seq.

Transition Plan

Act 391 (SB359) - The act creates a comprehensive foster youth transitional plan that is designed to aid children in foster care who are near the age of majority with the transition to adulthood. The plan will be administered by the Department of Human Services and will involve familial, educational, medical, and financial assistance.

GUARDIANSHIP

Jurisdiction

Act 301 (SB352) - The act clarifies the jurisdiction of matters involving juveniles and the qualifications for guardians of minors.

Relative Caregivers, Guardianship Subsidy

Act 325 (SB351) - The act amends the provisions regarding the eligibility for a relative guardianship subsidy for a family member who agrees to care for a child that would otherwise be in foster care.

JUVENILE LAW

Amendments To Juvenile Code

Act 956 (SB776) - The act comprehensively amends and clarifies aspects of the Arkansas Code involving juveniles, including, but not limited to, juvenile criminal liability, family law, and substantive amendments to the Arkansas Juvenile Code of 1989, § 9-29-301 et seq. The act became effective on April 6, 2009.

CHILDREN

JUVENILE LAW

Confessions And Waivers Of Counsel

Act 759 (SB788) - The act requires a court to consider all circumstances surrounding a juvenile's confession, including whether the confession was electronically recorded in its entirety. The act requires a court to consider whether a juvenile's waiver of counsel was electronically recorded when determining whether the waiver was freely, voluntarily, and intelligently made.

Juvenile Safety Plans

Act 334 (HB1057) - The act amends § 9-27-352 to require that a court provide a copy of a juvenile safety plan to a school principal in addition to the superintendent and allow the superintendent to provide a verbal notification of the juvenile safety plan to other school personnel as needed to ensure student safety, including assistant principals, school counselors, other school employees responsible for the juvenile's learning environment, and if applicable, bus drivers. The principal and superintendent are required to maintain a copy of the court order and the safety plan and to maintain the confidentiality of the court order and the safety plan. The act became effective on March 10, 2009.

NOVELTY LIGHTERS

Act 329 (SB154) - The act prohibits sales and distribution of novelty lighters. The act provides penalties for violations.

TANNING FACILITIES

Parental Consent

Act 707 (HB1920) - The act requires parental consent before a consumer under eighteen (18) years of age may use a tanning facility and requires that tanning facilities post notices warning of dangers involved in the use of tanning facility equipment.

YOUTH SERVICES, DIVISION OF

System Of Education In Residential Facilities

Act 972 (HB1932) - The act requires the Division of Youth Services to provide a system of education in residential facilities operated by the division that conform to guidelines established by the Department of Education. The guidelines shall be established no later than July 1, 2009. The division shall conduct an education program assessment of each facility and report findings, including a corrective action plan if needed, no later than December 1, 2009. The Department of Education shall monitor the system of education to ensure compliance. The act allows teachers employed by the division to participate in the Arkansas Teacher Retirement System. The act requires the Department of Human Services and the Department of Education to report annually to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and to the Senate Committee on Children and Youth on the state of the system of education in juvenile facilities. The act became effective on April 2, 2009.

CITIES AND COUNTIES

ALDERMANIC VACANCIES

Act 385 (SB335) - The act changes the procedure for filling an aldermanic vacancy in a city of the first class.

AMBULANCE TRANSPORTS

Act 1448 (HB1751) - The act modifies the authority of a city of the first class and a city of the second class to regulate ambulance patient transports.

ANNUAL COUNTY FINANCIAL REPORT

Act 315 (HB1443) - The act requires that the annual county financial report include a statement of the short-term indebtedness of the county.

CIRCUIT CLERKS

Act 160 (HB1276) - The act makes clear that the county recorder is the circuit clerk of the county.

CITIES AND COUNTIES

CITY ADMINISTRATOR FORM OF GOVERNMENT

Act 27 (HB1023) - The act requires that during the term of office of a member of the board of directors in a city administrator form of government, the member shall reside in the ward in which the member was elected. The act clarifies that an assistant mayor may alternatively be called a vice mayor.

CITY SERVICES

Act 195 (HB1048) - The act allows a municipal sewer entity to request termination of water service to a customer of the water authority for the customer's delinquent solid waste service payment.

CIVIL SERVICE

Act 527 (HB1584) - The act amends the time period for eligibility for appointments or promotions under the civil service system.

CIVIL SERVICE COMMISSIONERS, BOARD OF

Act 738 (HB2201) - The act provides that a member of a board of civil service commissioners shall be a qualified elector of the city at all times during his or her appointment.

CORONERS

Coroner's Advisory Task Force

Act 1275 (HB1043) - The act creates the Coroner's Advisory Task Force to develop standards and policy recommendations on certain issues relating to coroners. The task force ends on April 30, 2011.

Pronouncement Of Death

Act 1288 (HB1603) - The act amends the law concerning a coroner's investigation to require that the coroner's report include a pronouncement of death. The act further requires the Arkansas State Medical Board to promulgate rules on medical certifications of death.

COUNTY ACCOUNTING

Act 287 (HB1430) - The act amends provisions of the Arkansas County Accounting Law of 1973, including requiring county officials to retain voided checks and receipts for audits, requiring county officials to maintain a listing of all fixed assets, and certain requirements regarding record keeping for bank accounts maintained by various county officials.

COUNTY AND DISTRICT OFFICIALS

Reimbursement Of Allowable Expenses

Act 732 (HB1899) - The act clarifies the procedures for reimbursement of allowable expenses of county and district officials and their authorized deputies or employees.

COUNTY AND MUNICIPAL ELECTIONS

Act 1480 (SB894) - The act amends laws concerning the administration of elections and special elections and creates a new subchapter concerning special elections, amends the law regarding polling sites for school elections, amends the time period for the certification of candidate lists by the Secretary of State, and specifies instances when the name of a person shall not be certified and shall not be placed on the ballot. The act became effective on April 10, 2009.

COUNTY CLERKS

Act 348 (HB1469) - The act clarifies the use of the county clerk's cost fund by the county clerk.

COUNTY HEALTH OFFICER

Act 696 (HB1354) - The act modernizes the office of county health officer, assigning the officer duties regarding local health unit services, county emergency preparedness response and planning, and infectious or communicable disease outbreaks. The act provides civil immunity for a county health officer while performing official duties.

CITIES AND COUNTIES

COUNTY JUDGE

Actions On Behalf Of Counties

Act 678 (SB773) - The act clarifies that a county judge may bring an action on behalf of the county against any persons or corporations.

COUNTY OFFICER COMPENSATION

Act 320 (HB1467) - The act increases the minimum and maximum compensation schedule for elected county officers.

COUNTY ORDINANCES

Act 319 (HB1465) - The act increases the fine amounts a county may impose for violation of certain county ordinances.

COUNTY PROCUREMENT

Act 410 (HB1492) - The act amends county procedures for the sale, lease, and procurement of property.

COUNTY RECORDERS

Act 202 (HB1331) - The act removes writs of execution and writs of garnishment from the list of filings subject to uniform fees charged by county recorders.

COUNTY TAX BOOKS

Act 347 (HB1468) - The act adds the county clerk to the list of officers who may be designated as the preparer of the tax books by the quorum court.

DISTRICT COURTS

Municipal Disbursements

Act 411 (HB1493) - The act outlines procedures for the municipal disbursement of fines from district courts.

ELECTIONS

Ballot Presentation

Act 281 (HB1404) - The act specifies the order and manner that constitutional amendments, statewide initiated acts, referred acts of the General Assembly, and questions referred by the General Assembly shall appear on the ballot. The act addresses the ballot presentation of measures submitted by municipalities, counties, and other political subdivisions.

City Annexation Elections

Act 420 (HB1717) - The act provides that if the date of a third annexation election, necessary when two (2) cities hold annexation elections on the same land and held three (3) weeks after the second annexation election, falls on a legal holiday, the election shall be held four (4) weeks after the second annexation election. If the election date in the fourth week is also a legal holiday, the election shall be held five (5) weeks after the second annexation election.

Recall Elections

Act 362 (SB432) - The act establishes a procedure for a recall election of certain elected municipal officers in a mayor-council form of government.

Act 1454 (HB2187) - The act adds more requirements to the procedure for the removal of a director in a recall election in a city manager form of government.

Surplus Campaign Funds

Act 340 (HB1340) - The act broadens the list of recipients that may receive surplus campaign funds to include cities of the first class, cities of the second class, and incorporated towns.

ELECTRONIC RECORDS

Access

Act 569 (SB800) - The act gives county officials administrative rights to county electronic information and records. The act became effective on March 24, 2009.

CITIES AND COUNTIES

ELECTRONIC RECORDS

Electronic Recording Commission And The Automated Records Systems Fund Committee

Act 725 (SB804) - The act amends the terms of the members of the Electronic Recording Commission. The act clarifies that members of the Electronic Recording Commission and the Automated Records Systems Fund Committee may receive expense reimbursement as provided by law.

EMERGENCY VACANCIES

Act 229 (HB1263) - The act creates a procedure for the interim filling of vacancies for the office of county judge and sheriff during times of emergency.

INFRASTRUCTURE

Road Maintenance, Repair, And Resurfacing

Act 810 (SB897) - The act provides a procedure for use by counties to enact an assessment ordinance to assist with the costs of road maintenance, repair, and resurfacing related to damage and anticipated damage caused by the hauling of materials and production fluids related to oil or gas exploration. The assessment ordinance would only apply to designated local road truck routes that the disposal haulers use to access the disposal facility. The designated local road truck routes do not include any road, street, or highway that is part of the state highway system. The act became effective on April 3, 2009.

ISSUANCE OF BONDS

Act 545 (HB2021) - The act makes clear that municipalities and counties may issue bonds for capital improvements and performance-based efficiency projects within, near, or both within and near the municipality or county.

LIBRARIES

Act 570 (SB824) - The act clarifies that the maintenance and operation costs of a public library that is supported by a library tax under Amendment 38 of the Arkansas Constitution includes rental costs paid by the library facility.

LIENS, PRIORITY

Act 143 (HB1028) - The act modifies the power of a municipality to regulate unsanitary conditions in regard to the priority of liens.

LOCAL GOVERNMENT JOINT INVESTMENT TRUST ACT

Act 417 (HB1600) - The act amends the list of persons who may serve as trustees under the Local Government Joint Investment Trust Act.

MAYORS

Reports

Act 161 (HB1315) - The act requires the mayor of a city of the first class to submit financial and administrative reports to the governing body of the city within the first ninety (90) days of each year.

Veto

Act 185 (HB1085) - The act clarifies the mayor's power of veto in regard to certain city council decisions in a city of the first class.

MONROE COUNTY

Act 565 (SB701) - The act separates the offices of sheriff and tax collector and consolidates the offices of tax collector and county treasurer in Monroe County, Arkansas. The act becomes effective on January 1, 2011.

MUNICIPAL ACCOUNTING LAW

Disbursements

Act 316 (HB1444) - The act requires adequate supporting documentation for a disbursement of municipal funds.

CITIES AND COUNTIES

MUNICIPAL ACCOUNTING LAW

Turnback

Act 288 (HB1442) - The act shortens the deadlines for a municipality to bring its records into substantial compliance with accounting laws for purposes of release of the municipality's turnback by the Treasurer of State.

MUNICIPAL AIRPORT COMMISSIONS

Act 73 (HB1144) - The act changes the procedure for the selection of members of municipal airport commissions in certain metropolitan statistical areas.

Act 568 (SB797) - The act allows one (1) member of a municipal airport commission to have financial dealings or interests in an aeronautical enterprise while he or she is a member of the commission.

MUNICIPAL OFFICER VACANCIES

Act 403 (HB1435) - The act changes the procedure for filling certain municipal officer vacancies.

MUNICIPAL ORDINANCES

Act 25 (HB1009) - The act gives municipalities the option of filing and storing certain municipal ordinances either electronically or by hard copy.

Act 341 (HB1341) - The act increases the maximum fines for a violation of a municipal ordinance.

PAYMENT OF DEBTS

Act 500 (HB1329) - The act modifies county requirements for payment of debts by checks and electronic funds transfers.

PLANNING AND DEVELOPMENT DISTRICT

Act 529 (HB1705) - The act authorizes a municipality to designate the board of directors of a planning and development district to act for the municipality as a public corporation for a project that is for a qualifying public purpose or under the Municipalities and Counties Industrial Development Revenue Bond Law, Amendment 62 or Amendment 65 of the Arkansas Constitution. The act provides for the dissolution of the public corporation if directed by its governing board and for the rescission of the planning and development district's designation to act for the municipality.

PUBLIC FACILITIES BOARDS

Municipalities

Act 407 (HB1457) - The act changes the selection procedure for members of public facilities boards in municipalities in certain metropolitan statistical areas.

QUORUM COURTS

County Tax Settlements

Act 721 (SB449) - The act allows a quorum court that uses a computerized tax system to designate one (1) or more appropriate county officers to prepare the county tax settlements and related procedures.

REIMBURSEMENT FOR MEAL TIPS

Act 74 (HB1182) - The act clarifies that county officers may seek reimbursement for meal tips up to a certain amount as an allowable expense.

RETIREMENT

Health Benefits, Employees

Act 1279 (HB1203) - The act permits a retired employee or official of a municipality to participate in the health care plan of the municipality from which he or she retired if the retiree pays both the employer and employee contribution to the health care plan, the retiree is not covered by another health care plan, the retiree elects to participate in the municipality's health care plan within thirty (30) days after retiring, and the retiree is receiving a retirement benefit from APERS, LOPFI, or a local pension fund.

CITIES AND COUNTIES

RETIREMENT

Mayors

Act 144 (HB1135) - The act clarifies that the governing body of a city of the second class may prescribe the retirement benefits of a mayor of the city.

SALES AND USE TAXES

County - Delayed Effective Date

Act 298 (SB267) - The act allows counties to establish a delayed effective date for the levy of county sales and use taxes that have been approved by a vote of the citizens of the county. The effective date of the levy of the tax cannot be delayed more than thirty-six (36) months after the effective date established by law under § 26-74-209(d).

County - Extension Of Tax

Act 383 (SB321) - The act allows for the extension of a countywide sales and use tax upon the approval of the voters of the county.

Municipal - Capital Improvements

Act 957 (SB789) - The act authorizes municipalities to establish an effective date for the levy of sales and use taxes for capital improvements on a date that is later than the effective date provided by law. However, the date shall not be delayed more than thirty-six (36) months after the date the ordinance or petition would be effective under the law.

Municipal - Extension Of Tax

Act 382 (SB320) - The act allows for the extension of a local sales and use tax upon the approval of the voters of a municipality.

Municipal - Rental Accommodations

Act 274 (HB1316) - The act adds certain rental accommodations to the list of items upon which a municipal sales and use tax may be levied.

SOLID WASTE LANDFILLS

Act 1220 (SB870) - The act permits solid waste management facilities to collect and convert methane gas from landfills to electricity or other alternative sources of energy.

TIF DISTRICTS

Act 1181 (HB1975) - The act extends the period for existence of a redevelopment district past twenty-five (25) years if bonds are outstanding but caps the length of the existence of a district to forty (40) years. The act became effective on April 7, 2009.

TOWING AND STORAGE

Guidelines To Allow Municipalities To Regulate The Nonconsensual Towing And Storage Of Vehicles

Act 681 (SB830) - The act contains detailed guidelines to allow municipalities to regulate by ordinance the nonconsensual towing and storage of a vehicle, implement, or piece of machinery. Specifically, the act allows a municipality to limit the distance from the location of removal to the destination of storage and the amount of towing and storage charges that can be assessed against the owner or operator of the vehicle, implement, or piece of machinery with the remainder of the charges to be assessed against the property owner that requested towing. The act became effective March 27, 2009.

UNSANITARY CONDITIONS

Act 503 (HB1466) - The act changes the notice procedure for violators of municipal ordinances concerning unsanitary conditions.

UTILITIES

Certificate Of Convenience

Act 418 (HB1622) - The act modifies the procedures regarding a certificate of convenience and necessity for municipally owned electric utilities from the Arkansas Public Service Commission.

CITIES AND COUNTIES

WATER AND SEWER DEPARTMENTS

Act 642 (HB1979) - The act allows municipal water and sewer departments and rural water and wastewater entities to use electronic funds transfer for the payment of debts when certain requirements are met.

WATER DISTRICTS, REGIONAL

Act 370 (HB1470) - The act makes changes to regional water district law concerning procedures for the election of boards of directors.

WATER SERVICE FACILITIES, RURAL

Purchase By Annexing Municipalities

Act 779 (HB1647) - The act extends to a municipality the ability to purchase rural water service facilities in annexed areas and creates a valuation procedure for the purchase.

CIVIL LAW AND PROCEDURE

CITATION BY MAIL, CODE ENFORCEMENT OFFICERS

Act 556 (SB393) - The act provides that a code enforcement officer may serve by mail a citation on a person charged with violating a municipal code, ordinance, or regulation. The act does not apply to moving traffic violations.

GAMBLING DEBT RECOVERY

Act 460 (HB1716) - The act amends the statutory right of recovery of gambling debts and losses to overrule *Daniels v. State*, 373 Ark. 536, and *Davidson v. State*, 200 Ark. 495, to allow an action for replevin to recover property lost through illegal gambling and to provide that recovery of property lost through illegal gambling is not a defense in the prosecution of a crime of violence.

IMITATION FIREARMS

Act 1495 (HB2160) - The act prohibits the sale of toy firearms that appear to be real firearms. A violation of the act is punishable by a civil fine of one thousand dollars (\$1,000) for each violation. The act becomes effective on January 1, 2010.

LANDLORD AND TENANT

Evictions

Act 464 (SB34) - The act provides a procedure for the eviction of tenants engaged in certain gambling, alcohol, and prostitution offenses.

VENUE

Act 546 (HB2031) - The act amends a venue statute to require that an action on a debt, account, or note against a public facilities board must be brought in the county in which the public facilities board lies.

COMMERCIAL LAW

ABANDONED PROPERTY

Jewelry

Act 652 (SB54) - The act clarifies the rights and duties of affected parties to jewelry that is unclaimed by its owner or consignor for more than one (1) year.

BUSINESS ORGANIZATIONS

Mergers And Conversions

Act 408 (HB1462) - The act allows the merger or conversion of any form of business entity into any other form of business entity.

Registered Agents

Act 814 (SB972) - The act amends and makes technical corrections to certain business entity statutes and the Model Registered Agents Act, § 4-20-101 et seq., concerning the establishment of designated offices and service of process upon foreign entities without involving the Secretary of State to obtain service of process.

COMMERCIAL LAW

CREDIT CARD PROCESSING SERVICES

Act 624 (HB1607) - The act makes technical corrections to § 4-115-101 et seq. concerning the regulation of credit card processing services and clarifies the exemption for certain financial institutions.

CREDITORS' CLAIMS, LIMITATION ON

Act 469 (SB218) - The act exempts from the claims of creditors the cash surrender value of a life insurance policy to the extent permitted by the Arkansas Constitution -- currently five hundred dollars (\$500) for a resident who is married or the head of a family and two hundred dollars (\$200) for a resident who is not married or the head of a family.

FAIR DEBT COLLECTION PRACTICES

Act 1455 (HB2228) - The act enacts the Arkansas Fair Debt Collection Practices Act and makes changes to the Arkansas Code regarding collection agencies.

IMITATION FIREARMS

Act 1495 (HB2160) - The act prohibits the sale of toy firearms that appear to be real firearms. A violation of the act is punishable by a civil fine of one thousand dollars (\$1,000) for each violation. The act becomes effective on January 1, 2010.

MECHANICS' AND MATERIALMEN'S LIENS

Act 454 (HB1594) - The act amends and updates § 18-44-101 et seq. concerning the perfection, filing, and enforcement of mechanics' and materialmen's liens, expressly provides lien protection for architects, surveyors, appraisers, landscapers, abstractors, and title insurance agents, and prorates the amount of the lien of a lien claimant that relies upon the lien notice of another lien claimant to provide a lien only for labor and materials supplied after the other lien claimant's notice was given.

NOVELTY LIGHTERS

Act 329 (SB154) - The act prohibits sales and distribution of novelty lighters. The act provides penalties for violations.

PREPAID FUNERAL BENEFITS

Act 538 (HB1917) - The act prohibits unfair methods of competition and unfair or deceptive trade practices by sellers of prepaid funeral benefits contracts.

SALES AND USE TAXES

Withdrawal From Stock

Act 384 (SB322) - The act amends the sales and use tax laws concerning installation charges, motor vehicles, utilities, prewritten computer software, durable medical equipment, and sales price in order to be consistent with the Streamlined Sales Tax Agreement. The act clarifies that a withdrawal from stock is subject to sales and use tax. The act became effective on March 10, 2009.

SALVAGE AUCTION BUYER'S FEE

Act 639 (HB1924) - The act imposes a fee of five dollars (\$5.00) on the buyer of each item at a salvage auction. The fee shall be divided between the Arkansas Department of Environmental Quality and the Department of Arkansas State Police to be used for inspection and oversight of auto auctions.

SAMPLE DRUG DISTRIBUTION

Act 943 (HB1997) - The act restricts the distribution of drug samples and sets out the conditions under which drug samples may be distributed. The act requires registration of drug sample distributors with the Arkansas State Board of Pharmacy.

SECURITIES

Act 462 (HB1883) - The act updates and makes technical corrections to the Arkansas Securities Act, § 23-42-101 et seq.

Act 533 (HB1876) - The act repeals the Investor Protection Takeover Act, § 23-43-101 et seq.

COMMERCIAL LAW

SECURITIES

Act 534 (HB1877) - The act amends the Arkansas Securities Act, § 23-42-101 et seq., to regulate securities law administration, registration, sanctions, bond requirements, and examination fees.

Act 535 (HB1880) - The act allows the Securities Commissioner to set bond requirements for the commissioner's licensees.

SIGNATURE BY MARK

Act 167 (SB80) - The act amends the Arkansas Nonprofit Corporation Act of 1993 to provide for certain signatures to be affixed by any reasonable means, including facsimile signature or electronic image. The act provides for certain deliveries to occur by electronic communication, including facsimile transmission or electronic mail.

Act 412 (HB1496) - The act provides that a signature by mark on a document is legal for the purposes of executing the document if the signature is made by a person who lacks the ability to write or sign his or her name and is witnessed by a least one (1) disinterested person.

SOLICITATION OF ADVERTISING

Written Contracts

Act 645 (HB2046) - The act exempts persons who have a written contract with a university to solicit advertisements for university calendars from certain disclosure requirements.

SURETY BONDS

Act 461 (HB1882) - The act repeals § 23-37-511, which permitted the assignment of a savings account in lieu of posting bond.

TANNING FACILITIES

Parental Consent For Consumers Under Eighteen (18) Years Of Age

Act 707 (HB1920) - The act requires parental consent before a consumer under eighteen (18) years of age may use a tanning facility and requires that tanning facilities post notices warning of dangers involved in the use of tanning facility equipment.

UNIFORM MONEY SERVICES ACT

Act 486 (SB450) - The act amends the Uniform Money Services Act, § 23-55-101 et seq., to eliminate references to check cashing and provide the Securities Commissioner greater enforcement powers.

CONSTITUTIONAL OFFICERS

ATTORNEY GENERAL

Disposition Reports, Legislative Audit

Act 446 (HB1445) - The act removes the requirement that disposition reports by the Attorney General and prosecuting attorneys regarding matters reported by the Legislative Joint Auditing Committee be filed with the Legislative Council.

Law Enforcement Agency

Act 81 (SB112) - The act designates the Office of the Attorney General as a law enforcement agency. The act became effective February 9, 2009.

Racial Profiling

Act 768 (SB1001) - The act provides that the Attorney General establish a hotline to report racial profiling and publish procedures to receive complaints concerning racial profiling. Further, the act provides that the Attorney General maintain statewide statistics regarding complaints of racial profiling he or she has received and report the statistics to both the Legislative Council and the Task Force on Racial Profiling on a yearly basis. If the Attorney General suspects that a violation of law has occurred, the act provides that he or she shall refer the matter to the appropriate prosecuting attorney or other appropriate legal authority.

CONSTITUTIONAL OFFICERS

COMMISSIONER OF STATE LANDS

Act 646 (HB2073) - The act provides that the term of the office of the Commissioner of State Lands shall begin on the same date as other constitutional officers as provided in Article 6, § 3, of the Constitution of Arkansas.

GOVERNOR

Old State House Report

Act 558 (SB448) - The act changes the date on which the annual report is due to be presented to the Governor by the Old State House Commission.

SECRETARY OF STATE

International Student Exchange Visitor Placement Organizations

Act 966 (SB903) - The act known as the "International Student Exchange Visitor Placement Organization Registration Act" requires international student exchange visitor placement organizations to register with the Secretary of State prior to placing a foreign exchange student with a host family or in a public or private school in this state beginning January 1, 2010, for the 2010-2011 school year.

Central Filing For Agricultural Liens

Act 942 (HB1984) - The act provides central filing with the Secretary of State for agricultural liens and farm-related security interests for new filings and continuation statements unless the collateral described in a financing statement is a farm-stored commodity financed by a loan through the Commodity Credit Corporation of the United States Department of Agriculture. If the collateral described in a financing statement is a farm-stored commodity financed by a loan through the Commodity Credit Corporation of the United States Department of Agriculture, the UCC lien may continue to be filed at the county level through midnight, December 31, 2012. The act becomes effective on January 1, 2010.

Foreign Investment Act, Arkansas Agricultural

Act 643 (HB2029) - The act specifies when agricultural land acquired by a foreign party for nonfarming purposes must be registered with the Secretary of State. The act is retroactive to April 19, 1979.

CONSUMER PROTECTION

FAIR MORTGAGE LENDING ACT

Act 731 (HB1881) - The act amends the Fair Mortgage Lending Act, § 23-39-501 et seq., to revise the bonding, reporting, records, prohibited activities, penalties, and other provisions of the act.

MOTOR VEHICLE SALES

Motor Vehicle Dealer To Pay Off Lien Within Ten Days

Act 455 (HB1602) - The act requires a motor vehicle dealer to tender full payment on an outstanding lien or encumbrance on a motor vehicle within ten (10) business days after the motor vehicle dealer takes possession of the motor vehicle from the customer.

NEW MOTOR VEHICLE QUALITY ASSURANCE ACT

Substantially Altered Vehicles Over 10,000 Pounds

Act 492 (SB681) - The act clarifies that a vehicle over ten thousand pounds (10,000 lbs.) gross vehicle weight rating that has been substantially altered after its initial sale from a dealer to a person is not a motor vehicle under the Arkansas New Motor Vehicle Quality Assurance Act.

CONSUMER PROTECTION

REFUND ANTICIPATION LOAN ACT

Act 1402 (HB2203) - The act protects consumers who enter into refund anticipation loan and refund anticipation check transactions. The act requires the posting of fee schedules and disclosures for persons receiving refund anticipation loans or refund anticipation checks. The act prohibits a facilitator from requiring a consumer to enter into a loan agreement in order to complete a tax return, engage in fraud, or charge or impose any fee apart from the fee charged by the creditor or bank that provides the loan or check.

CORRECTIONS

BOARD OF CORRECTIONS

Per Diem Stipends And Expense Reimbursement

Act 958 (SB790) - The act sets expense reimbursement and stipends for the Board of Corrections. It further provides that public university employees or other state employees who serve on the Board of Corrections are allowed to receive a per diem stipend and reimbursement of expenses for official meetings and related activities associated with attending to the business of the Board of Corrections. The act became effective April 6, 2009.

GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION

Issuance Or Sale Of Items Produced

Act 283 (HB1421) - The act allows for the issuance or sale of surplus items processed by the farming operations of the Department of Correction.

Purchase By School Districts And Public Agencies

Act 502 (HB1420) - The act authorizes school districts and public agencies to purchase certain goods produced by the Department of Correction's Industry Division.

INMATES

Dental Hygiene

Act 203 (HB1367) - The act authorizes dental hygienists to perform dental hygiene procedures on inmates under the general supervision of a dentist.

Expansion Of Existing Skills Training Programs And Educational Opportunities

Act 788 (HB1894) - The act authorizes the Department of Correction to expand the existing skills training program and to increase educational opportunities for inmates. The act provides that an inmate released upon completion of his or her term of incarceration shall be provided written and certified proof that he or she completed and satisfied all the terms of incarceration as well as information on how to reinstate his or her voting rights.

Labor

Act 307 (SB332) - The act authorizes the Department of Correction to enter into an agreement with the Old State House Commission to produce or manufacture items utilizing inmate labor. The proceeds may be used to develop exhibits and programs about the history of the Department of Correction or to maintain the Old State House Museum's collection of the Department of Correction artifacts.

Medical Examinations

Act 208 (HB1375) - The act requires that each new inmate in the Department of Correction undergo a medical examination and that the results of the medical examination be followed with regard to inmate jobs for which the examining physician may prescribe limits.

Meritorious Good Time

Act 363 (SB444) - The act allows the awarding of meritorious good time to a person found guilty of or pleading guilty or nolo contendere to an offense subject to the seventy percent (70%) rule and sentenced under the seventy percent (70%) rule regardless of the date the offense was committed.

CORRECTIONS

INMATES

Possession Of Prohibited Articles

Act 479 (SB376) - The act includes cellular telephones or other communications devices in the list of articles that inmates at the Department of Correction are prohibited from either possessing or using.

SEXUAL CONTACT BETWEEN EMPLOYEE AND PERSON IN CUSTODY

Criminal Penalty

Act 630 (HB1833) - The act amends sexual assault in the fourth degree, under § 5-14-127, by criminalizing sexual contact between an employee of the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail and a person who is in the custody of the Department of Correction, Department of Community Correction, Department of Human Services, or a city or county jail.

UNLICENSED TRANSITIONAL HOUSING

Act 615 (HB1030) - The act requires an operator to obtain a license in order to operate a transitional housing facility for criminal offenders and grants the Department of Community Correction the power to establish procedures regarding operation of unlicensed transitional housing facilities, including the imposition of civil penalties. The act prohibits a court from ordering a criminal offender to be sent to an unlicensed transitional housing facility.

COURTS

ARKANSAS REPORTS, PUBLICATION

Act 221 (HB1033) - The act requires that the Arkansas Reports be published and distributed in a format directed by the Arkansas Supreme Court, and that the reports be made publicly available in electronic or other readily accessible medium.

CHILD SUPPORT

Release From Obligation

Act 635 (HB1901) - The act provides that a person is no longer obligated to pay child support for a child once the person's parental rights have been terminated due to the child's adoption by another person.

CLERKS

Continuing Education

Act 480 (SB380) - The act separates the county and circuit clerks' continuing education boards.

Judgments, Entry Of

Act 1209 (SB772) - The act provides that if the court clerk scans judgments so that they appear in full on an Internet-based system or other similar electronic system and are searchable by name and case number, the requirements of entering the judgments into an indexed judgment book no longer apply.

COURT OF APPEALS

Appeals From The Arkansas Public Service Commission

Act 218 (SB339) - The act allows the Arkansas Court of Appeals to review orders of the Arkansas Public Service Commission regarding the assessment or equalization of property.

Unpublished Opinions

Act 162 (SB33) - The act permits unpublished opinions of the Court of Appeals to be cited by courts or in materials presented to courts.

COURTS - CIRCUIT, DISTRICT, AND CITY

City Courts To Be Consolidated With District Courts

Act 356 (SB256) - The act adds the city courts in Alpena and Salesville to the list of city courts to be consolidated with district courts. The act became effective March 10, 2009.

COURTS

COURTS - CIRCUIT, DISTRICT, AND CITY

Election Of District Judges

Act 1407 (HB2266) - The act provides that candidates by petition for district judge shall file petitions signed by at least one percent (1%) of the qualified electors residing within the district for which the candidate seeks office, but in no event shall more than two thousand (2,000) signatures be required.

Filing Fees; Pilot Program Judgeships

Act 345 (HB1398) - The act raises the uniform filing fee for initiating a cause of action in district courts from fifty dollars (\$50) to sixty-five dollars (\$65). The act adds six (6) district court judgeships to the district court pilot program. The act becomes effective July 1, 2009.

First Judicial District

Act 489 (SB544) - The act sets the terms of court for the circuit courts of Cross, Woodruff, Monroe, St. Francis, Lee, and Phillips counties in the First Judicial District.

Fourth Judicial District

Act 293 (SB59) - The act creates a new circuit judgeship in the Fourth Judicial District. The new circuit judge is to be elected at the 2010 general election for nonpartisan judicial offices and take office on January 1, 2011.

Legislative Audit Of City Courts

Act 488 (SB505) - The act empowers the Legislative Joint Auditing Committee to divest a city court of its authority to operate if that court fails to comply with either its accounting requirements or the requirements of §§ 16-10-306 and 16-10-308. The act expires on January 1, 2012.

Municipal Disbursements

Act 411 (HB1493) - The act outlines procedures for the municipal disbursement of fines from district courts.

Salaries Of The Judges And Other Personnel

Act 1446 (HB1671) - The act is the omnibus salary bill for district court judges and other district court personnel.

Territorial Jurisdiction

Act 398 (HB1325) - The act clarifies the territorial jurisdiction of district courts.

DRUG COURTS - COSTS

Act 490 (SB596) - The act amends certain procedures involving drug court costs and fees under § 16-98-304, including assessment and distribution of those costs and fees.

FAMILY LAW

Paternity

Act 1312 (HB2022) - The act clarifies that a petition for paternity establishment may be filed by a parent or grandparent of a deceased putative father.

FEES AND FINES

Court Technology Improvement Act Of 2009

Act 328 (HB1353) - The act amends Arkansas Code Titles 16 and 21 to provide for, among other things: (1) a person to pay criminal fines with a debit card, (2) a quorum court or governing body of a political subdivision to delegate the responsibility for the electronic collection of court fines to the Administrative Office of the Courts, and (3) the assessment of a fee for any electronic payment of a criminal fine by credit or debit card. The act further provides for the assessment of certain fees, in some instances changing existing fee amounts, for certain appellate court and circuit court filings or actions.

Payment And Collection Of Fines, Costs, And Restitution

Act 633 (HB1853) - The act amends sections of the Arkansas Code dealing with the payment and collection of fines, costs, and restitution in circuit, district, and city courts, and makes technical corrections to and repeals obsolete sections of the Arkansas Code.

COURTS

FEES AND FINES

Third-Party Entities; Payment With A Credit Card

Act 782 (HB1800) - The act authorizes all courts to enroll for service with and accept payments from a third-party entity for the acceptance and collection of fines and associated costs with an approved credit card for which the third-party entity may charge the offender a service or convenience fee if the credit card company will allow the charge.

Uniform Filing Fees

Act 475 (SB348) - The act increases the uniform filing fee for initiating a cause of action in circuit court from one hundred forty dollars (\$140) to one hundred fifty dollars (\$150).

FUNDING OF THE JUDICIAL SYSTEM, LEGISLATIVE TASK FORCE

Act 760 (SB801) - The act creates the Legislative Task Force on the Funding of the Judicial System.

IMPROVEMENT DISTRICT REPORTING REQUIREMENTS

Act 386 (SB403) - The act requires certain improvement districts to file an initial report by December 31, 2009, with the county clerk and an annual report on or before December 31, 2010, with the county clerk and includes a process for the county clerk to notify the members of the district board or commission and also to notify the county court and the prosecuting attorney concerning vacancies noted on a report. After notification of a continuing vacancy on a district board or commission, the prosecuting attorney shall investigate the vacancy and take appropriate action to fill it.

JUVENILE SAFETY PLAN

Act 334 (HB1057) - The act amends § 9-27-352 to require that a court provide a copy of a juvenile safety plan to a school principal in addition to the superintendent and allows the superintendent to provide a verbal notification of the juvenile safety plan to certain other school personnel as needed to ensure student safety. The principal and superintendent are required to maintain a copy of the court order and the safety plan and to maintain the confidentiality of the court order and the safety plan. The act became effective on March 10, 2009.

PROSECUTING ATTORNEYS

Disposition Reports, Legislative Audit

Act 446 (HB1445) - The act removes the requirement that disposition reports by the Attorney General and prosecuting attorneys regarding matters reported by the Legislative Joint Auditing Committee be filed with the Legislative Council.

Fifteenth Judicial District

Act 459 (HB1668) - The act changes the Fifteenth Judicial District Division B to a Division A Judicial District. The act becomes effective July 1, 2009.

Thirteenth Judicial District

Act 85 (HB1171) - The act changes the Thirteenth Judicial District from a Division B to a Division A Judicial District. The act became effective February 9, 2009.

Twentieth Judicial District

Act 794 (HB2074) - The act authorizes the prosecuting attorney for the Twentieth Judicial District to employ certified law enforcement officers as investigators to perform certain tasks. The act became effective on April 3, 2009.

SECURITY OFFICERS

Act 236 (SB303) - The act requires that, within one (1) year of beginning his or her term of service as a court security officer, a court security officer shall complete a training program recommended by the Supreme Court Security and Emergency Preparedness Advisory Committee and approved by the Arkansas Commission on Law Enforcement Standards and Training.

COURTS

TRANSITIONAL HOUSING FACILITIES

Act 615 (HB1030) - The act requires an operator to obtain a license in order to operate a transitional housing facility for criminal offenders and grants the Department of Community Correction the power to establish procedures regarding operation of unlicensed transitional housing facilities, including the imposition of civil penalties. The act prohibits a court from ordering a criminal offender to be sent to an unlicensed transitional housing facility.

CRIMINAL LAW AND PROCEDURE

ABORTION, PARTIAL-BIRTH

Act 196 (HB1113) - The act prohibits partial-birth abortions, makes the performing of a partial-birth abortion a Class D felony, and authorizes licensure actions and civil penalties for physicians who perform partial-birth abortions. The act became effective on February 20, 2009.

AGGRAVATED RESIDENTIAL BURGLARY

Act 1395 (HB2025) - The act amends § 5-4-501 to include aggravated residential burglary in the list of serious felonies involving violence in the habitual offender statute and to include it as an underlying felony in the capital murder statute.

ASSAULT

Act 332 (HB1040) - The act amends both aggravated assault, § 5-13-204, and assault in the first degree, § 5-13-205, by adding an element that the crimes could be committed if it is shown that a person purposely impeded or prevented the respiration of another person or the circulation of another person's blood by applying pressure on the throat or neck or by blocking the nose or mouth of the other person. The act provides that it is a defense to prosecution for assault in the first degree if the other person consented to the impeding or prevention of his or her respiration or circulation of blood.

ASSET FORFEITURE ACTION

Rights And Responsibilities Of Parties

Act 699 (HB1488) - The act clarifies the rights and responsibilities of parties in an asset forfeiture action.

BAIL BONDS

Act 290 (SB15) - The act provides that a summons shall be directed to and served on a bail bond surety in the manner provided in Rule 4 of the Arkansas Rules of Civil Procedure.

BATTERY IN THE SECOND DEGREE

Code Enforcement And Animal Control Officers

Act 344 (HB1396) - The act amends the offense of battery in the second degree against persons acting in the line of duty to include code enforcement officers, which include animal control officers.

BODY ART ON MINORS

Act 1212 (SB825) - The act makes it a Class D felony to perform body art on a minor in an unlicensed facility.

CAPITAL PUNISHMENT, LETHAL INJECTION

Methods Of Execution Act

Act 1296 (HB1706) - The act clarifies the existing procedures for capital punishment by lethal injection. The act became effective on April 9, 2009.

CONTROLLED SUBSTANCES

Sale Or Purchase Of Ephedrine

Act 712 (HB2039) - The act provides for increased penalties for third or subsequent convictions of violating the sale or purchase limits for ephedrine, § 5-64-1103.

CRIMINAL LAW AND PROCEDURE

CONTROLLED SUBSTANCES

Second Or Subsequent Offense

Act 673 (SB447) - The act provides that the offense of possession of a controlled or counterfeit substance is considered a second or subsequent offense if before a person's conviction for the offense, the person has been convicted previously for possession of a counterfeit or a controlled substance, § 5-64-401(c), or under any equivalent penal statute of the United States or of any state.

COUNSELORS, UNLICENSED PRACTICE

Act 1298 (HB1745) - The act makes a second or subsequent offense of practicing as a counselor without a license a Class D felony and creates a cause of action for persons injured by an unlicensed counselor.

CRIMINAL JUSTICE, LEGISLATIVE TASK FORCE ON

Act 766 (SB942) - The act creates the Arkansas Legislative Task Force on Criminal Justice and specifies its membership and duties. The task force shall report its findings and recommendations by August 15, 2010, and expires on October 1, 2010.

DAMAGING EQUIPMENT OF TELEPHONE, CABLE, AND ELECTRIC POWER COMPANIES

Act 390 (HB1479) - The act makes it a Class D felony to damage wires and other fixtures of telephone, cable, and electric power companies. The act amends Arkansas law pertaining to scrap metal dealers, including amending record keeping requirements, placing restrictions on the purchase of certain items, and specifying the manner of certain types of payments. The act increases the penalty for failing to comply with laws pertaining to scrap metal dealers to a Class A misdemeanor.

DEFRAUDING A SECURED CREDITOR

Use Of Insurance Proceeds In Contravention Of A Security Agreement

Act 485 (SB431) - The act adds using insurance proceeds from the settlement of a property damage claim on a motor vehicle subject to a security agreement in contravention of the security agreement to the offense of "defrauding a secured creditor". The act requires that the liability insurer provide a written notice to the insured regarding this offense when making payment on a claim.

DNA SAMPLES

Juli's Law

Act 974 (HB1473) - The act provides for the collection of a DNA sample from a person arrested for capital murder, murder in the first degree, kidnapping, and sexual assault in both the first and second degrees, as well as establishing procedures for the collection, maintenance, and dissemination of the DNA samples.

DOMESTIC ABUSE

Amendments To The Domestic Abuse Act Of 1991

Act 698 (HB1414) - The act amends sections of the Domestic Abuse Act of 1991. Among the changes are the ability of a petitioner seeking an order of protection to omit his or her home or business address from all documents filed with the court, a provision that a denial of an ex parte temporary order of relief does not deny the petitioner the right to a full hearing on the merits, and provisions for certain and specific court-ordered relief afforded in ex parte temporary orders of protection.

CRIMINAL LAW AND PROCEDURE

DOMESTIC BATTERY

Act 194 (HB1039) - The act provides that a person who knowingly causes serious physical injury to a family or household member he or she knows to be sixty (60) years of age or older or twelve (12) years of age or younger is guilty of domestic battery in the first degree. The act likewise provides that a person who knowingly causes physical injury to a family or household member he or she knows to be sixty (60) years of age or older or twelve (12) years of age or younger is guilty of domestic battery in the second degree.

Act 333 (HB1041) - The act provides that domestic battery in the third degree is a Class D felony if a person has committed aggravated assault on a family or household member, § 5-26-306, within the previous five (5) years.

DRIVING WHILE INTOXICATED

Chemical Test Administration

Act 423 (SB217) - The act eliminates the requirement concerning an accident resulting in the loss or likelihood of loss human life that probable cause must exist to believe that a driver is guilty of DWI before any chemical test can be administered to check for alcohol or drugs in the driver's body. The act requires that either the law enforcement officer who investigates the collision, the physician in attendance, or any other person designated by state law shall order the test. Further, the act provides that the results of the chemical analysis may be used for any law enforcement purpose.

Consent To Testing

Act 431 (SB543) - The act provides that a person who operates a motor vehicle has consented to one (1) or more chemical tests, rather than to a single test, of his or her breath, blood, or urine to determine the alcoholic or controlled substance content of his or her breath, blood, or urine.

First-Time Offender

Act 1293 (HB1640) - The act provides that for a first-time DWI offender, his or her driver's license shall be suspended for six months unless the Office of Driver Services allows the issuance of a vehicle interlock restricted license. If a vehicle interlock restricted license is allowed, then the first-time DWI offender's driver's license is not suspended. Further, the restricted driving permit under § 5-65-120 is not allowed for a suspension under this act.

Vehicle Interlock Device

Act 922 (HB1799) - The act amends § 5-65-104 regarding the issuance of a vehicle interlock device for second- and third-offense DWI defendants, defining time limits for issuance as well as permissible uses and allowable destinations for persons ordered to use the interlock device.

Victim Impact Panel

Act 946 (HB2082) - The act requires a person convicted of driving while intoxicated to attend a victim impact panel approved by the Office of Alcohol and Drug Abuse Prevention of the Department of Human Services.

DRUG OR ALCOHOL SCREENING TEST, INTENT TO DEFRAUD

Sale, Distribution, And Marketing Of Human Or Synthetic Urine

Act 640 (HB1934) - The act prohibits the sale, distribution, and marketing of human or synthetic urine with the intent to defraud or cause deceitful results in a drug or alcohol screening test.

CRIMINAL LAW AND PROCEDURE

EMERGENCY LIGHTS AND SIRENS - PROHIBITED USE

Act 561 (SB468) - The act provides that it is a Class A misdemeanor for a person who has been found guilty of any felony, domestic battery in the third degree, or who is required to register as a sex offender from knowingly purchasing or possessing an emergency vehicle light or siren that reasonably appears to be or that mimics one found on a law enforcement vehicle. The act prohibits those persons from installing the lights on a vehicle or from operating a motor vehicle that because of the presence of the lights reasonably appears to be or that mimics a law enforcement vehicle. The act provides for a defense if the person was a certified law enforcement officer acting within the scope of his or her duty.

ESCAPE FROM CUSTODY

Act 478 (SB375) - The act increases the penalty for escaping from the custody of the Department of Correction, Department of Community Correction, or a law enforcement agency and for other acts that constitute assisting in or furnishing an implement for escape.

EXPLOSIVES

Act 339 (HB1338) - The act amends the offense of possession of explosives by certain persons, § 5-73-108, by adding prohibited categories of persons, such as illegal aliens and persons who are under the age of twenty-one (21) years, and creates a defense to prosecution if a person normally prohibited from possessing explosives is acting in the scope of his or her employment with an authorized company.

EXPUNGEMENT OF RECORD

Act 1491 (SB995) - The act provides that a drug court judge may order expungement and dismissal of a case if the offender has successfully completed a drug court program, the offender has received aftercare programming, the drug court judge has received a recommendation from the prosecuting attorney for expungement and dismissal of the case, and the drug court judge feels expungement and dismissal are appropriate after considering the offender's past criminal history. The act amends Arkansas law concerning the possession of firearms by certain persons whose cases are dismissed and expunged.

FLEEING

Act 1304 (HB1830) - The act amends § 5-54-125 to provide that a person convicted of fleeing in a vehicle shall serve a minimum of two (2) days in jail as part of his or her sentence. The act provides that the offender shall have his or her driver's license suspended or revoked for at least six (6) months but not more than one (1) year.

FORGERY AND FRAUDULENT PRACTICES

Financing Statements

Act 336 (HB1161) - The act makes it a Class A misdemeanor to fraudulently file a Uniform Commercial Code financing statement and provides for a civil cause of action for injunctive relief and civil damages.

FURNISHING OR SELLING ALCOHOL TO MINORS

Religious Ceremonies

Act 948 (HB2151) - The act provides that the crime of knowingly furnishing or selling alcoholic beverages to a minor does not apply to the serving of beer in any religious ceremony or rite.

Social Host Liability

Act 976 (HB1586) - The act provides for criminal liability for a social host who knowingly serves alcohol to minors or who knowingly allows minors to consume alcohol on his or her property. The act does not apply to any consumption of alcohol during religious ceremonies or for religious purposes.

CRIMINAL LAW AND PROCEDURE

IMPAIRING THE OPERATION OF A VITAL PUBLIC FACILITY

Act 1210 (SB778) - The act amends the crime of impairing the operation of a vital public facility to include fighting as well as violent and tumultuous behavior or other conduct that causes a substantial disruption, obstruction, or impediment to the operation of a vital facility. The act amends the definition of "vital public facility" to include a county jail, city jail, public detention facility, or temporary holding facility for detained persons.

INHALATION OF INTOXICATING COMPOUNDS

Act 466 (SB156) - The act amends § 5-60-116 to criminalize possessing or selling certain intoxicating compounds, as well as criminalizing the breathing of an intoxicating compound for the purpose of becoming intoxicated. The act further prohibits the manufacture, sale, giving, delivery, possession, or use of an alcohol vaporizing device.

INTERFERENCE WITH A LAW ENFORCEMENT OFFICER

Code Enforcement And Animal Control Officers

Act 343 (HB1395) - The act expands the offense of interference with a law enforcement officer to include a code enforcement officer, which includes an animal control officer.

JUVENILE COURT PROCEEDINGS

Extended Juvenile Jurisdiction

Act 338 (HB1330) - The act allows the Department of Human Services to petition the court at any time to review or modify a juvenile's disposition order. However, if the petition for review is denied, the department must wait one (1) year to file a new petition for review or modification unless the department has clear and convincing new evidence that the juvenile has been rehabilitated.

JUVENILE LAW

Act 956 (SB776) - The act comprehensively amends and clarifies aspects of the Code involving juveniles, including juvenile criminal liability, family law, and numerous substantive amendments to the Arkansas Juvenile Code of 1989, § 9-27-301 et seq. The act became effective on April 6, 2009.

KILLING OR INJURING ANIMALS USED BY LAW ENFORCEMENT OR SEARCH AND RESCUE DOGS

Act 530 (HB1744) - The act expands the offense of "Killing or injuring animals used by law enforcement or search and rescue dogs" to include purposely causing or attempting to cause physical contact that is likely to cause physical injury to the animal.

MISDEMEANOR FINES

Act 209 (HB1382) - The act increases the maximum fines allowable for all misdemeanor offenses and provides that the governing body of a city or town in which a district court is located or the quorum court of a county may by ordinance levy an additional fine not to exceed twenty dollars (\$20.00) upon each conviction in all cases of the first or second class in order to help defray the cost of construction and maintenance of a jail and of incarcerating prisoners, generally. The act becomes effective on July 1, 2009.

NEGLIGENT HOMICIDE

Penalty Enhancements

Act 650 (HB2259) - The act increases the felony level classification for negligent homicide, § 5-10-105, from a Class C felony to a Class B felony. The act provides that a conviction for negligent homicide can be used as a prior or previous offense both for suspending or revoking a person's driver's license and for enhancing sentences for DWI.

NOVELTY LIGHTERS

Act 329 (SB154) - The act prohibits sales and distribution of novelty lighters. The act provides penalties for violations.

CRIMINAL LAW AND PROCEDURE

OBSTRUCTING GOVERNMENTAL OPERATIONS

Falsely Identifying Oneself To An Animal Control Or Code Enforcement Officer

Act 342 (HB1394) - The act expands the offense of obstructing governmental operations to include falsely identifying oneself to a code enforcement officer, which includes a municipal animal control officer.

OFFENSES COMMITTED IN THE PRESENCE OF A CHILD

Homicide - Sentence Enhancement

Act 936 (HB1848) - The act amends § 5-4-702 to add homicide to the list of criminal offenses that provides for a sentence enhancement of an additional term of not less than one (1) but not more than ten (10) years' imprisonment if the crime is committed in the presence of a child.

ORDERS OF PROTECTION

Act 331 (HB1038) - The act makes the violation of an order of protection under certain circumstances a Class D felony and provides for the inclusion of certain language on the face of an order of protection designed to give the respondent notice of the potential penalties for violating the order, as well as notice that it is a violation of federal law for a person subject to an order of protection to ship, transport, or possess a firearm. The act clarifies when a law enforcement officer may arrest a person who has violated an order of protection. The act became effective on March 10, 2009.

Act 1447 (HB1711) - The act allows the court to require persons who violate orders of protection to pay for and wear an electronic surveillance device as a condition of his or her release from custody until the charge is adjudicated. The act provides that a person who is found guilty of violating an order of protection may be placed under electronic surveillance at his or her expense as part of his or her sentence for a minimum of four (4) months but not to exceed one (1) year.

PERSONS SENTENCED UNDER THE SEVENTY PERCENT (70%) RULE

Meritorious Good Time

Act 363 (SB444) - The act allows the awarding of meritorious good time to persons found guilty of or pleading guilty or nolo contendere to an offense subject to the seventy percent (70%) rule and sentenced under the seventy percent (70%) rule regardless of the date the offense was committed.

PROCEDURE FOR SEALING CRIMINAL RECORDS

City And District Courts

Act 477 (SB360) - The act requires that the petition requesting the sealing of a criminal record and the subsequent order sealing the record also be served on the city or district court where the defendant appeared prior to the case being transferred to circuit court.

RACING OR OBSERVING A DRAG RACE ON A PUBLIC HIGHWAY

Act 826 (HB1256) - The act amends the racing statute and also creates the offense of observing a drag race as a spectator on a public highway. Specifically, both "racing" and "drag racing" are more clearly defined and provisions are included to clarify what constitutes illegal conduct for both racing and observing a drag race as a spectator on a public highway.

RAPE

Act 1444 (HB1058) - The act modifies the statute of limitations for rape by eliminating that time period if biological evidence of the alleged perpetrator is identified as capable of producing a DNA profile.

CRIMINAL LAW AND PROCEDURE

REGULATION OF TOBACCO PRODUCTS

Enforcement And Penalties

Act 785 (HB1858) - The act amends Arkansas laws concerning the regulation of tobacco products, including providing that agents of the Tobacco Control Board shall be considered law enforcement officers and have statewide law enforcement authority, revising the penalties for providing a minor with tobacco products and cigarette papers, and increasing the amount of a civil penalty imposed by the board to not more than five thousand dollars (\$5,000).

SEX OFFENDERS

Act 1406 (HB2258) - The act requires the circuit court to order a registered sex offender, as a condition of his or her release from custody, not to return to the location where he or she was residing if the residence was located within 2,000 feet of a school, park, youth center, or daycare facility.

SEXUAL ASSAULT

Act 630 (HB1833) - The act amends sexual assault in the fourth degree, § 5-14-127, by criminalizing sexual contact between an employee of the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail, and a person who is in the custody of the Department of Correction, Department of Community Correction, Department of Human Services, or a city or county jail.

SEXUAL SOLICITATION

Act 428 (SB381) - The act rewrites the offense of "patronizing a prostitute" to remove the references to a prostitute. The offense remains the same except that offers to pay a fee and solicitations for sexual activity need not be made to a prostitute.

SPECULATIVE OFFERING OF EVENT TICKET SALES VIA THE INTERNET

Act 573 (SB966) - The act prohibits the sale of tickets of admission to a live entertainment event, theatre, musical performance, or place of public entertainment or amusement of any kind by any person over the Internet until the tickets have first been offered for sale to the public via an event-authorized outlet or offering.

THEFT

Cattle Or Livestock

Act 1401 (HB2145) - The act amends § 5-36-102 to include a presumption regarding theft by deception at auction of livestock. The presumption provides that a person who is subject to 7 U.S.C. § 181 et seq. that obtains livestock from a commission merchant by representing that he or she will make prompt payment is presumed to have obtained the livestock by deception if the person fails to make payment in accordance with 7 U.S.C. § 228b.

THEFT OF PROPERTY

Enhanced Penalties, State Of Emergency

Act 1295 (HB1649) - The act enhances the penalties for theft of certain property if the theft occurred in an area declared to be under a state of emergency pursuant to proclamation by the President of the United States, the Governor, or the executive officer of a city or county.

UNIFORM CONTROLLED SUBSTANCES ACT

Destruction Of Seized Methamphetamine-Contaminated Motor Vehicles

Act 776 (HB1327) - The act requires a law enforcement agency or prosecuting attorney who has possession of a methamphetamine-contaminated motor vehicle to destroy the vehicle or sell it for scrap metal.

Hydromorphone Hydrochloride

Act 572 (SB866) - The act corrects the spelling of "hydromorphone hydrochloride" in the Uniform Controlled Substances Act.

CRIMINAL LAW AND PROCEDURE

VICTIM RESTITUTION

Installment Payments

Act 770 (SB882) - The act authorizes the payment of victim restitution by a defendant in monthly installments as well as a five-dollar (\$5.00) monthly installment fee if the defendant chooses to pay victim restitution in monthly installments.

VOYEURISM, PENALTY ENHANCEMENT FOR

Act 330 (HB1011) - The act provides for a penalty enhancement if the person creating the video recording, film, or photo of any portion of the person's body that is covered with clothing distributes or transmits the recording, film, or photo, or makes it accessible via the Internet.

WARRANTLESS ARREST

Interference With Emergency Communication

Act 1456 (HB2264) - The act provides that if a law enforcement officer has probable cause to believe a person has violated § 5-60-124 or § 5-60-125, the officer may arrest the person without a warrant even if the incident did not take place in the presence of the officer if the officer has probable cause to believe the person has violated the section within four (4) hours or twelve (12) hours in cases involving physical injury as defined in § 5-1-102(14).

DISABLED PERSONS

ADULT DAY CARE CENTERS

Act 357 (SB307) - The act exempts from licensure adult day care centers that care for impaired adults for periods of four (4) or fewer hours per day.

ADULT MALTREATMENT CUSTODY

Act 526 (HB1569) - The act amends provisions of the Adult Maltreatment Custody Act. The act defines the Department of Human Services as custodian for seventy-two-hour holds of endangered and impaired adults, substantially revises the definitions of exploitation and fiduciary, clarifies the rules for the sealing of records by courts, and makes various changes to the process for establishing custody under the act.

DIVERSITY REPRESENTATION

Act 1490 (SB985) - The act requires that each state health-related agency, board, and commission reflect the diversity of the state.

HEARING IMPAIRMENT AIDS AND INSTRUMENTS

Hearing Aids, Coverage For

Act 1179 (HB1930) - The act requires a health benefit plan to offer coverage for hearing aids in an amount of not less than one thousand four hundred dollars (\$1,400) per ear every three (3) years. The act applies to hearing aids sold after January 1, 2010.

HUNTING AND FISHING LICENSES

Act 623 (HB1604) - The act authorizes the Arkansas Game and Fish Commission to issue a lifetime hunting and fishing license for thirty-five dollars and fifty cents (\$35.50) to an Arkansas resident who is over the age of sixty-five (65) years or is a totally disabled military veteran or for one thousand dollars (\$1,000) to any Arkansas resident. The act requires the commission to provide for a three-year hunting and fishing license for a totally disabled resident.

IMPAIRMENTS

Long-Term Care Facilities

Act 525 (HB1568) - The act amends provisions of the Adult and Long-Term Care Facility Resident Maltreatment Act. The act adds misuse of an endangered or impaired person's resources to the definition of exploitation and makes technical changes to the hearing process and the confidentiality rules under the act.

DISABILITIES

INDIVIDUALS WITH MENTAL RETARDATION

Drafting Of Bills And Resolutions

Act 975 (HB1558) - The act provides that the Bureau of Legislative Research shall avoid all references to individuals with mental retardation in the drafting of bills and resolutions.

INTERMEDIATE CARE FACILITIES PROVIDER FEE

Act 433 (SB354) - The act establishes a provider fee for intermediate care facilities for individuals with developmental disabilities. The act requires the Arkansas Medicaid program to seek a waiver to make payments to intermediate care facilities for individuals with developmental disabilities an allowable cost under Medicaid.

NONPROFIT ORGANIZATIONS SERVING CERTAIN DISABILITIES

Act 1488 (SB968) - The act requires that a nonprofit organization providing services to individuals with developmental disabilities that is licensed by the Department of Human Services must include in the membership of its governing body an individual with developmental disabilities.

PERSONS WITH A SERIOUS WALKING HANDICAP

Use Of An All-Terrain Vehicle

Act 701 (HB1634) - The act clarifies the permitted uses of an all-terrain vehicle for a person with a serious walking handicap.

SPECIAL EDUCATION

Out-Of-State Transfers

Act 377 (SB238) - The act establishes guidelines for transferring a child into the state public education system from another state if the child has been categorized as eligible for special education services due to a behavioral disability.

ECONOMIC DEVELOPMENT

2008 HOUSING ACT VOLUME CAP

Act 6 (HB1117) - The act provides that one hundred percent (100%) of the 2008 Housing Act Volume Cap shall be allocated to the Arkansas Development Finance Authority to finance qualified housing issues. The act authorizes the authority to assign any portion of the 2008 Housing Act Volume Cap to one (1) or more bond issuers in the state for the purpose of financing qualified housing issues.

ALTERNATIVE FUELS DEVELOPMENT ACT

Production Incentives

Act 977 (HB2002) - The act amends the Arkansas Alternative Fuels Development Act to increase incentives for an alternative fuels producer, a feedstock processor, and an alternative fuel distributor. The act amends the definition of "alternative fuels" to include compressed natural gas and synthetic transportation fuel and amends the definition of "biomass" to include algae. The act became effective on April 7, 2009.

DEVELOPMENT FINANCE AUTHORITY

Arkansas Housing Trust Fund

Act 661 (SB396) - The act creates the Arkansas Housing Trust Fund to be administered by the Arkansas Development Finance Authority with input from the Housing Trust Fund Advisory Committee to provide assistance for eligible activities proposed by eligible applicants, including without limitation grants, loans, loan guarantees, and loan subsidies.

DIGITAL PRODUCT AND MOTION PICTURE INDUSTRY DEVELOPMENT ACT OF 2009

Act 816 (HB1939) - The act repealed the Motion Picture Incentive Act of 1997 and in its place enacted the Digital Product and Motion Picture Industry Development Act of 2009. The act provides economic incentives to encourage the production of films in Arkansas. The act became effective April 3, 2009.

ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT COMMISSION

Technology Acceleration Fund

Act 967 (SB920) - The act creates the Technology Acceleration Fund, which is to be used by the Arkansas Economic Development Commission, the Arkansas Science and Technology Authority, and the Arkansas Development Finance Authority for investment incentives for technology development that will enhance the state's economy. Any proposed use of the fund requires a joint recommendation of the three state agencies and the Governor's approval.

INDUSTRY DEVELOPMENT

Consolidated Incentive Act Of 2003

Act 625 (HB1625) - The act amends the Consolidated Incentive Act of 2003, § 15-4-270 et seq., to require eligible businesses to claim payment to which they are entitled under the payroll rebate incentive program on an annual basis. The act provides for a reduction of the available rebate if it is not claimed within twelve (12) months, and provides for a forfeiture of the available rebate if it is not claimed within twenty-four (24) months.

MINORITY BUSINESS ECONOMIC DEVELOPMENT ACT

Act 1222 (SB1005) - The act revises the Minority Business Economic Development Act and laws concerning the Division of Minority Business Enterprise of the Arkansas Economic Development Commission for clarity and consistency.

MOTOR VEHICLE RACING FACILITIES

Act 1287 (HB1553) - The act expands the geographical locations for constructing and operating motor vehicle racing facilities and requires prior approval of new motor vehicle racing facilities by Arkansas Department of Environmental Quality.

NATURAL RESOURCES

Wildlife Observation Trails

Act 686 (HB1846) - The act creates a Pilot Program to develop wildlife observation trails in local communities, coordinated by the Department of Parks and Tourism and the Arkansas State Game and Fish Commission.

NONPROFIT INCENTIVE ACT OF 2005

Act 795 (HB2076) - The act amended the Nonprofit Incentive Act of 2005 by adding sections of the Internal Revenue Code that apply to nonprofit organizations and reduced the payroll amount from one million dollars (\$1,000,000) to five hundred thousand dollars (\$500,000) annually for employers to qualify for benefits. The act reduced the amount a nonprofit organization must spend to qualify for the sales and use tax refund.

POSTDOCTORAL SCIENCE AND ENGINEERING GRANT PROGRAM

Act 463 (HB1962) - The act establishes a postdoctoral science and engineering grant program and specifies the guidelines for the disbursement of grants from the program.

PUBLIC CORPORATIONS FOR ECONOMIC DEVELOPMENT ACT

Act 1271 (SB846) - The act authorizes an increase in the size of the board of directors, repeals a corporation's authority to exercise any power necessary to effect a purpose for which the corporation was organized, and authorizes the expenditure of tax revenue on job training that retains jobs that pay wages at least equal to the prevailing wage in the local labor market for corporations organized under the Public Corporations for Economic Development Act.

REDUCING POVERTY AND PROMOTING ECONOMIC OPPORTUNITY

Act 722 (SB470) - The act creates the Legislative Taskforce on Reducing Poverty and Promoting Economic Opportunity.

ECONOMIC DEVELOPMENT

RISK CAPITOL MATCHING FUND

Act 791 (HB1963) - The act amends the Arkansas Risk Capitol Matching Fund Act of 2007 to enhance the operation of the fund, provide more flexibility to the trustees and the review committee named in the enabling legislation to administer the fund, lower the expense of administering the fund by eliminating the requirement for a private sector professional fund manager, and establish a private sector advisory committee to assist the trustees of the fund and the review committee in discharging their duties. The act became effective on April 3, 2009.

RURAL DEVELOPMENT COMMISSION

Act 541 (HB1946) - The act amends Arkansas law governing the reappointment of members to the Arkansas Rural Development Commission, providing that a member appointed to fill the unexpired portion of a term may be reappointed to serve a five-year term, a member appointed to a five-year term by the Governor shall not be eligible for reappointment by the Governor but may be appointed by the President Pro Tempore of the Senate or the Speaker of the House of Representatives, and that the Governor may appoint to a five-year term a person previously appointed to the commission by the President Pro Tempore of the Senate or the Speaker of the House of Representatives

TAXES

Act 716 (HB2081) - The act repealed certain tax credits for biotechnology and advanced fuels and repealed the Arkansas Emerging Technology Development Act of 1999. The act amended certain definitions and other provisions of the Consolidated Incentive Act of 2003, including the qualifications for a job-creation tax credit, a state and local sales and use tax refund, a new targeted business's eligibility for a state and local sales tax refund, the qualification for an income tax credit, the proof of equity investment to qualify for a special incentive, and restrictions on the investment tax credit.

TOURISM DEVELOPMENT

Lodging

Act 672 (SB446) - The act extends to April 1, 2011, the time within which the Department of Economic Development may designate a lodging facility as an approved company and authorize the undertaking of a tourism attraction project. The act became effective on March 31, 2009.

EDUCATION - GENERAL

ACADEMIC FACILITIES AND TRANSPORTATION, COMMISSION

Act 1472 (SB860) - The act allows the Commission for Arkansas Public School Academic Facilities and Transportation to establish rules governing public works projects.

ACHIEVEMENT GAP

Parental Access To Public School Data On Achievement Gaps

Act 1373 (SB943) - The act provides for additional access by parents to public school information on school improvement plans and requires any public school that receives federal and state funding for students who qualify for free and reduced-price school lunch to: describe how the school will use those funds to address the achievement gap in the school; report on any academic distress, fiscal distress, or facilities distress of the school; report on the school's parental involvement plan; and report on the qualifications of teachers in the school. The act provides that the reporting is required for accreditation of a public school or public school district by the Department of Education.

EDUCATION - GENERAL

ADMINISTRATION

Superintendent Contracts

Act 1203 (SB345) - The act allows a superintendent's contract of employment with a school district to be terminated for cause and without the school district having any further financial obligation if the school district has been placed on fiscal distress by the Department of Education because of commitments made by the superintendent of which the school board of directors had no notice or knowledge or because of a material misrepresentation made by the superintendent concerning the school district's finances that the school board of directors relied upon to the detriment of the school district. The act has specific additional procedures and requirements that apply for its application.

ADMINISTRATORS

Confidentiality Of Ethics Complaint Review

Act 938 (HB1859) - The act amends § 6-17-422 to exempt from the Freedom of Information Act of 1967 the hearings, records, and deliberations on an ethics complaint against a public school administrator or teacher before the Professional Licensure Standards Board, but clarifies that State Board of Education hearings and records on Professional Licensure Standards Board recommendations on the ethics complaint are open to the public. The act became effective on April 6, 2009.

Lifetime Teaching License

Act 224 (HB1133) - The act amends the eligibility requirements for a lifetime teaching license by including teachers who are sixty-two (62) years of age and over and by opening eligibility to teachers who have expired teaching licenses. The act provides that the lifetime teaching license terminates upon the death of the license holder.

Military Leave

Act 944 (HB2004) - The act eliminates the requirement that members of the National Guard or Reserve who are teachers or school administrators pay for the cost of a substitute employee when the member is on military leave.

Personnel Policies

Act 1493 (SB999) - The act requires the school district's committee on personnel policies to review new or modified personnel policies proposed by the school board, propose additional personnel policies or policy changes, and specify the process for adoption of new or modified personnel policies.

AUDITS, EDUCATIONAL INSTITUTION

Act 286 (HB1429) - The act adds a requirement for a statement regarding compliance with ethical guidelines as a minimum requirement of an educational institution audit.

BUSES

School Bus Safety Equipment Grant Pilot Program

Act 1207 (SB500) - The act creates the school bus safety equipment grant pilot program, subject to the appropriation and availability of funding. The program is to provide school districts with video recording devices or other electronic warning devices for school buses that travel on high-incident routes. The act requires school buses purchased on or after January 1, 2011, to be equipped with a notice either printed or otherwise displayed stating that it is unlawful to pass a school bus from any direction when it is stopped to load or unload a child or have an electronic warning device that is activated when the bus is loading or unloading children.

EDUCATION - GENERAL

BUSES

School Bus Safety Plans

Act 1206 (SB499) - The act requires the superintendent and director of transportation of each school district, in consultation with the appropriate law enforcement agency and appropriate prosecuting authority, to develop a school bus safety plan designed to ensure the safety of children being loaded onto or unloaded from school buses. The act clarifies that reports of violations of the laws prohibiting the passing of a school bus that is loading or unloading children can be made to either the appropriate law enforcement agency or the appropriate prosecuting authority with jurisdiction over the incident.

CAREER EDUCATION, DEPARTMENT OF

Act 787 (HB1884) - The act renames the Department of Workforce Education as the Department of Career Education and renames the State Board of Workforce Education and Career Opportunities as the State Board of Career Education. The act becomes effective on July 1, 2009.

CHRONICALLY UNDERPERFORMING SCHOOLS

Intervention Strategies

Act 949 (HB2163) - The act creates a program for a chronically underperforming school to use additional evaluation and intervention strategies with the direction and assistance of the Department of Education to immediately address gaps in learning among students at the school.

COLLEGE AND CAREER READINESS PLANNING PROGRAM

College Preparations

Act 730 (HB1808) - The act establishes the Arkansas College and Career Readiness Planning Program to encourage college preparation during secondary school and reduce the need for remediation during postsecondary school. The act requires school districts to administer the EXPLORE to all students in grade eight (8) and the PLAN or PSAT to all students in grade ten (10) beginning in the 2010-2011 school year.

COMMISSIONS

Academic Facilities And Transportation

Act 1473 (SB861) - The act amends provisions of Title 6 related to public school academic facilities and transportation, including the authority of the Commission for Arkansas Public School Academic Facilities and Transportation to establish rules; requirements for school bus driver; rules governing leased academic facilities; timelines for public school construction projects under the Academic Facilities Partnership Program; and requirements for participation in the computerized maintenance management system.

Closing The Achievement Gap

Act 1314 (HB2164) - The act modifies the membership of the Commission on Closing the Achievement Gap in Arkansas. The act increases the duties of the commission.

Coordination Of Educational Efforts

Act 1470 (SB840) - The act amends § 6-1-301 to add two (2) members to the Arkansas Commission for Coordination of Educational Efforts who are from the private sector and have an interest in science, technology, engineering, or math fields.

Early Childhood

Act 28 (HB1044) - The act increases the membership of the Arkansas Early Childhood Commission from eighteen (18) to twenty-four (24).

Project Graduation Commission

Act 1306 (HB1956) - The act establishes the Arkansas Project Graduation Commission.

EDUCATION - GENERAL

COMPUTER NETWORK, PUBLIC SCHOOL

Act 1463 (SB459) - The act amends § 6-11-128 to change the date by which the Arkansas Public School Computer Network shall have the necessary programs for the collection of certain data by public school districts made available to public school districts from thirty (30) days to at least fifteen (15) days before the date the public school district is required to submit the data. The act becomes effective on July 1, 2009.

COUNSELORS

Administrator's License

Act 733 (HB1996) - The act specifies the eligibility requirements for a school counselor to obtain a school administrator license.

CURRICULUM

Concurrent Enrollment Courses

Act 1451 (HB1993) - The act allows a two-year or four-year institution of higher education to offer a reduced tuition rate for endorsed concurrent enrollment courses for high school students. The act further provides that students who enroll in endorsed concurrent enrollment courses shall be counted for purposes of state funding for institutions of higher education.

Vocational And Technical Education

Act 1376 (SB955) - The act allows a student who successfully completes an approved vocational or technical career pathway or program to study at a public high school to be awarded a certificate of attainment that may be used for consideration of acceptance and advanced placement into an appropriate apprenticeship training program.

DEFIBRILLATORS, AUTOMATED EXTERNAL

The Antony Hobbs III Act

Act 496 (SB312) - The act requires public schools to have automated external defibrillators and to provide cardiopulmonary resuscitation programs for employees.

DESEGREGATION

Act 242 (HB1222) - The act amends § 6-20-415 to prohibit the payment of fees for consultants hired to help resolve the remaining issues in the Pulaski County school districts' desegregation litigation from the funds appropriated and available for the payment of attorney's fees for the school districts. The act extends to December 31, 2009, the deadline for the school districts to obtain unitary status in order to qualify for state reimbursement of attorney's fees. The act became effective on February 26, 2009.

DISTRICTS, PUBLIC SCHOOL

Advertisement Of A Bond Sale

Act 1466 (SB664) - The act amends § 6-20-1206 to allow the Commissioner of Education to approve an alternate method of advertisement of a bond sale by a public school district if the newspaper engaged to publish the notice fails or is unable to publish the notice within the time period required by the statute. A public school district that uses the alternate form of publication shall publish a notice of the sale of bonds within thirty (30) days after the sale is completed.

Audit Reports

Act 1370 (SB904) - The act authorizes the Legislative Joint Auditing Committee to refer an audit report of a school district to the Department of Education if the audit report identifies a substantial issue of noncompliance with state or federal financial reporting requirement or other state or federal law or regulation and the same issue is identified in two (2) consecutive audit reports.

Boards Of Directors, Executive Session

Act 1445 (HB1091) - The act amends § 6-18-507 to allow a public school district board of directors to meet in executive session to deliberate after a hearing on a suspension or expulsion of a student, or an appeal, and to reconvene in public session to vote on the suspension, expulsion, or appeal.

EDUCATION - GENERAL

DISTRICTS, PUBLIC SCHOOL

School Board Of Directors

Act 1180 (HB1940) - The act revises the powers and duties of school boards of directors, requires information and data about each school district to be posted on the website of the school district or educational service cooperative, and provides a process for making changes to personnel policies by the school board of directors to be incorporated into licensed personnel contracts.

School District Purchases

Act 285 (HB1428) - The act removes the exception for schools in small communities from laws prohibiting the sale of supplies and furnishings to a school district by a member of the school district board of directors.

EDUCATION SERVICE COOPERATIVES

Act 1289 (HB1606) - The act amends § 6-13-1011 to increase fiscal accountability for education service cooperatives by requiring additional financial management oversight by the board of directors of an education service cooperative and by providing for the method of identifying and classifying an education service cooperative as being in fiscal distress.

ELECTIONS, SCHOOL

Act 292 (SB45) - The act provides that the county board of election commissioners shall consult with each school district concerning the number and location of polling sites for school elections. Each polling site shall be located within the school district. The act provides that expenses incurred for election officials at individual polling places shall be paid by the school district in which the polling place is located.

Act 1294 (HB1646) - The act requires a polling site in each county for a contested school election in which a school district has territory and the school district territory in that county contains a city of second class.

Act 1480 (SB894) - The act amends laws concerning the administration of elections and special elections, including creating a new subchapter of Arkansas law concerning special elections, providing that polling sites for school elections shall be established by a majority vote of the members of the county board of election commissioners present and that polling sites shall be the same as the immediately preceding school election unless changed by order of the county board of election commissioners, amending the time period for the certification of candidate lists by the Secretary of State, and specifying instances when the name of a person shall not be certified and shall not be placed on the ballot. The act became effective on April 10, 2009.

EMPLOYEES, NONLICENSED

Child Maltreatment Central Registry Check

Act 1173 (HB1450) - The act requires the Department of Education, through the Department of Human Services, to conduct a child maltreatment central registry check for all first-time applicants for licensure, applicants for licensure renewal, and all applicants for initial employment, reemployment, or continued employment as continuous or noncontinuous nonlicensed personnel. The act specifies that a licensed or nonlicensed applicant or employee is ineligible for employment if he or she has a true report in the child maltreatment central registry.

Personnel Policies For Classified Employees, Committee On

Act 201 (HB1271) - The act adds custodians to the list of job classifications represented on the Committee on Personnel Policies for Classified Employees.

EDUCATION - GENERAL

FACILITIES, PUBLIC SCHOOL

Appeals Review Board

Act 937 (HB1852) - The act amends § 6-20-2513 and adds § 6-20-2516 to establish an Appeals Review Board to hear the appeal filed by a school district on the determination of the Division of Public School Academic Facilities and Transportation concerning the state's financial participation in a public school academic facilities project for the school district under the Arkansas Public School Academic Facilities Funding Act. The act provides for an appeal of the decision of the board to the Commission for Arkansas Public School Academic Facilities and Transportation.

Bonded Debt Assistance

Act 1479 (SB886) - The act amends § 6-20-2503 to allow a public school district that uses state financial assistance for refunding outstanding bonds to use the annual debt service savings produced by the refunding for capital repairs or renovation of academic facilities, in addition to the existing purposes of new construction and the purchase of academic equipment.

Facilities Distress

Act 798 (HB2170) - The act amends the public school fiscal distress law, § 6-20-1904, and the public school academic facilities distress law, § 6-21-811, to provide for early intervention when conditions exist that can lead to fiscal or facilities distress and to provide notification to the board of directors of a school district and to the public of the existence of those conditions. Under the act, a school superintendent must immediately report a significant health or safety issue at a school facility to the board of directors and to the Division of Public School Academic Facilities and Transportation.

Inspections Of Public School Facilities

Act 1475 (SB863) - The act requires the Division of Public School Facilities and Transportation to develop a process for collecting records from state agencies of all inspections of public school academic facilities required by law and the results of those inspections. The act further provides that the School Facilities Manual will include requirements for scheduling lawfully required inspections and that the division will work with public school districts and state agencies to ensure that lawfully required inspections are performed. The division shall be notified by the state agency if a code violation is reported.

FUNDING, PUBLIC SCHOOL

98% Uniform Rate Of Tax

Act 965 (SB896) - The act allows the Department of Education to adjust data if a uniform rate of tax irregularity results from an irregular distribution made by a county treasurer to an amount in excess of ninety-eight percent (98%) and apply the excess distribution amount the following school year. The act became effective on April 6, 2009.

Arkansas Smart Core Incentive Funding Program

Act 1481 (SB918) - The act provides funding to eligible high schools based on annual percentage of graduates who have successfully complete the Smart Core curriculum established by the Department of Education Standards for Accreditation of Arkansas Public Schools and Public School Districts. Beginning with the 2010-2011 school year, an eligible high school graduating one hundred percent (100%) of its seniors as Smart Core graduates will receive \$125 per graduating student; an eligible high school graduating at least ninety-five percent (95%) but less than one hundred percent (100%) of its seniors as Smart Core graduates will receive \$100 per Smart Core graduate; and an eligible high school graduating at least ninety percent (90%) of its seniors as Smart Core graduates will receive \$50 per Smart Core graduate. The act becomes effective on July 1, 2009, but its provisions expire on June 30, 2020.

EDUCATION - GENERAL

FUNDING, PUBLIC SCHOOL

Categorical Funds, National School Lunch Program

Act 1369 (SB889) - The act requires the Department of Education to provide an annual report to the House Committee on Education and the Senate Committee on Education regarding the use and impact of national school lunch categorical funds.

Educational Adequacy

Act 199 (HB1250) - The act provides that before a fiscal session, the House Committee on Education and the Senate Committee on Education, meeting jointly or separately, shall review any funding recommendations of the most recent adequacy report filed under § 10-3-2104, and if needed, present a report with additional recommendations to the General Assembly by September 1.

Foundation Funding

Act 1474 (SB862) - The act amends § 6-20-2305 to revise the per-student foundation funding amounts for public school districts to be \$5,905 per student for the 2009-2010 school year and \$6,023 for the 2010-2011 school year. The act provides an Enhanced Educational Funding amount for the 2009-2010 school year of \$35.00 per student.

Isolated Schools

Act 811 (SB898) - The act amends § 6-20-603 to reduce the number of isolated schools that must remain open in order to receive isolated school funding from two (2) to one (1). The act allows those facilities to serve students in any grade in kindergarten through grade twelve (K-12), instead of being inclusive of all grades. The act became effective on April 3, 2009.

Miscellaneous Funds

Act 154 (HB1005) - The act amends the definition of "miscellaneous funds" as used in the calculation of foundation funding for public schools. Prior to the amendment, a full five-year average of miscellaneous funds was used. As amended by the act, the five-year average is multiplied by the percentage that the uniform rate of tax (25 mills) represents to the total millage of the school district.

Act 1450 (HB1992) - The act provides that the amount of miscellaneous funds used to calculate state foundation funding aid for a public school district for the 2008-2009 school year will be the same as the amount of miscellaneous funds used in the calculation for the 2007-2008 school year. The act becomes effective on July 1, 2009.

Student Growth Funding

Act 1501 (HB1555) - The act amends § 6-20-2305 to revise the method for distributing student growth funding and provides for two (2) distributions, with a calculation made by July 31 of each year to determine if the school district was overpaid or underpaid for student growth funding. If a school district was underpaid, it will receive an additional amount of student growth funding for the difference. If a school district was overpaid, it shall refund the difference to the Department of Education by August 31.

Uniform Rate Of Tax

Act 1186 (HB2066) - The act amends § 6-20-2305(a)(4) to allow the Department of Education to make adjustments for irregular distributions of excess commissions made by a county treasurer to a public school district of the uniform rate of tax if the irregular distribution causes the school district's collection rate to exceed ninety-eight percent (98%). The act became effective on April 7, 2009.

Act 1397 (HB2065) - The act defines revenues collected from taxes assessed under the uniform rate of tax and the net revenues distributed to public school districts for the purposes of calculating the amount of state foundation funding aid the Department of Education shall provide to a public school district and the remittance by county treasurers of net revenues to the Treasurer of State. The act became effective on April 9, 2009.

EDUCATION - GENERAL

GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION'S INDUSTRY DIVISION

Act 502 (HB1420) - The act authorizes school districts and public agencies to purchase certain goods produced by the Department of Correction's Industry Division.

GRANTS

Teacher Programs

Act 1215 (SB853) - The act repeals the Freshman/Sophomore Minority Grant Program, the Minority Teacher Scholars Program, and the Minority Masters Fellows Program. The act creates the State Teacher Education Program, which is administered by the Department of Higher Education to provide loan repayments to a licensed teacher who teaches in a subject area or geographic area with teacher shortage as determined by the Department of Higher Education in consultation with the Department of Education.

IMPROVEMENT DISTRICT ASSETS

Act 451 (HB1557) - The act allows a suburban improvement district to convey assets to a local school district upon dissolution when certain requirements are met.

INTERNATIONAL STUDENT EXCHANGE VISITOR PLACEMENT ORGANIZATIONS

Registration With The Secretary Of State

Act 966 (SB903) - The act known as the "International Student Exchange Visitor Placement Organization Registration Act" requires international student exchange visitor placement organizations to register with the Secretary of State prior to placing a foreign exchange student with a host family or in a public or private school in this state beginning January 1, 2010, for the 2010-2011 school year.

LEADERSHIP COORDINATING COUNCIL

Act 222 (HB1034) - The act establishes the School Leadership Coordinating Council to serve as a central body to coordinate the leadership development system efforts across the state. The act expands the Arkansas Leadership Academy School Support Program by including support for superintendents, ensuring access to training programs, building partnerships between university leadership programs and school districts, and allowing the expansion to satellite offices if needed. The act became effective on February 25, 2009.

MILITARY CHILDREN, EDUCATIONAL ACCESS

Act 314 (HB1400) - The act provides a process for school districts to follow in assisting children of military families enrolling in a school district or transferring out of a school district, including how to handle educational records, immunizations, course or program placement, grade placement, special education services, and student transfers in grade twelve (12).

MOBILE LEARNING TECHNOLOGY PILOT PROGRAM

Act 827 (HB1273) - The act creates the Mobile Learning Technology Pilot Program as a three-year pilot program to provide up to twenty-five (25) public schools with personnel, school buses equipped for wireless technology, and the equipment and software for students to study in the fields of science and mathematics during long school bus rides.

PERSONNEL

National Board For Professional Teaching Standards Certification

Act 1449 (HB1862) - The act expands the National Board for Professional Teaching Standards Certification incentive program by allowing a national board-certified teacher to continue receiving a bonus if he or she is employed as a teacher in an accredited teacher education program at a state-supported institution of higher education.

EDUCATION - GENERAL

PERSONNEL

Policies, Nonlicensed Personnel

Act 1492 (SB998) - The act requires the school district's committee on personnel policies to review new or modified personnel policies proposed by the school board, propose additional personnel policies or policy changes, and specify the process for adoption of new or modified personnel policies.

Professional Development Credit

Act 1309 (HB1999) - The act increases the time spent at instructional professional development sessions that a licensed personnel may count toward the fulfillment of staff development required by the Department of Education. The act allows licensed personnel to earn professional development credit through online professional development approved by the Department of Education in some circumstances. The act provides exceptions for professional development hours missed due to illness of a teacher or a teacher's immediate family member.

Professional Development On Higher Education Awareness

Act 605 (SB26) - Act 606 (HB1002) - Section 5 of each of these identical acts requires all public school superintendents and assistant superintendents, and public school principals, assistant principals, and guidance counselors for grades seven through twelve (7-12) to obtain three (3) hours of professional development on higher education awareness by the end of the 2009 calendar year or by the end of the first year of employment, and one (1) hour of professional development on higher education awareness after that. The acts became effective on March 25, 2009.

PRIVATE RESIDENT AND CORRESPONDENCE SCHOOLS

Act 1478 (SB880) - The act adds a flight instruction school as an entity that is exempt from licensure as a private residential or correspondence school, defines the instruction of airframe or power plant mechanics as a private residence and correspondence school, includes motorcycles for the purpose of noncommercial driver training instruction, and adds a subsection for the requirements for classroom driver training instruction for a motorcycle.

PROFESSIONAL LICENSURE STANDARDS BOARD

Legislative Audit

Act 1370 (SB904) - The act authorizes the Legislative Joint Auditing Committee to refer an audit report of a school district to the Department of Education if the audit report identifies a substantial issue of noncompliance with state or federal financial reporting requirements or other state or federal law or regulation and the same issue is identified in two (2) consecutive audit reports.

PUBLIC SCHOOLS

End-Of-Course Assessments

Act 1307 (HB1959) - The act amends the law concerning end-of-course assessments that high school students are required to take in order to graduate from high school by providing two levels of assessment -- a general end-of-course assessment and a high-stakes end-of-course assessment. Failure to pass a general end-of-course assessment means the student will not receive full credit for the course assessed until the student has participated in remediation for the course. High-stakes end-of-course assessments will be given in Algebra I and, beginning with the 2013-2014 school year, in English II. Failure to pass a high-stakes end-of-course assessment and any subsequent or alternate assessment means the student will not receive credit for the course assessed. The act has an effective date of July 1, 2009.

EDUCATION - GENERAL

PUBLIC SCHOOLS

Fiscal Distress

Act 798 (HB2170) - The act amends the public school fiscal distress law, § 6-20-1904, and the public school academic facilities distress law, § 6-21-811, to provide for early intervention when conditions exist that can lead to fiscal or facilities distress and to provide notification to the board of directors of a school district and to the public of the existence of those conditions. Under the act, a school superintendent must immediately report a significant health or safety issue at a school facility to the board of directors and to the Division of Public School Academic Facilities and Transportation.

Parental Involvement Plans

Act 397 (HB1272) - The act amends § 6-15-1702 to incorporate instruction for parents to help parents learn how to become more actively involved in their child's education at home. The act provides for teacher and administrator professional development to include the relationship between cultural diversity and parental involvement.

Students

Act 1310 (HB2003) - The act establishes the procedure for determining whether a student is attending a school in the appropriate school district. The act increases the penalty for knowingly providing a false residential address for purposes of public school enrollment to one thousand dollars (\$1,000).

Act 1368 (SB847) - The act modifies the requirements for a student to continue attending a nonresident school district in some circumstances, including when the employment status of the student's parent or guardian changes.

Uniform Spring Break

Act 424 (SB226) - The act amends § 6-10-106 to provide a uniform public school spring break schedule for school years 2009-2010 and 2010-2011, which will be for five (5) consecutive school days beginning on the Monday of the thirty-eighth week of the school year. The act creates an advisory committee to review the effect of the act on the state's public schools and on tourism and report to the Senate Committee on Education and the House Committee on Education by August 1, 2011.

SPECIAL EDUCATION

Out-Of-State Transfers

Act 377 (SB238) - The act establishes guidelines for transferring a child into the state public education system from another state if the child has been categorized as eligible for special education services due to a behavioral disability.

STUDENTS

Attendance

Act 215 (SB295) - The act modifies the school attendance age requirements to be consistent with the enrollment age requirements, under § 6-18-207.

Kindergarten Enrollment Age

Act 29 (HB1098) - The act allows a child who is enrolled in a state-approved prekindergarten program during the 2008-2009 school year for a minimum of one hundred (100) days to enroll in kindergarten if the child will be at least five (5) years of age no later than September 15 of the year in which the child enrolls in kindergarten. The act became effective on February 4, 2009.

Prekindergarten

Act 426 (SB252) - The act establishes age requirements for enrollment in prekindergarten, consistent with age requirements for enrollment in kindergarten. The act requires the Division of Child Care and Early Childhood Education of the Department of Human Services to notify all providers of appropriate early childhood prekindergarten programs of the new age requirements. The act became effective on March 13, 2009.

EDUCATION - GENERAL

SUBPOENA POWER

Act 1283 (HB1372) - The act grants subpoena power to the State Board of Education and the Professional Licensure Standards Board. The act became effective April 9, 2009.

TASK FORCES

Legislative Task Force On Arkansas History Education

Act 1462 (SB452) - The act creates the Arkansas Legislative Task Force on Arkansas History Education.

Legislative Task Force On Athletic Training In Public Schools

Act 1453 (HB2129) - The act creates the Arkansas Legislative Task Force on Athletic Training in Public Schools.

TEACHER RETIREMENT SYSTEM

Group Health Insurance Premiums

Act 1172 (HB1224) - The act equalizes the retiree group health insurance premium costs under the Arkansas Teacher Retirement System for retired state employees and retired public school employees. The act permits state contributions to those costs for participants in the system who are not state employees.

TEACHERS

Child Maltreatment Central Registry Check

Act 1173 (HB1450) - The act requires the Department of Education, through the Department of Human Services, to conduct a child maltreatment central registry check for all first-time applicants for licensure, applicants for licensure renewal, and all applicants for initial employment, reemployment, or continued employment as continuous or noncontinuous nonlicensed personnel. The act specifies that a licensed or nonlicensed applicant or employee is ineligible for employment if he or she has a true report in the child maltreatment central registry.

Confidentiality Of Ethics Complaint Review

Act 938 (HB1859) - The act amends § 6-17-422 to exempt from the Freedom of Information Act of 1967 the hearings, records, and deliberations on an ethics complaint against a public school administrator or teacher before the Professional Licensure Standards Board, but clarifies that State Board of Education hearings and records on Professional Licensure Standards Board recommendations on the ethics complaint are open to the public. The act became effective on April 6, 2009.

Lifetime Teaching License

Act 224 (HB1133) - The act amends the eligibility requirements for a lifetime teaching license by including teachers who are sixty-two (62) years of age and over and by opening eligibility to teachers who have expired teaching licenses. The act provides that the lifetime teaching license terminates upon the death of the license holder.

Military Leave

Act 944 (HB2004) - The act eliminates the requirement that members of the National Guard or Reserve who are teachers or school administrators pay for the cost of a substitute employee when the member is on military leave.

Personnel Policies

Act 1493 (SB999) - The act requires the school district's committee on personnel policies to review new or modified personnel policies proposed by the school board, propose additional personnel policies or policy changes, and specify the process for adoption of new or modified personnel policies.

EDUCATION - GENERAL

TEACHERS

Recruitment And Retention In High-Priority Districts

Act 969 (SB980) - The act amends § 6-17-811 to raise the amounts for incentive bonuses for teachers in high-priority districts, and to continue the funding for a high-priority school district that becomes consolidated or annexed with another high-priority school district. The act becomes effective on July 1, 2009.

TEACHING CREDENTIAL, BIRTH THROUGH PREKINDERGARTEN

Act 187 (HB1132) - The act creates a pathway for an early childhood professional to obtain a teaching credential from the Division of Child Care and Early Childhood Education signifying that the early childhood professional has attained a minimum educational level, completed higher education core courses in early childhood development and early childhood education, maintains requirements for continuing professional development, and is periodically monitored and assessed. The act provides for the possible development of a birth through prekindergarten endorsement to a teaching degree.

TECHNICAL CORRECTIONS TO TITLE 6

Act 1469 (SB814) - The act includes amendments and technical corrections to Title 6 regarding the following: including make-up days in the school calendar; allowing the Department of Education to identify a public school or school district as failing to meet accreditation standards at any time the department discovers the failure; allowing the department to identify a public school district as being in fiscal distress at any time the department discovers the condition leading to the fiscal distress; amending the definition of "average daily membership"; amending the statute that provides for transitional funding for national school lunch state categorical funding; amending the definition of an open-enrollment public charter school; amending the admissions policy requirements of an open-enrollment public charter school; amending the method of providing state funding for an open-enrollment public charter school; amending distance learning course requirements; repealing outdated or obsolete language; and other technical corrections. The act became effective on April 10, 2009.

TESTING ACCOMMODATION

Act 1460 (SB358) - The act requires that when administering a state mandated assessment or a state mandated test, the Department of Education and each school district shall allow a student identified as having difficulty with sensory processing in reaction to oversensitivity to full spectrum light to use color overlays specific to the student's oversensitivity that alter the contrast between the words and the page so that the student can visually comprehend the words on a page of a state mandated assessment or a state mandated test.

WORKFORCE EDUCATION, DEPARTMENT OF

Act 787 (HB1884) - The act renames the Department of Workforce Education as the Department of Career Education and renames the State Board of Workforce Education and Career Opportunities as the State Board of Career Education. The act becomes effective on July 1, 2009.

EDUCATION - HIGHER

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

Act 605 (SB26) - Act 606 (HB1002) - Identical acts 605 and 606 create the Arkansas Lottery Commission and provide for the establishment of lotteries under Amendment 87 of the Arkansas Constitution. The acts provide that net proceeds of the lottery shall supplement the Arkansas Academic Challenge Scholarship Program and revise the program to address the additional funds. The acts became effective on March 25, 2009. Act 1405 (HB2243) - The act makes technical and substantive amendments to identical Acts 605 and 606, the "Arkansas Scholarship Lottery Act". The act became effective on April 9, 2009.

EDUCATION - HIGHER

AFFORDABILITY OF UNDERGRADUATE EDUCATION IN ARKANSAS

Interim Study By Senate And House Committees On Education

Act 964 (SB885) - The act provides for an interim study to be conducted by the Senate Committee on Education and the House Committee on Education on the affordability of an undergraduate education in Arkansas, including a review of tuition-setting policies, costs of tuition, fees, books, room and board, and the state's share of funding higher education costs.

CAMPUS SAFETY

Act 1400 (HB2135) - The act creates the Arkansas Safe Campus Task Force to review campus safety and security practices among state-supported institutions of higher education and among private institutions of higher education that elect to participate, and to provide guidelines and recommendations for best practices for developing interdisciplinary and multijurisdictional campus violence prevention, response, and recovery plans.

CHILD CARE ASSISTANCE, TWO-YEAR COLLEGES

Act 1485 (SB963) - The act requires the Transitional Employment Assistance Program to provide funds for child care services for Temporary Assistance for Needy Families Program recipients who are enrolled in day or evening classes in a two-year college.

CLEAN AIR ON CAMPUS ACT OF 2009

Smoking On The Campus Of A State-Supported Institution Of Higher Education - Prohibited

Act 734 (HB2007) - The act prohibits smoking on the campus of a state-supported institution of higher education beginning on August 1, 2010.

CONCURRENT ENROLLMENT COURSES

Act 1451 (HB1993) - The act allows a two-year or four-year institution of higher education to offer a reduced tuition rate for endorsed concurrent enrollment courses for high school students. The act further provides that students who enroll in endorsed concurrent enrollment courses shall be counted for the purposes of state funding for institutions of higher education.

CONTRACTING BID AWARDS

Act 206 (HB1373) - The act increases the amount of the job order contracting bid awards for state agencies and institutions of higher education to four hundred thousand dollars (\$400,000) per construction job for the first year of the contract.

DEGREE REQUIREMENTS

Associate Of Applied Science

Act 1197 (HB2261) - The act changes the required mathematics course for an Associate of Applied Science degree beginning July 2011.

DEPARTMENT OF HIGHER EDUCATION

Remediation Information

Act 970 (HB1764) - The act requires the Department of Higher Education to collect and report information on the college achievement of high school graduates at each state-supported institution of higher education. The act requires the Department of Higher Education and the Department of Education to develop a compatible system of reporting students who graduated from a public high school who took the Smart Core curriculum, and those who took the non-Smart Core curriculum, as well as the number of attempts it takes a student to pass a postsecondary remedial course, beginning in the 2011-2012 school year. The report shall be included in the Comprehensive Arkansas Higher Education Annual Report.

EDUCATION - HIGHER

EMPLOYEES

Additional Positions

Act 245 (HB1391) - The act amends the maximum number of new additional positions at a state-supported institution of higher education. The act becomes effective on July 1, 2009.

Administrators

Act 321 (SB55) - The act requires a state-supported institution of higher education, beginning January 1, 2010, to report each administrator it employs who earns a salary of one hundred thousand dollars (\$100,000) or higher to the Higher Education Coordinating Board and the Department of Higher Education by July 1 each year.

Classified Personnel

Act 220 (HB1024) - The act allows classified employees of state-supported institutions of higher education to receive compensation for accumulated sick leave. The act became effective on February 25, 2009.

Disclosure Of Financial Interest By Employees And Former Employees

Act 735 (HB2014) - The act requires each state-supported institution of higher education to file a summary of each contract, subcontract, solicitation, or proposal in which an employee or former employee has a financial interest.

Growth Pool, Four-Year Institutions

Act 378 (SB258) - The act establishes an employee growth pool for the 2009-2011 biennium for state-supported four-year institutions of higher education.

Growth Pool, Two-Year Institutions

Act 379 (SB259) - The act establishes an employee growth pool for the 2009-2011 biennium at state-supported two-year institutions of higher education.

ENRICHMENT PROGRAM FOR HEALTH CARE STUDENTS, SUMMER

Act 709 (HB1983) - The act creates the Arkansas Academic Physician Program and the Health Care Student Summer Enrichment Program For Underrepresented Student Groups to increase understanding and opportunities for prospective medical, pharmacy, and nursing students among underrepresented student populations.

ENVIRONMENTAL TRAINING ACADEMY, ARKANSAS - RENAMED

Act 156 (HB1265) - The act renames the SAU-Tech Environmental Control Center as the Arkansas Environmental Training Academy.

FOUR-YEAR INSTITUTIONS FUNDING FORMULA

Act 797 (HB2114) - The act amends the four-year college funding formula to allow the Arkansas Higher Education Coordinating Board to determine the funding rate for less or excess square footage above the space prediction model, increases the amount for universities with a minority mission from ten percent (10%) to fifteen percent (15%), repeals the economy/diseconomy of scale provision of the funding formula model, and allows the Arkansas Higher Education Coordinating Board to establish biennially a tuition rate per credit hour for universities for funding formula purposes.

GRANTS

Higher Education Opportunities Grant Program

Act 1213 (SB850) - The act broadens the Higher Education Opportunities Grant Program to include students enrolled in a qualified certificate program, expands income qualification guidelines, and limits the grants to fall and spring semesters. The act became effective on April 7, 2009.

Teacher Opportunity Program

Act 1214 (SB852) - The act changes awards under the program from scholarships to reimbursements, makes administrators eligible to apply for the program, limits the reimbursement amount to the cost of student fees, books and instructional supplies not to exceed the cost associated with six (6) semester credit hours. The act removes repayment provisions associated with scholarships.

EDUCATION - HIGHER

GRANTS

Teacher Programs

Act 1215 (SB853) - The act repeals the Freshman/Sophomore Minority Grant Program, the Minority Teacher Scholars Program, and the Minority Masters Fellows Program. The act creates the State Teacher Education Program, which is administered by the Department of Higher Education to provide loan repayments to a licensed teacher who teaches in a subject area or geographic area with teacher shortage as determined by the Department of Higher Education in consultation with the Department of Education.

HIGHER EDUCATION COORDINATING BOARD

Uniform Measurable Exit Standards For Remedial Courses

Act 971 (HB1990) - The act requires the Arkansas Higher Education Coordinating Board, in collaboration with state-supported institutions of higher education, to develop uniform measurable exit standards for remedial courses that are comparable to the ACT or SAT equivalent required for college-level enrollment in credit courses no later than the fall semester of 2010.

POSTDOCTORAL SCIENCE AND ENGINEERING GRANT PROGRAM

Act 463 (HB1962) - The act establishes a postdoctoral science and engineering grant program and specifies the guidelines for the disbursement of grants from the program.

PRIVATE BORROWING

Act 571 (SB843) - The act places limitations on the amount of outstanding loans a state-supported institution of higher education can have and allows the Chief Fiscal Officer of the State and the Director of the Department of Higher Education to authorize a state-supported institution of higher education to borrow funds from a private financial institution if requirements are met. The act became effective on March 24, 2009.

PROFESSIONAL LICENSURE STANDARDS BOARD

Act 337 (HB1214) - The act amends § 6-17-422 to provide for the annual election of a chair of the board, who will be a nonvoting member except in the case of a tie. The act clarifies that the rulemaking and hearings of the board are subject to the Arkansas Administrative Procedure Act.

PUBLIC IMPROVEMENT PROJECTS

Award Procedure

Act 813 (SB926) - The act provides institutions of higher education with the authority to negotiate an award with the apparent responsible low bidder if the low bid is within twenty-five percent (25%) of the amount appropriated.

REPORTS

Act 416 (HB1589) - The act creates the Comprehensive Arkansas Higher Education Annual Report, which consolidates all reports submitted to the General Assembly by the Department of Higher Education into one (1) annual report.

RURAL MEDICAL PRACTICE

Income Incentives To Physicians

Act 708 (HB1950) - The act authorizes the Arkansas Rural Medical Practice Student Loan and Scholarship Board to grant community match income incentives to physicians who promise to work in the community for four (4) years.

SCHOLARSHIPS AND TUITION

Arkansas Academic Challenge Scholarship Program

Act 1405 (HB2243) - The act amends identical Acts 605 and 606 of 2009, the Arkansas Scholarship Lottery Act, to make technical corrections to Acts 605 and 606, including to the Arkansas Academic Challenge Scholarship Program, Parts 1 and 2, and to Arkansas Code sections affected by Acts 605 and 606 relating to the creation of the state lottery. The act became effective on April 9, 2009.

EDUCATION - HIGHER

SCHOLARSHIPS AND TUITION

Arkansas National Guard Tuition Incentive Program

Act 214 (SB268) - The act amends the Arkansas National Guard tuition incentive program by increasing the annual tuition incentive award to up to five thousand dollars (\$5,000) per eligible service member payable at two thousand five hundred dollars (\$2,500) per semester. The act became effective on February 20, 2009.

Children And Spouses Of Certain Public Service Employees

Act 1217 (SB855) - The act establishes continuing eligibility criteria for the scholarship benefit. The act became effective on April 7, 2009.

Faculty/Administrator Development Fellows Program

Act 1219 (SB857) - The act repeals the Faculty/Administrator Development Fellows program.

Governor's Scholars Program

Act 1218 (SB856) - The act expands eligibility criteria for the Arkansas Governor's Scholars program and the Arkansas Governor's Distinguished Scholars program. The act allows the Department of Higher Education to establish an award procedure if more eligible applicants than scholarships exist. The act became effective on April 7, 2009.

Limitation On Expenditures For Institutional Academic And Performance

Scholarships

Act 323 (SB316) - The act limits the amount of unrestricted educational and general tuition and fee income an institution of higher education can spend on academic and performance scholarships to twenty-five percent (25%) beginning in the 2012-2013 fiscal year and twenty percent (20%) beginning in the 2013-2014 fiscal year. The act provides that, beginning in the 2013-2014 fiscal year, an institution of higher education that exceeds the twenty percent (20%) spending limitation shall have all excess expenditures deducted from the state funding recommendations in the following fiscal year.

Military Dependents Scholarship

Act 1216 (SB854) - The act adds eligibility guidelines to the Military Dependents Scholarship program.

Nursing Student Loan Program

Act 9 (HB1022) - The act authorizes additional funding for the nursing student loan program to promote teaching in nursing education programs and authorizes hiring an administrator for the loan program. The act became effective on February 3, 2009.

SOLICITATION OF ADVERTISING

Written Contracts

Act 645 (HB2046) - The act exempts persons who have a written contract with a university to solicit advertisements for university calendars from certain disclosure requirements.

TASK FORCE

Arkansas Safe Campus Task Force

Act 1400 (HB2135) - The act creates the Arkansas Safe Campus Task Force to review campus safety and security practices among state-supported institutions of higher education, and among private institutions of higher education that elect to participate, and to provide guidelines and recommendations for best practices for developing interdisciplinary and multijurisdictional campus violence prevention, response, and recovery plans.

TECHNICAL COLLEGES

Act 82 (SB206) - The act revises certain eligibility criteria for an appointment to the local board of trustees of a technical college. The act became effective on February 9, 2009.

EDUCATION - HIGHER

TRANSFERABILITY OF COURSES

Act 182 (HB1357) - The act requires the Arkansas Higher Education Coordinating Board to develop, by January 1, 2010, a statewide transfer agreement for state-supported two-year and four-year institutions of higher education. The act designates certain degrees as transfer degrees to be included in the transfer agreement. The board is to develop a transfer curriculum from which a four-year institution of higher education will accept lower-division credits from transfer degrees completed at another institution of higher education (including a two-year college), with few exceptions. The act requires four-year institutions to develop transfer guidelines for the two-year colleges that are within fifty (50) miles of the four-year institution.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK

Criminal Justice Department

Act 961 (SB791) - The act designates the Department of Criminal Justice at the University of Arkansas at Little Rock as the lead agency responsible for implementing all training programs and related activities that fall under the umbrella of the Arkansas Victim Assistance Academy. The act became effective April 6, 2009.

ELECTIONS

ABSENTEE BALLOTS

Intent To Defraud

Act 658 (SB192) - The act provides that it shall be unlawful for a person, with the intent to defraud a voter or an election official, to possess an absentee ballot issued to another person except in certain identified circumstances. The possession by a person of more than ten (10) absentee ballots creates a rebuttable presumption of intent to defraud. The act provides that only certain identified persons may assist more than six (6) voters in marking and casting a ballot at an election.

Members Of Uniformed Services Voting In Nonpartisan Judicial Elections

Act 703 (HB1879) - The act states that the county boards of election commissioners shall not prepare a special absentee ballot for nonpartisan judicial elections for members of the uniformed services of the United States and other citizens residing outside the United States.

ADMINISTRATION OF ELECTIONS GENERALLY

Act 1480 (SB894) - The act amends laws concerning the administration of elections and special elections, creates a new subchapter concerning special elections and polling sites for school elections, amends the time period for the certification of candidate lists by the Secretary of State, and specifies instances when the name of a person shall not be certified and shall not be placed on the ballot. The act became effective on April 10, 2009.

ANNEXATION ELECTIONS

Act 420 (HB1717) - The act provides that if the date of a third annexation election, necessary when two (2) cities hold annexation elections on the same land and held three (3) weeks after the second annexation election, falls on a legal holiday, the election shall be held four (4) weeks after the second annexation election. If the election date in the fourth week is also a legal holiday, the election shall be held five (5) weeks after the second annexation election.

BALLOT PRESENTATION

Act 281 (HB1404) - The act specifies the order and manner that constitutional amendments, statewide initiated acts, referred acts of the General Assembly, and questions referred by the General Assembly shall appear on the ballot. The act addresses the ballot presentation of measures submitted by municipalities, counties, and other political subdivisions.

ELECTIONS

CAMPAIGN CONTRIBUTIONS

Act 1204 (SB441) - The act requires that a candidate for elected office include in his or her report of campaign contributions a separate statement regarding loans received by the campaign and report all personal loans made by the candidate to his or her campaign.

CERTIFICATION PETITIONS

Act 188 (HB1246) - The act extends the period of time in which petitions may be circulated for certification of independent candidates and formation of new political parties.

COUNTY AND MUNICIPAL ELECTIONS

Act 1480 (SB894) - The act amends laws concerning the administration of elections and special elections, including creating a new subchapter of Arkansas law concerning special elections, providing that polling sites for school elections shall be established by a majority vote of the members of the county board of election commissioners present and that polling sites shall be the same as the immediately preceding school election unless changed by order of the county board of election commissioners, amending the time period for the certification of candidate lists by the Secretary of State, and specifying instances when the name of a person shall not be certified and shall not be placed on the ballot. The act contains provisions on county and municipal elections. The act became effective on April 10, 2009.

ELECTION LAWS

Clarification, Simplification And General Cleanup Of Election Laws

Act 959 (SB813) - The act amends provisions of the in order to clarify and simplify the election laws, including cleaning up definitions, drawing a distinction between the use of the term "election official" versus the term "poll worker", and adding new language regarding how a candidate's name may appear on a ballot for a nonpartisan judicial election.

JUDICIAL ELECTIONS

Act 1407 (HB2266) - The act provides that candidates by petition for district judge shall file petitions signed by at least one percent (1%) of the qualified electors residing within the district for which the candidate seeks office, but in no event shall more than two thousand (2,000) signatures be required.

PRESIDENTIAL PREFERENTIAL PRIMARY ELECTION

Act 375 (SB56) - The act repeals the presidential preferential primary election that was previously held on the first Tuesday in February of a presidential election year.

Act 26 (HB1021) - The act repeals the presidential preferential primary election, previously held on the first Tuesday in February of a presidential election year.

PRIMARY ELECTIONS

One (1) Unopposed Candidate

Act 812 (SB901) - The act provides that if there is a primary election in which only one (1) candidate has filed for the position by a filing deadline and there are no other ballot issues to be submitted for consideration, the county board of election commissioners may reduce the number of polling places or open no polling places on election day so that the election is conducted by absentee ballot and early voting only.

RECALL ELECTIONS

Act 362 (SB432) - The act establishes a procedure for a recall election of certain elected municipal officers in a mayor-council form of government.

Act 1454 (HB2187) - The act adds more requirements to the procedure for the removal of a director in a recall election in a city manager form of government.

ELECTIONS

SCHOOL ELECTIONS

Act 292 (SB45) - The act provides that the county board of election commissioners shall consult with each school district concerning the number and location of polling sites for school elections. Each polling site shall be located within the school district. The act provides that expenses incurred for election officials at individual polling places shall be paid by the school district in which the polling place is located.

Act 1294 (HB1646) - The act requires a polling site in each county for a contested school election in which a school district has territory and the school district territory in that county contains a city of second class.

Act 1480 (SB894) - The act amends laws concerning the administration of elections and special elections, including creating a new subchapter of Arkansas law concerning special elections, providing that polling sites for school elections shall be established by a majority vote of the members of the county board of election commissioners present and that polling sites shall be the same as the immediately preceding school election unless changed by order of the county board of election commissioners, amending the time period for the certification of candidate lists by the Secretary of State, and specifying instances when the name of a person shall not be certified and shall not be placed on the ballot. The act became effective on April 10, 2009.

SPECIAL ELECTIONS

Act 1480 (SB894) - The act amends laws concerning the administration of elections and special elections, including creating a new subchapter of Arkansas law concerning special elections, providing that polling sites for school elections shall be established by a majority vote of the members of the county board of election commissioners present and that polling sites shall be the same as the immediately preceding school election unless changed by order of the county board of election commissioners, amending the time period for the certification of candidate lists by the Secretary of State, and specifying instances when the name of a person shall not be certified and shall not be placed on the ballot. The act became effective on April 10, 2009.

SURPLUS CAMPAIGN FUNDS

Act 340 (HB1340) - The act broadens the list of recipients that may receive surplus campaign funds to include cities of the first class, cities of the second class, and incorporated towns.

VOTER REGISTRATION

Use Of Federal Write-In Absentee Ballot

Act 659 (SB353) - The act amends Amendment 51 of the Arkansas Constitution regarding applications for voter registration, specifically concerning information to be provided by applicants, eligibility for registration, and updating registration information. The act allows for use of a federal Write-in Absentee Ballot by members of the uniformed services of the United States, members of the Merchant Marine, and citizens residing outside the United States, without requiring prior voter registration.

EMERGENCY SERVICES

COUNTY HEALTH OFFICER

Act 696 (HB1354) - The act modernizes the office of county health officer, assigning the officer duties regarding local health unit services, county emergency preparedness response and planning, and infectious or communicable disease outbreaks. The act provides civil immunity for a county health officer while performing official duties.

EMERGENCY MANAGEMENT

Disaster Preparedness Program - Earthquakes

Act 711 (HB2032) - The act requires the Arkansas Department of Emergency Management to coordinate a disaster preparedness program with special emphasis on earthquake threats in the New Madrid area.

EMERGENCY SERVICES

EMERGENCY TRANSPORTATION

Act 553 (SB356) - The act authorizes emergency services personnel to transport a patient to the health care facility of the patient's choice without regard to service area restrictions.

EMERGENCY VOLUNTEER HEALTH PRACTITIONERS

Act 432 (HB1403) - The act creates the Uniform Emergency Volunteer Health Practitioners Act, effective October 1, 2009, and establishes a mechanism for allowing out-of-state health care practitioners to practice in Arkansas during a declared emergency without receiving state licensure.

HOMELAND SECURITY

Act 560 (SB467) - The act extends to July 1, 2011, the sunset provision for homeland security and threat assessment plans. The act became effective on March 24, 2009.

INFECTIOUS DISEASES, TESTING

Act 1185 (HB2057) - The act authorizes health care facilities and health care providers to test any individual suspected of infecting an emergency response worker with a life-threatening disease.

LICENSED EMERGENCY MEDICAL SERVICES PERSONNEL

Act 689 (SB143) - The act eliminates the designation "emergency medical technician" and creates the new designation "licensed emergency medical services personnel".

ORGANIZED MILITIA, ROLE IN EMERGENCIES OR DISASTERS

Act 232 (HB1376) - The act clarifies the Governor's power to order the organized militia into active service for the purpose of working with state agencies in the planning and training for emergencies or disasters and to respond to emergencies or disasters.

PUBLIC SAFETY COMMUNICATIONS

Rates

Act 1221 (SB876) - The act amends the Arkansas Public Safety Communications Act of 1985 by increasing the emergency telephone service charge and by changing the distribution of the revenue.

TRAUMA SYSTEM

Funding Procedures

Act 393 (SB315) - The act amends the Trauma System Act to clarify the procedures for funding the trauma care system, including procedures for grants to emergency medical system care providers and ambulance providers, Level I, Level II, Level III, and Level IV trauma centers, rehabilitation service providers, quality improvement organizations, trauma regional advisory councils, command communication networks, and injury prevention programs. The act becomes effective on July 1, 2009.

ENERGY

ALTERNATIVE ENERGY COMMISSION

Act 1301 (HB1796) - The act creates the Arkansas Alternative Energy Commission to study the feasibility of creating or expanding alternative energy use in the state.

RENOVATION AND CONSTRUCTION STANDARDS FOR STATE BUILDINGS

Act 1494 (HB1663) - The act creates the Sustainable Energy-Efficient Buildings Program to promote energy conservation in buildings owned by a state agency or a state-supported institution of higher education. Under this program, the Arkansas Energy Office of the Arkansas Economic Development Council shall develop policies and guidelines that meet the standards for the renovation or construction of a building owned by a state agency and shall develop and administer an energy management program to meet the energy reduction standards for state buildings. Each state institution of higher education shall develop policies and guidelines that meet the standards for the renovation or construction of a building owned by the institution and may develop and administer an energy management program for its buildings.

ENERGY

SUSTAINABLE BUILDING DESIGN AND PRACTICES, LEGISLATIVE TASK FORCE ON

Act 1336 (SB440) - The act extends indefinitely the Legislative Task Force on Sustainable Building Design and Practices.

ENVIRONMENTAL LAW

CONSTRUCTION ASSISTANCE LAW

Act 458 (HB1645) - The act authorizes additional forms of subsidization with moneys in the Construction Assistance Revolving Loan Fund. The act became effective on March 18, 2009.

DRINKING WATER FUND

Act 457 (HB1644) - The act authorizes an expanded range of forms of subsidization with moneys in the Drinking Water State Revolving Loan Fund Account. The act became effective on March 18, 2009.

ENVIRONMENTAL QUALITY, ARKANSAS DEPARTMENT OF

Act 273 (HB1279) - The act authorizes the Arkansas Department of Environmental Quality to access certain information from the Department of Workforce Services. The information includes an employer's name, mailing address, business location, number of employees, and the code for each employer classified by the agency.

MOLD INVESTIGATORS

Act 1467 (SB803) - The act authorizes the State Plant Board to license and regulate mold investigators, to establish standards for mold investigations, and to establish qualifications for mold investigators.

SOLID WASTE

Act 189 (HB1264) - Solid waste (trash) collected during the annual Keep Arkansas Beautiful and Keep America Beautiful campaigns that are sponsored by the Keep Arkansas Beautiful Commission are exempt from landfill disposal fees.

TASK FORCE ON WATER SOURCE PROTECTION

Act 1177 (HB1746) - The act creates the Task Force on Water Source Protection to identify the various nonmunicipal wastewater treatment systems and the compliance records of such systems that exist and surface discharge into water utility-owned or -operated lakes, reservoirs, and impoundments and recommend ways to preserve the water quality of such lakes and reduce the risk of contamination caused by surface discharges from nonmunicipal treatment plants within their watersheds. The act became effective on April 7, 2009.

TRANSPORTATION

The Electric Autocycle Act

Act 636 (HB1902) - The act establishes the Electric Autocycle Act and defines an autocycle as an electric vehicle that is a hybrid of an automobile and a motorcycle, with three wheels, a fully-enclosed cab, and zero emissions. Under the act, an autocycle can be registered as a motorcycle, but an autocycle may not be operated where its operation is prohibited, on controlled-access highways, on roads with a speed limit that is more than fifty-five miles per hour (55 m.p.h.), or on a road where the autocycle cannot maintain the posted speed limit.

UNDERGROUND STORAGE TANKS

Self-Audits

Act 282 (HB1416) - The act removes the requirement that the owner and operator of an underground storage tank conduct an annual self-audit of the storage tank's compliance with Arkansas Underground storage tank laws.

ENVIRONMENTAL LAW

WASTEWATER

Nonmunicipal Domestic Sewage Treatment Works

Act 409 (HB1463) - The act requires that applicants for a nonmunicipal domestic sewage treatment plant that proposes to introduce a new technology for a nonmunicipal domestic sewage treatment plant submit a cost estimate of the new technology to the Arkansas Department of Environmental Quality. The act modifies the financial assurance requirements for proof of financial ability to operate and maintain a nonmunicipal domestic sewage treatment plant by allowing the director to use his or her discretion to reduce or waive the financial assurance requirements if the applicant meets the standards in the law.

WATER

Storage Of Fluids Used By Gas Exploration

Act 369 (HB1424) - The act sets financial assurance and permitting guidelines for the closure of a permitted facility that land-applies fluids generated or used during gas exploration or production. The act became effective on March 10, 2009.

ETHICS

GENERAL REVISIONS

Act 473 (SB317) - The act makes general revisions to Arkansas ethics law, including providing that the gathering of signatures for a nominating petition is considered devoting time or labor towards a campaign, imposing restrictions on donations by prohibited political action committees, and providing a procedure for the registration of independent expenditure committees.

LOBBYISTS AND PUBLIC OFFICIALS

Act 963 (SB867) - The act makes various revisions to ethics laws pertaining to lobbyists and public officials, prevents a lobbyist from providing payment for food or beverages at any location or event at which the lobbyist is not physically present, allows the imposition of a fine for a violation of certain lobbying laws, requires a chief of staff or chief deputy of a constitutional officer, the Senate, or the House of Representatives to file a statement of financial interest, beginning January 1, 2010, requires all lobbyist activity reports filed with the Secretary of State to be filed in electronic form through the Internet, and requires all statements of financial interest filed with the Secretary of State on or after January 1, 2010, to be publicly accessible at no charge through the Internet.

POLITICAL ADVERTISEMENTS

Act 310 (HB1019) - The act provides that all articles, statements, or communications appearing in any radio, television, or other electronic medium intended or calculated to influence the vote of any elector in any election and for which consideration is paid shall contain the words "Paid political advertisement", "Paid political ad", "Paid for by", "Sponsored by", or "Furnished by" the true sponsor of the advertisement.

FAMILY LAW

ADOPTION

Fast-Tracked Adoption Of Garrett's Law Babies

Act 474 (SB330) - The act amends the law regarding the fast-tracked adoption of Garrett's Law babies by requiring an adoptive home study to be completed before a Garrett's Law baby is placed in an adoptive home.

Relinquishment And Termination Of Parent And Child Relationship

Act 219 (SB341) - The act changes the definition of "abandonment" to make it consistent under the Revised Uniform Adoption Act.

Withdrawal Of Consent

Act 230 (HB1280) - The act provides that after waiving the ten-day period for withdrawing a consent to adopt, a person may elect to limit the maximum time for withdrawing a consent to adopt to five (5) days after the consent to adopt is signed. The act became effective on February 25, 2009.

FAMILY LAW

CHILD ABUSE AND NEGLECT

Access To Records Of Children's Advocacy Centers

Act 1366 (SB779) - The act addresses the availability of records of children's advocacy centers and limits access to those records to which there is a reasonable expectation of privacy.

Child Maltreatment Act

Act 749 (SB464) - The act modernizes the law related to child abuse and neglect by adopting the Child Maltreatment Act and repealing the law that it is meant to replace the Arkansas Child Maltreatment Act. The scope of this act is child maltreatment, which includes child abuse and neglect, the Child Abuse Hotline, reporting suspected child maltreatment, and the procedure for notice, investigation, hearings, and protective custody of a child related to child maltreatment matters. The act includes procedures for the Child Maltreatment Central Registry.

Act 758 (SB786) - The act updates references to the Child Maltreatment Act that was enacted as Act 749 of 2009, so that other citations to the Child Maltreatment Act are consistent with Act 749.

Mandated Reporters

Act 1409 (HB2271) - The act amends the law concerning mandated reporters for child maltreatment to add a sexual abuse advocate or volunteer, a rape crisis advocate or volunteer, a child abuse advocate or volunteer, a victim/witness coordinator, and a victim assistance professional or volunteer.

CHILD CUSTODY AND VISITATION

Grandparent Or Great-Grandparent Visitation

Act 271 (HB1008) - The act allows for grandparent or great-grandparent visitation to occur without regard to which parent has physical custody of the child.

CHILD SUPPORT

Office Of Child Support Enforcement

Act 551 (SB260) - The act primarily requires the Office of Child Support Enforcement, each three (3) years, to review cases in its enforcement caseload where there has been an assignment under Title IV-A of the Social Security Act or upon the request of either parent. The act requires the office to petition for adjustment if appropriate.

Release From Obligation

Act 635 (HB1901) - The act provides that a person is no longer obligated to pay child support for a child once the person's parental rights have been terminated due to the child's adoption by another person.

CHILD WELFARE AGENCY LICENSING ACT

Act 723 (SB515) - The act amends the Child Welfare Agency Licensing Act to clarify that the formal discovery rules under the Arkansas Rules of Civil Procedure and certain evidentiary rules in the Arkansas Rules of Evidence shall control during adverse action hearings to the extent of a conflict with the Arkansas Administrative Procedure Act. The act addresses subpoenas and background checks under the Child Welfare Agency Licensing Act. The act clarifies that a licensed child welfare agency may meet or exceed the minimum standards required by the Child Welfare Agency Review Board.

FAMILY LAW

CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES

Notice To And Reporting Concerning Grandparents And Other Adult Relatives

Act 1311 (HB2013) - The act provides notice to grandparents and other adult relatives of a child who has been taken into the custody of the Department of Human Services related to a child maltreatment matter. The act requires court reports to include information about and recommendations concerning placement and visitation with a grandparent or other adult relative.

Public Disclosure Of Information Related To Child Fatalities Or Near Fatalities

Act 674 (SB493) - The act clarifies the procedure for public disclosure of information related to child fatalities or near fatalities and the reporting requirements of the Division of Children and Family Services of the Department of Human Services.

Act 675 (SB494) - The act establishes the parameters of the public disclosure of information on fatalities and near fatalities in child maltreatment matters.

DECEASED PERSONS

Arkansas Final Disposition Rights Act Of 2009

Act 402 (HB1409) - The act provides a comprehensive clarification of the rights and procedures governing the final disposition of a deceased person. Specifically, the act indicates which person or persons have the right to control the disposition of a deceased person's remains, the location, manner, and conditions of disposition, and which person or persons are allowed to make arrangements for funeral goods and services. Further, the act provides remedies to assist a funeral director in recovering the costs of disposition as well as limitations of liability for crematory operators, funeral homes, and cemeteries.

DEPARTMENT OF HUMAN SERVICES

Classification Of Certain Employees

Act 297 (SB225) - The act allows an employee of an agency or department of the state to be a family service worker, a social service worker, or an adult protective services worker without being a licensed social worker.

DOMESTIC VIOLENCE

Domestic Battery

Act 333 (HB1041) - The act provides that domestic battery in the third degree is a Class D felony if a person has committed aggravated assault on a family or household member, § 5-26-306, within the previous five (5) years.

Orders Of Protection

Act 331 (HB1038) - The act makes the violation of an order of protection under certain circumstances a Class D felony and provides for the inclusion of certain language on the face of an order of protection designed to give the respondent notice of the potential penalties for violating the order, as well as notice that it is a violation of federal law for a person subject to an order of protection to ship, transport, or possess a firearm. The act clarifies when a law enforcement officer may arrest a person who has violated an order of protection. The act became effective on March 10, 2009.

FOSTER CARE

Consent To Medical Treatment By Foster Parents And Preadoptive Parents

Act 700 (HB1633) - The act clarifies the authority of foster parents and preadoptive parents regarding consent to medical treatment for children in their charge and sets out the process for notifying the Department of Human Services regarding medical treatment consented to by foster parents and preadoptive parents.

Kinship Foster Care Program Repeal

Act 324 (SB350) - The act repeals the kinship foster care program in the Division of Children and Family Services of the Department of Human Services, § 9-28-501 et seq.

FAMILY LAW

FOSTER CARE

Transition Plan

Act 391 (SB359) - The act creates a comprehensive foster youth transitional plan that is designed to aid children in foster care who are near the age of majority with the transition to adulthood. The plan will be administered by the Department of Human Services and will involve familial, educational, medical, and financial assistance.

JUVENILE COURT PROCEEDINGS

Extended Juvenile Jurisdiction

Act 338 (HB1330) - The act allows the Department of Human Services to petition the court at any time to review or modify a juvenile's disposition order. However, if the petition for review is denied, the department must wait one (1) year to file a new petition for review or modification unless the department has clear and convincing new evidence that the juvenile has been rehabilitated.

JUVENILE LAW

Amendments To Juvenile Code

Act 956 (SB776) - The act comprehensively amends and clarifies aspects of the involving juveniles, including juvenile criminal liability, family law, and numerous substantive amendments to the Arkansas Juvenile Code of 1989, § 9-27-301 et seq. The act became effective on April 6, 2009.

Confessions And Waivers Of Counsel

Act 759 (SB788) - The act requires a court to consider all circumstances surrounding a juvenile's confession, including whether the confession was electronically recorded in its entirety. The act requires a court to consider whether a juvenile's waiver of counsel was electronically recorded when determining whether the waiver was freely, voluntarily, and intelligently made.

JUVENILE SAFETY PLANS

Act 334 (HB1057) - The act amends § 9-27-352 to require that a court provide a copy of a juvenile safety plan to a school principal in addition to the superintendent, and allow the superintendent to provide a verbal notification of the juvenile safety plan to other school personnel as needed to ensure student safety, including assistant principals, school counselors, other school employees responsible for the juvenile's learning environment, and if applicable, bus drivers. The principal and superintendent are required to maintain a copy of the court order and safety plan and to maintain the confidentiality of the court order and safety plan. The act became effective on March 10, 2009.

NONSUPPORT ARREARAGES

Act 1292 (HB1626) - The act requires the Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration to provide individual monthly reports to the county circuit clerk detailing all moneys received by the office in payment of arrearages owed by a person convicted of nonsupport.

PATERNITY SUITS

Act 1312 (HB2022) - The act clarifies that a petition for paternity establishment may be filed by a parent or grandparent of a deceased putative father.

FAMILY LAW

REGISTRY

Act 1399 (HB2099) - The act requires the Office of Chief Counsel of the Department of Human Services to create and distribute to circuit clerks a form concerning adoption procedures that will be completed by adoption petitioners and sent to the Office of Chief Counsel of the Department of Human Services.

RELATIVE CAREGIVERS, GUARDIANSHIP SUBSIDY

Act 325 (SB351) - The act amends the provisions regarding the eligibility for a relative guardianship subsidy for a family member who agrees to care for a child that would otherwise be in foster care.

REVISED UNIFORM ADOPTION ACT

Home Studies

Act 724 (SB516) - The act amends the hearing provisions of the Revised Uniform Adoption Act to clarify when the Department of Human Services shall conduct an adoptive home study and the required criminal background checks for a home study.

FINANCIAL INSTITUTIONS

CREDIT CARD PROCESSING SERVICES

Act 624 (HB1607) - The act makes technical corrections to § 4-115-101 et seq., concerning the regulation of credit card processing services, and clarifies the exemption for certain financial institutions.

EMERGENCY POWERS OF BANK COMMISSIONER

Act 233 (HB1433) - The act authorizes the Bank Commissioner, with the consent of the Governor, to take appropriate actions to deal with emergencies.

FAIR MORTGAGE LENDING ACT

Act 731 (HB1881) - The act amends the Fair Mortgage Lending Act, § 23-39-501 et seq., to revise the bonding, reporting, records, prohibited activities, penalties, and other provisions of the act.

HIGHER EDUCATION BORROWING

Act 571 (SB843) - The act places limitations on the amount of outstanding loans a state-supported institution of higher education can have and allows the Chief Fiscal Officer of the State and the Director of the Department of Higher Education to authorize a state-supported institution of higher education to borrow funds from a private financial institution if requirements are met. The act became effective on March 24, 2009.

PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS

Act 262 (SB254) - The act enacts the Uniform Prudent Management of Institutional Funds Act (2006).

SURETY BONDS

Act 461 (HB1882) - The act repeals § 23-37-511, which permitted the assignment of a savings account in lieu of posting bond.

FIRE PROTECTION

FIRE DEPARTMENT CERTIFICATION STANDARDS

Act 808 (SB872) - The act modifies the amount of certifiable training per year a firefighter must receive and clarifies fire department eligibility for workers' compensation coverage and insurance premium tax moneys.

FIRE EXTINGUISHERS, FIXED FIRE PROTECTION SYSTEMS, AND FIRE PROTECTION SPRINKLER SYSTEMS

Act 422 (SB113) - The act amends provisions of Arkansas law concerning fire extinguishers, fixed fire protection systems, and fire protection sprinkler systems, including amending licensure fees, amending the qualifications for a license, permit, or certificate, and revising the penalties available to the board to enforce statutes, rules, or orders.

FIRE PROTECTION

PROTECTION DISTRICTS

Debt Limits

Act 399 (HB1384) - The act increases the amount of indebtedness a fire protection district may incur.

VOLUNTEER FIRE DEPARTMENTS

Act 300 (SB331) - The act significantly expands the law concerning the service area and dues of volunteer fire departments.

Act 1482 (SB932) - The act increases the cap on reimbursement to volunteer fire departments for services provided to eight hundred dollars (\$800).

FIREARMS

CONCEALED HANDGUN LICENSES

Act 1291 (HB1623) - The act amends § 25-19-105 to prohibit the release of information regarding a concealed handgun licensee, including information pertaining to the issuance, renewal, expiration, suspension, or revocation of a license to carry a concealed handgun. The act exempts certain information from this prohibition, such as: information released to a law enforcement agency for the purpose of assisting in a criminal investigation or prosecution or for determining validity of or eligibility for a license; information regarding the name of an applicant, licensee, or past licensee that is contained in investigative or arrest reports of law enforcement that are subject to release as public records; and upon request by a citizen of Arkansas, the name and the corresponding zip code of an applicant, licensee, or past licensee. The act became effective on April 9, 2009.

INTERSTATE SALE AND PURCHASE

Act 487 (SB486) - The act clarifies that the sale of shotguns, rifles, and ammunition to out-of-state residents is authorized by the Federal Gun Control Act of 1968. Further, the act provides that an Arkansas resident may purchase a rifle, shotgun, or ammunition in another state rather than only in an adjacent state.

POSSESSION OF FIREARMS

Act 1491 (SB995) - The act provides that a drug court judge may order expungement and dismissal of a case if the offender has successfully completed a drug court program, the offender has received aftercare programming, the drug court judge has received a recommendation from the prosecuting attorney for expungement and dismissal of the case, and the drug court judge feels expungement and dismissal is appropriate after considering the offender's past criminal history. The act amends Arkansas law concerning the possession of firearms by certain persons whose cases are dismissed and expunged.

FREEDOM OF INFORMATION ACT

ATTORNEY'S FEES

Act 440 (HB1326) - The act allows a plaintiff who substantially prevailed in an action under the Freedom of Information Act of 1967 against the State of Arkansas or a department, agency, or institution of the state to file a claim with the Arkansas State Claims Commission to recover reasonable attorney's fees or other litigation expenses reasonably incurred.

ELECTRONIC OR COMPUTERIZED RECORDS

Bulk Commercial Requests

Act 1477 (SB871) - The act creates the Arkansas Electronic Records Study Commission to make recommendations to the General Assembly regarding amendments to the Freedom of Information Act of 1967 in order to address the issue of bulk commercial access to electronic or computerized records. The commission shall exist until July 1, 2011.

FREEDOM OF INFORMATION ACT

EXEMPTIONS TO THE FREEDOM OF INFORMATION ACT

Act 184 (HB1050) - The act requires that any new exemption to the Freedom of Information Act or any law that substantially amends an existing exemption to the Freedom of Information Act must specifically state that it is an exemption to the Freedom of Information Act of 1967, § 25-19-101 et seq. The act applies to exemptions created or amended beginning July 1, 2009.

PUBLIC EMPLOYEES REQUESTING RECORDS

Prevent Retaliation

Act 771 (HB1052) - The act provides that a public employee shall not be prohibited from exercising a right or privilege under the Freedom of Information Act of 1967.

PUBLIC SCHOOL ADMINISTRATORS AND TEACHERS

Confidentiality Of Ethics Complaint Review

Act 938 (HB1859) - The act amends § 6-17-422 to exempt from the Freedom of Information Act of 1967 the hearings, records, and deliberations on an ethics complaint against a public school administrator or teacher before the Professional Licensure Standards Board but clarifies that State Board of Education hearings and records on Professional Licensure Standards Board recommendations on the ethics complaint are open to the public. The act became effective on April 6, 2009.

WATER SYSTEMS, PUBLIC

Exemption

Act 631 (HB1834) - The act extends the exemption of certain records relating to the security of a public water system from the examination and copying requirements of the Freedom of Information Act. The act extends a public water system's authority to meet in executive session to consider a matter pertaining to the security of a public water system. The act becomes effective on July 1, 2009.

GAMBLING AND AMUSEMENT DEVICES

CHARITABLE BINGO

Act 499 (HB1111) - The act reduces the excise tax on the sale of bingo faces to three-tenths of one cent (0.3¢) and repeals the ten percent (10%) tax on the gross receipts derived from the sale of all bingo equipment other than bingo faces. The act makes other revisions to charitable bingo and raffle laws, including increasing the amount of a raffle prize to five thousand dollars (\$5,000) and providing that no more than two (2) organizations may conduct bingo games at the same premises so long as the premises is owned or leased by a licensed authorized organization. No more than four (4) bingo sessions shall be conducted at the same premises during any one (1) calendar week. The act became effective on March 24, 2009.

GAMBLING DEBT RECOVERY

Act 460 (HB1716) - The act amends the statutory right of recovery of gambling debts and losses to overrule *Daniels v. State*, 373 Ark. 536, and *Davidson v. State*, 200 Ark. 495, to allow an action for replevin to recover property lost through illegal gambling and to provide that recovery of property lost through illegal gambling is not a defense in a crime of violence prosecution.

LOTTERY, ARKANSAS STATE

Act 605 (SB26) - Act 605 (SB26) - Identical acts 605 and 606 (HB1002) create the Arkansas Lottery Commission and provide for the establishment of lotteries under Amendment 87 of the Arkansas Constitution. The acts provide that net proceeds of the lottery shall supplement the Arkansas Academic Challenge Scholarship Program and revise the program to address the additional funds. The acts became effective on March 25, 2009.

GAMBLING AND AMUSEMENT DEVICES

LOTTERY, ARKANSAS STATE

Act 1405 (HB2243) - The act amends the Arkansas Scholarship Lottery Act, Acts 605 and 606 of 2009, to make various technical and substantive corrections. The principal substantive amendments relate to the creation of the state lottery concern procurement contracts entered into by the Arkansas Lottery Commission and the closure of a lottery retailer for failure to remit lottery proceeds. The act became effective on April 9, 2009.

GENERAL ASSEMBLY

ABUSED AND NEGLECTED CHILDREN TASK FORCE

Act 494 (SB815) - The act extends the operation of the Arkansas Legislative Task Force on Abused and Neglected Children until December 31, 2010.

AFFORDABILITY OF UNDERGRADUATE EDUCATION IN ARKANSAS, INTERIM STUDY

Act 964 (SB885) - The act provides for an interim study to be conducted by the Senate Committee on Education on the affordability of an undergraduate education in Arkansas, including a review of tuition-setting policies, costs of tuition, fees, books, room and board, and the state's share of funding higher education costs.

ALZHEIMER'S TASK FORCE

Act 92 (HB1014) - The act creates a task force to study the impact of Alzheimer's disease on citizens of Arkansas. The task force will make a final report and expire on January 15, 2011.

ARKANSAS CODE, CORRECTIONS BY THE ARKANSAS CODE REVISION COMMISSION

Act 163 (SB62) - The act makes corrections to Title 14 of the Arkansas Code.
Act 164 (SB69) - The act makes corrections to Title 23 of the Arkansas Code.
Act 165 (SB70) - The act makes corrections to Title 12 of the Arkansas Code.
Act 166 (SB75) - The act makes corrections to Title 16 of the Arkansas Code.
Act 248 (SB60) - The act makes corrections to Title 10 of the Arkansas Code.
Act 249 (SB61) - The act makes corrections to Title 1 of the Arkansas Code.
Act 250 (SB66) - The act makes corrections to Title 7 of the Arkansas Code.
Act 251 (SB71) - The act makes corrections to Title 19 of the Arkansas Code.
Act 252 (SB74) - The act makes corrections to Title 21 of the Arkansas Code.
Act 376 (SB68) - The act makes corrections to Title 6 of the Arkansas Code.
Act 481 (SB407) - The act makes corrections to Title 15 of the Arkansas Code.
Act 482 (SB408) - The act makes corrections to Title 18 of the Arkansas Code.
Act 483 (SB409) - The act makes corrections to Title 27 of the Arkansas Code.
Act 548 (SB67) - The act makes corrections to Title 3 of the Arkansas Code.
Act 549 (SB76) - The act makes corrections to Title 25 of the Arkansas Code.
Act 653 (SB64) - The act makes corrections to Title 11 of the Arkansas Code.
Act 654 (SB72) - The act makes corrections to Title 24 of the Arkansas Code.
Act 655 (SB73) - The act makes corrections to Title 26 of the Arkansas Code.
Act 748 (SB410) - The act makes corrections to Title 5 of the Arkansas Code.
Act 752 (SB702) - The act corrects a codification error in Title 23 of the Arkansas Code.
Act 952 (SB63) - The act makes corrections to Title 20 of the Arkansas Code.
Act 1199 (SB65) - The act makes corrections to Title 8 of the Arkansas Code.

AUTISM TASK FORCE

Act 1272 (SB938) - The act creates the Legislative Task Force on Autism to study various aspects of autism among Arkansas citizens. The task force will report to the General Assembly on or before August 31 each year.

GENERAL ASSEMBLY

BUREAU OF LEGISLATIVE RESEARCH

References To Individuals With Mental Retardation In The Drafting Of Bills And Resolutions

Act 975 (HB1558) - The act provides that the Bureau of Legislative Research shall avoid all references to individuals with mental retardation in the drafting of bills and resolutions.

CRIMINAL JUSTICE TASK FORCE

Act 766 (SB942) - The act creates the Arkansas Legislative Task Force on Criminal Justice and specifies its membership and duties. The task force shall report its findings and recommendations by August 15, 2010, and expires on October 1, 2010.

CYBERINFRASTRUCTURE TASK FORCE

Act 978 (HB2011) - The act establishes the Arkansas Cyberinfrastructure Task Force to implement and sustain the 2008 Cyberinfrastructure Strategic Plan and associated policy development and public education; and to recommend cyberinfrastructure policies to leverage technology investments and evolve cyberinfrastructure for the benefit of education, research, and business creation.

FISCAL SESSIONS

Act 962 (SB820) - The act corrects references to biennial session in the Arkansas Code and establishes a definition of "fiscal session" to conform to Amendment 86 of the Arkansas Constitution.

FUNDING OF THE JUDICIAL SYSTEM TASK FORCE

Act 760 (SB801) - The act creates the Legislative Task Force on the Funding of the Judicial System.

HOUSE JOINT COMMITTEES

Act 84 (HB1118) - The act authorizes the Speaker of the House of Representatives to select a designee to serve on his or her behalf on the Joint Committee on Legislative Printing Requirements and Specifications and the Joint Interim Committee on Legislative Facilities. The act authorizes an allowance for the chair of a committee established by rule of the House of Representatives.

LEGISLATIVE AUDIT

City Courts

Act 488 (SB505) - The act empowers the Legislative Joint Auditing Committee to divest a city court of its authority to operate if that court fails to comply with either its accounting requirements or the requirements of §§ 16-10-306 and 16-10-308. The act expires on January 1, 2012.

Disposition Reports

Act 446 (HB1445) - The act removes the requirement that disposition reports by the Attorney General and prosecuting attorneys regarding matters reported by the Legislative Joint Auditing Committee be filed with the Legislative Council.

School District Audit Reports

Act 1370 (SB904) - The act authorizes the Legislative Joint Auditing Committee to refer an audit report of a school district to the Department of Education if the audit report identifies a substantial issue of noncompliance with state or federal financial reporting requirement or other state or federal law or regulation and the same issue is identified in two (2) consecutive audit reports.

LOTTERY COMMISSION LEGISLATIVE OVERSIGHT COMMITTEE

Act 605 (SB26) - Act 606 (HB1002) - Identical acts 605 and 606, as amended by Act 1405, create the Arkansas Lottery Commission and provide for the establishment of lotteries under Amendment 87 of the Arkansas Constitution. The acts provide that net proceeds of the lottery shall supplement the Arkansas Academic Challenge Scholarship Program and revise the program to address the additional funds. The acts became effective on March 25, 2009.

GENERAL ASSEMBLY

REDUCING POVERTY AND PROMOTING ECONOMIC OPPORTUNITY TASK FORCE

Act 722 (SB470) - The act creates the Legislative Taskforce on Reducing Poverty and Promoting Economic Opportunity.

REPORTS TO THE GENERAL ASSEMBLY

Higher Education

Act 416 (HB1589) - The act creates the Comprehensive Arkansas Higher Education Annual Report, which consolidates all reports submitted to the General Assembly by the Department of Higher Education into one annual report.

RURAL MEDICAL PRACTICE STUDY

Act 544 (HB1967) - The act requires an interim study by the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning ways to encourage physicians to practice medicine in rural areas of Arkansas.

SICKLE CELL DISEASE TASK FORCE

Act 1191 (HB2173) - The act creates the Legislative Task Force on Sickle Cell Disease. The task force will study and report to the General Assembly regarding various aspects of sickle cell disease in Arkansas. The task force expires on October 1, 2010.

SUBPOENA POWER

Act 1465 (SB631) - The act amends provisions regarding legislative proceedings and clarifies the subpoena power of the Senate and the House of Representatives and the committees thereof.

SUBSTANCE ABUSE TREATMENT SERVICES TASK FORCE

Act 471 (SB230) - The act provides that legislative members of the Task Force on Substance Abuse Treatment Services shall be entitled to per diem and mileage at the same rate authorized by law for attendance at meetings of interim committees of the General Assembly. Advisory members of the task force shall serve without compensation and shall not receive per diem, mileage, or stipends.

SUSTAINABLE BUILDING DESIGN AND PRACTICES TASK FORCE

Act 1336 (SB440) - The act extends indefinitely the Legislative Task Force on Sustainable Building Design and Practices.

TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM ANNUAL REPORTS

Act 415 (HB1579) - The act reduces from biannual to annual the required reports of the Transitional Employment Assistance Program to the House and Senate Interim Committees on Public Health, Welfare, and Labor.

HEALTH

ABORTION, PARTIAL-BIRTH

Act 196 (HB1113) - The act prohibits partial-birth abortions, makes the performing of a partial-birth abortion a Class D felony, and authorizes licensure actions and civil penalties for physicians who perform partial-birth abortions. The act became effective on February 20, 2009.

ABUSED AND NEGLECTED CHILDREN TASK FORCE

Act 494 (SB815) - The act extends the operation of the Arkansas Legislative Task Force on Abused and Neglected Children until December 31, 2010.

ACUPUNCTURE RULES

Act 1461 (SB402) - The act prohibits acupuncturists from administering, dispensing, or prescribing legend drugs and authorizes the Arkansas State Medical Board to approve the rules of the Board of Acupuncture and Related Techniques.

ADULT DAY CARE CENTERS

Act 357 (SB307) - The act exempts from licensure adult day care centers that care for impaired adults for periods of four (4) hours or less per day.

HEALTH

ADULT MALTREATMENT

Act 525 (HB1568) - The act amends provisions of the Adult and Long-Term Care Facility Resident Maltreatment Act. The act adds misuse of an endangered or impaired person's resources to the definition of exploitation and makes technical changes to the hearing process and the confidentiality rules under the act.

ADULT MALTREATMENT CUSTODY

Act 526 (HB1569) - The act amends provisions of the Adult Maltreatment Custody Act. The act defines the Department of Human Services as custodian for seventy-two-hour holds of endangered and impaired adults, substantially revises the definitions of exploitation and fiduciary, clarifies the rules for the sealing of records by courts, and makes various changes to the process for establishing custody under the act.

ALCOHOLISM AND DRUG ABUSE COUNSELORS

Act 443 (HB1379) - The act replaces certification with licensure for alcoholism and drug abuse counselors and authorizes the registration of clinical alcoholism and drug abuse counselor supervisors.

ALLERGIC REACTIONS

Citizens Certified To Give Emergency Medications

Act 684 (SB961) - The act expands the number of allergies for which citizens may be certified to give emergency medications and provides for certification of persons trained to administer emergency treatment for the expanded range of allergic reactions.

ALZHEIMER'S TASK FORCE

Act 92 (HB1014) - The act creates a task force to study the impact of Alzheimer's disease on citizens of Arkansas. The task force will make a final report and expire on January 1, 2011.

ARKIDS FIRST EXPANSION

Act 435 (HB1700) - The act requires the Department of Human Services to seek a Medicaid waiver to increase the eligibility level for ARKids First to two hundred fifty percent (250%) of the federal poverty level and seeks parity of coverage under ARKids First for mental health care.

AUTISM TASK FORCE

Act 1272 (SB938) - The act creates the Legislative Task Force on Autism to study various aspects of autism among Arkansas citizens. The task force will report to the General Assembly on or before August 1 each year.

BLOOD DONATIONS

Act 152 (SB85) - The act allows persons who are sixteen (16) years of age to donate blood with parental permission.

BOARD MEMBERS, DEVELOPMENTALLY DISABLED

Act 1488 (SB968) - The act requires that a nonprofit organization providing services to individuals with developmental disabilities that is licensed by the Department of Human Services include in the membership of its governing body an individual with developmental disabilities.

BODY ART ON MINORS

Act 1212 (SB825) - The act makes it a Class D felony to perform body art on a minor in an unlicensed facility.

CEMETERIES

Act 429 (SB451) - The act establishes an insolvent cemetery loan fund to assist insolvent perpetual care cemeteries and creates an insolvent cemetery grant fund to provide grants to qualified applicants to maintain and operate insolvent perpetual care cemeteries.

HEALTH

CEMETERIES

Cemetery Act For Perpetually Maintained Cemeteries

Act 715 (HB2055) - The act amends the Cemetery Act For Perpetually Maintained Cemeteries, § 20-17-1001 et seq., to make technical corrections and provisions for the operation of the Arkansas Cemetery Board and the approval of permits to operate new or expanded cemeteries.

Permanent Maintenance Fund

Act 714 (HB2052) - The act allows the Arkansas Cemetery Board to revise funding requirements to ensure sufficient deposits into a cemetery company's permanent maintenance fund and defines a "lawn crypt". The act becomes effective on January 10, 2010.

CERVICAL CANCER TASK FORCE

Act 280 (HB1377) - The act adds a physician to membership of the Cervical Cancer Task Force and revises the duties of the task force.

CHILD CARE FACILITIES

Evacuation Plans For Emergency Procedures

Act 801 (SB342) - The act requires child care facilities to create written evacuation plans for emergency procedures in coordination with the Division of Child Care and Early Childhood Education of the Department of Human Services.

CIGARETTE FIRE SAFETY STANDARD ACT

Act 697 (HB1402) - The act establishes the Arkansas Cigarette Fire Safety Standard Act to make the laws of this state regarding cigarette fire safety uniform with the laws of other states that have enacted reduced cigarette ignition propensity laws. The act creates the Cigarette Fire Safety Standard Fund. The act becomes effective January 1, 2010.

COLORECTAL CANCER

Act 1374 (SB947) - The act creates the Colorectal Cancer Prevention, Early Detection, And Treatment Program in the Rockefeller Cancer Institute at the University of Arkansas for Medical Sciences, authorizes grants for screening, testing, and treatment for colorectal cancer and creates the Colorectal Cancer Prevention, Early Detection, and Treatment Advisory Committee and the Colorectal Cancer Research Program.

CONSENT TO MEDICAL TREATMENT

Authority Of Foster Parents And Preadoptive Parents

Act 700 (HB1633) - The act clarifies the authority of foster parents and preadoptive parents regarding consent to medical treatment for children in their charge and sets out the process for notifying the Department of Human Services regarding medical treatment consented to by foster parents and preadoptive parents.

CORONERS

Act 1288 (HB1603) - The act amends the law concerning a coroner's investigation to require that the coroner's report include a pronouncement of death. The act further requires the Arkansas State Medical Board to promulgate rules on medical certifications of death.

COUNSELORS, UNLICENSED PRACTICE

Act 1298 (HB1745) - The act makes a second or subsequent offense of practicing as a counselor without a license a Class D felony and creates a cause of action for persons injured by an unlicensed counselor.

COUNTY HEALTH OFFICER

Act 696 (HB1354) - The act modernizes the office of county health officer, assigning the officer duties regarding local health unit services, county emergency preparedness response and planning, and infectious or communicable disease outbreaks. The act provides civil immunity for a county health officer while performing official duties.

HEALTH

DECEASED PERSONS

Arkansas Final Disposition Rights Act Of 2009

Act 402 (HB1409) - The act clarifies the rights and procedures governing the final disposition of a deceased person. The act indicates which person has the right to control the disposition of a deceased person's remains, the location, manner, and conditions of disposition, and which person is allowed to make arrangements for funeral goods and services. The act provides remedies for recovering the costs of disposition and limitations of liability for crematory operators, funeral homes, and cemeteries.

DEFIBRILLATORS, AUTOMATED EXTERNAL

The Antony Hobbs III Act

Act 496 (SB312) - The act requires public schools to have automated external defibrillators and to provide cardiopulmonary resuscitation programs for employees.

DELEGATED MEDICAL PROCEDURES

Act 472 (SB239) - The act authorizes physicians and podiatrists to delegate the performance of some simple procedures to employees who are trained by the physician or podiatrist to perform those procedures.

DEMOGRAPHIC DATA

Act 1489 (SB984) - The act requires state agencies, boards, and commissions that deal with health professions to procure and report demographic data regarding the state's health care workforce

DIVERSITY REPRESENTATION

Act 1490 (SB985) - The act requires that each state health-related agency, board, and commission reflect the diversity of the state.

DRUG COVERAGE STANDARDS

Act 270 (HB1363) - The act updates the list of standard reference guides for insurance coverage for cancer and other medications and provides for discretion for health insurers in the choice of standards.

EMERGENCY TRANSPORTATION

Act 553 (SB356) - The act authorizes emergency services personnel to transport a patient to the health care facility of the patient's choice without regard to service area restrictions.

EMERGENCY VOLUNTEER HEALTH PRACTITIONERS

Act 432 (HB1403) - The act creates the Uniform Emergency Volunteer Health Practitioners Act, effective October 1, 2009, and establishes a mechanism for allowing out-of-state health care practitioners to practice in Arkansas during a declared emergency without receiving Arkansas state licensure.

FIRE EXTINGUISHERS, FIXED FIRE PROTECTION SYSTEMS, AND FIRE PROTECTION SPRINKLER SYSTEMS

Act 422 (SB113) - The act amends provisions of Arkansas law concerning fire extinguishers, fixed fire protection systems, and fire protection sprinkler systems, including amending licensure fees, amending the qualifications for a license, permit or certificate, and revising the penalties available to the board to enforce statutes, rules, or orders.

FIREWORKS, COMMERCIAL SALES OF

Act 239 (HB1146) - The act amends provisions relating to the sale and display of fireworks, requiring that retail sales facilities and stores that sell consumer fireworks shall not be located within fifty feet (50') of a motor vehicle fuel dispensing station dispenser, a retail propane dispensing station dispenser, above-ground tanks that store flammable or combustible liquids, flammable gases or flammable liquefied gases, or compressed natural gas dispensing facilities. The act requires a sign with the words "FIREWORKS — NO SMOKING" in letters at least four inches (4") high at each entrance to a retail sales area.

HEALTH

FIREWORKS, APPLICATION PERIOD FOR PUBLIC DISPLAY PERMITS FOR

Act 240 (HB1147) - The act increases the application period for a permit to publicly display fireworks from two (2) to five (5) days.

FIREWORKS, LICENSING PERIOD FOR

Act 241 (HB1152) - The act provides that a firework shooter's licensing period starts when the application is approved and further allows for a full five-year licensing period from that date. The act repeals a provision that allowed a vendor to exchange unsold licenses for current licenses at no charge.

FOOD

Inspection And Permitting Of Food Service Establishments

Act 1403 (HB2224) - The act addresses laws related to the regulation of food service establishments by the Department of Health, including exemptions from permits and inspections.

HARVESTED RAINWATER

Act 361 (SB401) - The act requires the State Board of Health to allow harvested rainwater to be used for a nonpotable purpose if the rainwater system is designed by a professional engineer licensed in Arkansas, has appropriate cross-connection safeguards, and complies with the Arkansas Plumbing Code.

HEALTH CARE FACILITIES

Capital Expenditure Limit

Act 649 (HB2257) - The act raises the amount of associated capital expenditure limit for the alteration or renovation of a health facility from five hundred thousand dollars (\$500,000) to one million dollars (\$1,000,000).

HEALTH DISPARITIES REPORT

Act 358 (SB343) - The act requires the Arkansas Minority Health Commission to develop strategies for and to report progress on reducing disparities in health and length of life among minority citizens of the state.

HEARING IMPAIRMENT AIDS AND INSTRUMENTS

Coverage For Hearing Aids

Act 1179 (HB1930) - The act requires a health benefit plan to offer coverage for hearing aids in an amount of not less than one thousand four hundred dollars (\$1,400) per ear every three (3) years. The act applies to hearing aids sold after January 1, 2010.

HOSPITAL ACCESS FEE

Act 562 (SB582) - The act levies an assessment fee on most hospitals. The act creates a process to redistribute the moneys collected from the fee to each hospital as a pro rata share of the fee based on the hospital's Medicaid discharges. The program will be administered by the Division of Medical Services of the Department of Human Services. The act became effective on March 24, 2009.

INFECTIOUS DISEASES, TESTING

Act 1185 (HB2057) - The act authorizes health care facilities and health care providers to test any individual suspected of infecting an emergency response worker with a life-threatening disease.

IN-HOME HEALTH CARE

Act 5 (SB50) - The act creates a new subchapter in the Arkansas Code that allows a private care agency to provide in-home personal care services twenty-four (24) hours a day and seven (7) days a week. The act allows Medicaid reimbursement of those services. In-home personal care services include respite services, chore services, and homemaker services.

INMATE DENTAL HYGIENE

Act 203 (HB1367) - The act authorizes dental hygienists to perform dental hygiene procedures on inmates under the general supervision of dentist.

HEALTH

INMATE MEDICAL EXAMINATIONS

Act 208 (HB1375) - The act requires that each new inmate in the Department of Corrections undergo a medical examination and requires that the results of the medical examination be followed with regard to jobs for which the examining physician may prescribe limits.

INTERMEDIATE CARE FACILITIES PROVIDER FEE

Act 433 (SB354) - The act establishes a provider fee for intermediate care facilities for individuals with developmental disabilities. The act requires the Arkansas Medicaid program to seek a waiver to make payments to intermediate care facilities for individuals with developmental disabilities an allowable cost under Medicaid.

LONG-TERM CARE FACILITIES

Licensure

Act 216 (SB310) - The act amends the date for applications for licensure renewal and other required filings by long-term care facilities to March 1 of each year and specifies when a license shall be issued to a buyer of a long-term care facility.

Quality Surveys

Act 198 (HB1232) - The act allows a long-term care facility to create a Quality Assurance Committee to survey the quality of care provided in the long-term care facility. The act makes confidential the proceedings, minutes, and records of a Quality Assurance Committee and immunizes from civil liability the members of a Quality Assurance Committee for acts performed as members of the committee.

Resident Maltreatment

Act 525 (HB1568) - The act amends provisions of the Adult and Long-Term Care Facility Resident Maltreatment Act. The act adds misuse of an endangered or impaired person's resources to the definition of exploitation and makes technical changes to the hearing process and the confidentiality rules under the act.

Withholding Cardiopulmonary Resuscitation

Act 718 (HB2212) - The act authorizes licensed nurses employed by a nursing facility to withhold cardiopulmonary resuscitation from residents of the facility regardless of the presence or absence of a "Do Not Resuscitate" order under certain circumstances. The act provides that nursing facilities and licensed nurses who withhold cardiopulmonary resuscitation under the act are not liable for administrative sanctions, civil damages, or subject to criminal prosecution.

MASSAGE THERAPY ACT

Act 1305 (HB1951) - The act amends provisions of the Massage Therapy Act. The act changes the definition of massage therapy; the membership of the Arkansas State Board of Massage Therapy; the authorization of the board to require criminal background checks for license applicants; and the fee structure for licenses. The act establishes two-year licenses, increases the required number of continuing education credits for license holders, and prohibits the massage of certain areas of the body. The act became effective on April 9, 2009.

MEDICAID

Asthma Medication Study

Act 1483 (SB944) - The act requires the Department of Human Services to convene a group to study various aspects of asthma medication use and reimbursement within the Arkansas Medicaid Program. The act requires the group to report to the Department of Human Services on or before November 1, 2010.

HEALTH

MEDICAID

Disposing Of Funds That Should Be Held For Recoupment Of Medicaid Costs

Act 710 (HB1985) - The act clarifies liability for guardians, attorneys, and personal representatives regarding failure to receive written approval before disposing of funds that should be held for recoupment of Medicaid costs.

Prekindergarten Notification

Act 426 (SB252) - The act establishes age requirements for enrollment in prekindergarten, consistent with age requirements for enrollment in kindergarten. The act requires the Division of Child Care and Early Childhood Education of the Department of Human Services to notify all providers of appropriate early childhood prekindergarten programs of the new age requirements. The act became effective on March 13, 2009.

MEDICAL ETHICS

Act 1178 (HB1927) - The act authorizes the Arkansas State Medical Board to discipline physicians for ethical violations.

MENTAL HEALTH PARITY ACT

Act 1193 (HB2195) - The act amends the Arkansas Mental Health Parity Act, § 23-99-501 et seq., and makes conforming amendments to the act consistent with federal law.

MINORITY HEALTH COMMISSION

Act 574 (SB1002) - The act changes the membership and the appointment process for the Arkansas Minority Health Commission and expands and clarifies the duties of the commission

MOBILE DENTAL FACILITIES

Act 414 (HB1559) - The act to defines, sets standards for, and allows the operation of mobile dental facilities under the authority of the Arkansas State Board of Dental Examiners.

MOLD INVESTIGATORS

Act 1467 (SB803) - The act authorizes the State Plant Board to license and regulate mold investigators, to establish standards for mold investigations, and to establish qualifications for mold investigators.

NONPROFIT BOARDS

Act 1488 (SB968) - The act requires that a nonprofit organization providing services to individuals with developmental disabilities that is licensed by the Department of Human Services include in the membership of its governing body an individual with developmental disabilities.

NURSING, STATE BOARD OF

Stipends

Act 746 (SB373) - The act increases the stipend for members of the Arkansas State Board of Nursing to one hundred ten dollars (\$110) per day for each meeting.

OPTOMETRISTS AND OPHTHALMOLOGISTS

Contact Lenses

Act 449 (HB1518) - The act authorizes optometrists and ophthalmologists to sell or dispense prescription contact lenses that are medicated with legend drugs if the lenses have been authorized by the Food and Drug Administration.

ORTHOTICS / PROSTHETICS

Act 200 (HB1267) - The act reduces from five (5) years to three (3) years the experience needed for certification as an orthotic assistant, an orthotic/prosthetic assistant, or a prosthetic assistant and limits temporary licenses for the practice of orthotics, prosthetics, or pedorthics to six (6) months with one (1) extension.

HEALTH

PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS

Compliance By State Employee And Public School Personnel Health Benefit Plans

Act 702 (HB1703) - The act requires state employee and public school personnel health benefit plans to comply with Arkansas's patient protection and any willing provider laws.

PHARMACY BENEFIT PLANS

Payments To Pharmacies And Pharmacists

Act 769 (SB460) - The act requires that a state-funded pharmacy benefit plan itemize payments made in regard to pharmacy services and that a state-funded pharmacy benefit plan pay the amounts the plan receives for pharmacist services to the pharmacy or pharmacist that provided the services.

PHARMACY BOARD RULES

Act 355 (SB120) - The act amends statutes regarding the regulatory authority of the Arkansas State Board of Pharmacy.

PROSTATE CANCER SCREENING

Act 75 (HB1031) - The act mandates health insurance policies to cover screenings and treatment for prostate cancer for men forty (40) years of age and older. The act applies to health benefit plans offered, issued, or renewed on or after January 1, 2010.

PROVIDER APPLICATIONS

Act 350 (HB1546) - The act decreases the time allowed for health care insurers to process participation applications and renewal applications for health care providers.

PUBLIC DRINKING WATER QUALITY

Act 1184 (HB2033) - The act creates the Arkansas Legislative Task Force on Water Quality to identify the systems that provide drinking water to the public, review the laws that apply to those systems, review the water quality and safety standards of other jurisdictions, assess this state's facilities that provide drinking water, and develop recommendations for improving the quality and safety of drinking water for public consumption. The task force shall deliver a report to the cochairs of the Legislative Council on or before November 1, 2010. The task force terminates on December 31, 2010.

RABIES CONTROL

Act 159 (HB1274) - The act modernizes the Rabies Control Act by repealing §§ 20-19-201 through 20-19-203 and allows the State Board of Health to establish reasonable vaccination requirements for rabies vaccinations for dogs and cats.

RADIOLOGIST ASSOCIATES AND ASSISTANTS

Act 1457 (SB79) - The act authorizes the Arkansas State Medical Board to license and regulate the practice of radiologist assistants and radiology practitioner assistants. The act authorizes the board to establish a fee for licensure and creates penalties for misconduct.

RURAL MEDICAL PRACTICE STUDENT LOAN AND SCHOLARSHIP BOARD

Income Incentives To Physicians

Act 708 (HB1950) - The act authorizes the Arkansas Rural Medical Practice Student Loan and Scholarship Board to grant community match income incentives to physicians who promise to work in the community for four (4) years.

RURAL MEDICAL PRACTICE STUDY

Act 544 (HB1967) - The act requires an interim study by the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning ways to encourage physicians to practice medicine in rural areas of Arkansas.

SAMPLE DRUG DISTRIBUTION

Act 943 (HB1997) - The act restricts the distribution of drug samples and sets out the conditions under which drug samples may be distributed. The act requires registration of drug sample distributors with the Arkansas State Board of Pharmacy.

HEALTH

SEXUAL CONTACT BETWEEN EMPLOYEE AND PERSON IN CUSTODY

Criminal Penalty

Act 630 (HB1833) - The act amends sexual assault in the fourth degree, under § 5-14-127, by criminalizing sexual contact between an employee of the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail and a person who is in the custody of the Department of Correction, Department of Community Correction, Department of Human Services, or a city or county jail.

SICKLE CELL TASK FORCE

Act 1191 (HB2173) - The act creates the Legislative Task Force on Sickle Cell Disease. The task force will study and report to the General Assembly regarding various aspects of sickle cell disease in Arkansas. The task force expires on October 1, 2010.

SUBSTANCE ABUSE TREATMENT SERVICES TASK FORCE

Act 471 (SB230) - The act provides that legislative members of the Task Force on Substance Abuse Treatment Services shall be entitled to per diem and mileage at the same rate authorized by law for attendance at meetings of interim committees of the General Assembly. Advisory members of the task force shall serve without compensation and shall not receive per diem, mileage, or stipends.

SUMMER ENRICHMENT PROGRAMS FOR HEALTH CARE STUDENT

Increase Opportunities Among Underrepresented Student Populations

Act 709 (HB1983) - The act creates the Arkansas Academic Physician Program and the Health Care Student Summer Enrichment Program For Underrepresented Student Groups to increase understanding and opportunities for prospective medical, pharmacy, and nursing students among underrepresented student populations.

TANNING FACILITIES

Parental Consent For Consumers Under Eighteen (18) Years Of Age

Act 707 (HB1920) - The act requires parental consent before a consumer under eighteen (18) years of age may use a tanning facility and requires that tanning facilities post notices warning of dangers involved in the use of tanning facility equipment.

TRAUMA SYSTEM

Funding Procedures

Act 393 (SB315) - The act amends the Trauma System Act to clarify the procedures for funding the trauma care system, including procedures for grants to emergency medical system care providers and ambulance providers, Level I, Level II, Level III, and Level IV trauma centers, rehabilitation service providers, quality improvement organizations, trauma regional advisory councils, command communication networks, and injury prevention programs. The act becomes effective on July 1, 2009.

TREATMENT OF THE MENTALLY ILL

Involuntary Admissions

Act 680 (SB810) - The act makes a technical change as to where a petition for the involuntary admission of a mentally ill person may be filed from the county in which the person is initially detained to the county where the person is detained.

HEALTH

WASTEWATER

Nonmunicipal Domestic Sewage Treatment Works

Act 409 (HB1463) - The act requires that applicants for a nonmunicipal domestic sewage treatment plant that proposes to introduce a new technology for a nonmunicipal domestic sewage treatment plant submit a cost estimate of the new technology to the Arkansas Department of Environmental Quality. The act modifies the financial assurance requirements for proof of financial ability to operate and maintain a nonmunicipal domestic sewage treatment plant by allowing the director to use his or her discretion to reduce or waive the financial assurance requirements if the applicant meets the standards in the law.

HIGHWAYS

DRIVER SAFETY

Primary Seatbelt Law

Act 308 (SB78) - The act makes the mandatory seatbelt law a primary law for enforcement purposes. The act becomes effective on June 30, 2009.

EARTHMOVING EQUIPMENT PERMITS

Limit On Towing Dirt Pans

Act 406 (HB1455) - The act provides that no more than two (2) dirt pans can be towed under a permit for earthmoving equipment.

HIGHWAY DESIGNATIONS

Rock 'N' Roll Highway 67

Act 497 (HB1837) - The act designates a portion of Highway 67 as the Rock 'n' Roll Highway because the early legends of rock 'n' roll regularly traveled this route in the 1940s and 1950s for live performances at many establishments along this route.

MAXIMUM WEIGHT AND SIZE LIMITATIONS FOR MOTOR VEHICLES

Towing Large Vehicles, Tractors, And Tractor-Trailers

Act 1396 (HB2045) - The act authorizes the State Highway Commission to issue a special permit for towing businesses for the operation of wreckers or towing vehicles used as emergency vehicles when the operation or movement of the vehicle or combination of vehicles exceeds the maximum size and weight limitations imposed by law.

REVENUE BONDS

Act 153 (SB104) - The act amends the Arkansas Interstate Highway Financing Act of 2007 to extend the time for issuing grant anticipation revenue bonds from December 31, 2013, to December 31, 2015.

ROADWAY IMPROVEMENT STUDY

Blue Ribbon Committee On Highway Finance

Act 374 (HB1551) - The act creates the Arkansas Blue Ribbon Committee on Highway Finance to seek input from the public and transportation stakeholders to define an equitable and adequate system to properly finance improvements to the systems of state highways, county roads, and city streets. The committee is to recommend legislation for the 2011 regular session of the General Assembly. The act became effective on March 10, 2009.

SAFETY ISSUES

Wrong-Way Crashes On Controlled-Access Highways, Analysis Of

Act 641 (HB1961) - The act requires the Arkansas State Highway and Transportation Department to analyze wrong-way crashes on interstates and other freeways that are part of the state highway system and to implement warranted and feasible countermeasures that may reduce the possibility of wrong-way crashes.

HIGHWAYS

SCENIC HIGHWAYS

Crowley's Ridge Scenic Highway

Act 495 (SB831) - The act alters the official route that is designated as Crowley's Ridge Scenic Highway so that the route can be designated as a national scenic byway.

SPECIAL PERMITS

Sealed Containerized Cargo

Act 567 (SB771) - The act allows the State Highway Commission to issue special permits for the movement of sealed containerized cargo between two (2) contiguous counties.

WEIGHT LIMITS

Front Or Steering Axle Weight Limits

Act 493 (SB765) - The act increases the maximum weight allowed on the front or steering axle of a vehicle to twenty-four thousand pounds (24,000 lbs.). The act became effective on March 19, 2009.

IMPROVEMENT DISTRICTS

ASSETS

Act 451 (HB1557) - The act allows a suburban improvement district to convey assets to a local school district upon dissolution when certain requirements are met.

FIRE PROTECTION DISTRICTS

Assessments

Act 765 (SB937) - The act allows certain fire protection districts to conduct assessments on a per-acre basis as an alternative to assessing benefits on a per-parcel basis.

Debt Limits

Act 399 (HB1384) - The act increases the amount of indebtedness a fire protection district may incur.

FORMATION OF DISTRICT

Act 1408 (HB2270) - The act clarifies the procedure for the subordination of existing mortgages in the notice of hearing during the formation of an improvement district.

LIEN PETITIONS

Act 501 (HB1392) - The act amends the petition requirements for creation of municipal property owners' improvement districts in regard to lien holders.

REPORTING REQUIREMENTS

Act 386 (SB403) - The act requires certain improvement districts to file an initial report by December 31, 2009, with the county clerk and an annual report on or before December 31, 2010, with the county clerk. Whenever a vacancy exists on a district board or commission according to a filed report, the county clerk is required to notify the members of the district board or commission and also to notify the county court and the prosecuting attorney if the vacancy continues to exist according to a subsequently filed report. After notification of a continuing vacancy on a district board or commission, the prosecuting attorney shall investigate the vacancy and take appropriate action to fill it.

RUNNING WATER LEVEE DISTRICT

Act 279 (HB1349) - The act updates the provisions of uncodified Act 386 of 1917 concerning the Running Water Levee District's commissioners, fees, and taxes.

INSURANCE

CASUALTY INSURANCE

Act 210 (HB1410) - The act clarifies the definition of casualty insurance to include mortgage lien protection.

INSURANCE

CHILD CARE CENTERS

Minimum Levels Of General Liability Coverage

Act 778 (HB1581) - The act directs the Division of Child Care and Early Childhood Education of the Department of Human Services, in collaboration with the State Insurance Department, to develop and promulgate rules requiring sufficient and appropriate minimum levels of general liability insurance coverage for licensed child care centers and licensed and registered child care family homes, including coverage for transportation services when applicable. The act became effective on April 3, 2009.

CONTRACTOR WORKERS' COMPENSATION

Act 327 (HB1362) - The act exempts workers from reductions of workers' compensation benefits for third-party payments if the worker paid for the policy. The act allows workers who claim permanent or partial disability after January 1, 2008, to receive workers' compensation benefits under limited circumstances. The act allows disabled workers now receiving funds from the Second Injury Trust Fund to receive benefits from the Death and Permanent Total Disability Trust Fund. The act creates penalties for contractors who fail to obtain and maintain workers' compensation coverage for their employees.

CREDITORS' CLAIMS

Act 469 (SB218) - The act exempts from the claims of creditors the cash surrender value of a life insurance policy to the extent permitted by the Arkansas Constitution -- currently five hundred dollars (\$500) for a resident who is married or the head of a family and two hundred dollars (\$200) for a resident who is not married or the head of a family.

DEFRAUDING A SECURED CREDITOR

Use Of Insurance Proceeds In Contravention Of A Security Agreement

Act 485 (SB431) - The act adds using insurance proceeds from the settlement of a property damage claim on a motor vehicle subject to a security agreement in contravention of the security agreement to the offense of "Defrauding a secured creditor". The act requires that the liability insurer provide a written notice to the insured regarding this offense when making payment on a claim.

DRUG COVERAGE STANDARDS

Act 270 (HB1363) - The act updates the list of standard reference guides for insurance coverage for cancer and other medications and provides for discretion for health insurers in the choice of standards.

HEALTH INSURANCE

Comprehensive Health Insurance Pool

Act 1452 (HB2075) - The act addresses eligibility requirements and enforcement under the Comprehensive Health Insurance Pool Act, § 23-79-501 et seq., and requires notice when making payment of a third-party motor vehicle insurance claim that the failure to use the insurance proceeds in accordance with a security agreement between the third-party claimant and a lienholder may constitute the criminal offense of defrauding a secured creditor in violation of § 5-37-203.

Coverage For Orthotics

Act 950 (HB2244) - The act provides health benefit coverage for an orthotic device, an orthotic service, a prosthetic device, and a prosthetic service under the Arkansas Health Care Consumer Act, § 23-99-401 et seq.

Group Accident And Health Insurance Associations

Act 536 (HB1912) - The act amends § 23-86-106 to regulate group accident and health insurance associations and to require a group accident and health insurance association to register with the Insurance Commissioner before issuing a group accident and health insurance policy to the association.

INSURANCE

HEALTH INSURANCE

Hearing Aids, Coverage

Act 1179 (HB1930) - The act requires a health benefit plan to offer coverage for hearing aids in an amount of not less than one thousand four hundred dollars (\$1,400) per ear every three (3) years. The act applies to hearing aids sold after January 1, 2010.

Limited Benefit Health Insurance Policies

Act 537 (HB1916) - The act amends § 23-79-153 to include policies covering only specified diseases, hospital indemnity, or other limited benefit health insurance policies when pooling the experience of a closed block of business to determine premium rate increases. The act revises the procedures for determining a closed block of business and premium rate increases.

HEALTH PROVIDER APPLICATIONS

Act 350 (HB1546) - The act decreases the time allowed for health care insurers to process participation applications and renewal applications for health care providers.

INSURANCE COMMISSIONER

Cease And Desist Powers

Act 717 (HB2112) - The act provides general cease and desist procedures and powers to the Insurance Commissioner if not provided by a specific statute or rule.

INSURANCE DEPARTMENT

General Omnibus And Technical Corrections Bill

Act 726 (SB806) - The act enacts the State Insurance Department's general omnibus bill to update and make technical corrections to numerous insurance laws to, among other things, improve the Insurance Commissioner's ability to administer the law and internal procedures; effective March 31, 2009, amend § 23-63-818 concerning a domestic insurer's investments in its subsidiaries; adopt the National Association of Insurance Commissioners property and casualty actuarial opinion model law; implement a continuing education requirement and a notice requirement for insurance adjusters; clarify the record retention requirements of insurance agents and brokers; require certain information to accompany title insurance policies; remove the exemption for medical malpractice insurance from the minimum policy requirements of § 23-79-301 et seq.; authorize the Arkansas Comprehensive Health Insurance Pool to increase maximum lifetime benefits for pool policyholders, strengthen protection against fraudulent insurance acts, and update benefit exclusion provisions in pool plans; revise the definition of a small employer for small group health insurance coverage; and provide sixty days' notice of the renewal or nonrenewal of a commercial automobile insurance policy.

LIFE INSURANCE AND ANNUITIES

Insurance Agents

Act 539 (HB1936) - The act regulates insurance producers and prohibits abusive practices in the replacement of a life insurance policy or annuity.

LIFE SETTLEMENTS ACT

Act 796 (HB2113) - The act enacts the Life Settlements Act based upon the model legislation of the National Conference of Insurance Legislators and repeals the Viatical Settlements Act, § 23-81-601 et seq.

MENTAL HEALTH PARITY ACT

Act 1193 (HB2195) - The act amends the Arkansas Mental Health Parity Act, § 23-99-501 et seq., and makes conforming amendments to the act consistent with federal law.

MOTOR VEHICLES

Accident Response Service Fees Prohibited

Act 973 (HB1895) - The act prohibits the imposition of an accident response service fee on or from an insurance company, the driver or owner of a motor vehicle, or any other person.

INSURANCE

MOTOR VEHICLES

Government-Owned And Operated Storage Facility

Act 313 (HB1397) - The act allows a government-owned and government-operated motor vehicle storage facility to refuse to release an operating motor vehicle if the owner cannot establish that the motor vehicle is covered by insurance.

Liability Insurance

Act 476 (SB357) - The act authorizes the Department of Finance and Administration to choose a vendor to process motor vehicle liability insurance information submitted from insurance companies on a real-time basis when there are two (2) qualified vendors that have the capability of accepting information on a real-time basis.

Third-Party Motor Vehicle Insurance Claims

Act 1452 (HB2075) - The act requires notice when making payment of a third-party motor vehicle insurance claim that the failure to use the insurance proceeds in accordance with a security agreement between the third-party claimant and a lienholder may constitute the criminal offense of defrauding a secured creditor in violation of § 5-37-203 and addresses eligibility requirements and enforcement under the Comprehensive Health Insurance Pool Act, § 23-79-501 et seq.

PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS

Compliance By State Employee And Public School Personnel Health Benefit Plans

Act 702 (HB1703) - The act requires state employee and public school personnel health benefit plans to comply with Arkansas's patient protection and any willing provider laws.

PHARMACY BENEFIT PLANS

Payments To Pharmacies And Pharmacists

Act 769 (SB460) - The act requires that a state-funded pharmacy benefit plan itemize payments made in regard to pharmacy services and that a state-funded pharmacy benefit plan pay the amounts the plan receives for pharmacist services to the pharmacy or pharmacist that provided the services.

PROSTATE CANCER SCREENING

Act 75 (HB1031) - The act mandates health insurance policies to cover screenings and treatment for prostate cancer for men forty (40) years of age and over. The act applies to health benefit plans offered, issued, or renewed on or after January 1, 2010.

RAILROAD EMPLOYEE TRANSPORTATION SERVICES

Act 637 (HB1904) - The act ensures that a contract carrier or a third party who contracts on behalf of a railroad to provide transportation services for railroad employees has insurance coverage.

TITLE INSURANCE

Act 1190 (HB2169) - The act amends the Arkansas Title Insurance Act, § 23-103-401 et seq., concerning title insurance agents, agencies, and companies; inventories of electronically generated title policies; audits of the escrow and closing practices related to the issuance of title insurance policies and closing protection letters; and access to the instruments of record affecting real property filed in any city, county, or state office.

VICTIMS OF DOMESTIC ABUSE

Act 619 (HB1474) - The act prohibits unfair discrimination in insuring victims of domestic abuse.

LABOR AND INDUSTRIAL RELATIONS

AMUSEMENT RIDE SAFETY ADVISORY BOARD STIPENDS

Act 404 (HB1452) - The act authorizes members of the Amusement Ride Safety Advisory Board to receive a stipend of sixty dollars (\$60.00) for attendance at board meetings.

LABOR AND INDUSTRIAL RELATIONS

BREASTFEEDING BREAK TIME

Act 621 (HB1552) - The act requires employers to provide unpaid break time and reasonable locations for expressing breast milk unless the requirement would create an undue burden on the employer.

DRUG TESTS FOR EMPLOYEES

Employer Responsibility

Act 453 (HB1587) - The act provides that drug tests that are required by an employer are to be provided at no cost to employees. The act gives the Director of the Department of Labor the authority to oversee employer required drug testing.

LABOR, DEPARTMENT OF

Director

Act 727 (SB873) - The act provides that the Director of the Department of Labor serves at the pleasure of the Governor.

UNLAWFUL FEE COLLECTIONS

Act 405 (HB1453) - The act authorizes the Department of Labor to recover unlawfully collected fees under the Arkansas Private Employment Agency Act.

WAGE DISPUTES

Act 622 (HB1576) - The act increases to two thousand dollars (\$2,000) the amount in controversy regarding wage disputes that may be heard and decided by the Director of the Department of Labor.

WORKERS' COMPENSATION, CONTRACTOR

Act 327 (HB1362) - The act exempts workers from reductions of workers' compensation benefits for third-party payments if the worker paid for the policy. The act allows workers who claim permanent or partial disability after January 1, 2008, to receive workers' compensation benefits under limited circumstances. The act allows disabled workers now receiving funds from the Second Injury Trust Fund to receive benefits from the Death and Permanent Total Disability Trust Fund. The act creates penalties for contractors who fail to obtain and maintain workers' compensation coverage for their employees.

WORKFORCE SERVICES, DEPARTMENT OF

Act 273 (HB1279) - The act authorizes the Arkansas Department of Environmental Quality to access certain information from the Department of Workforce Services. The information includes an employer's name, mailing address, business location, number of employees, and the code for each employer classified by the agency.

Act 802 (SB429) - The act amends provisions of the Department of Workforce Services Law, including the determination of suitable work; the determination of no disqualification for voluntarily leaving work because of an immediate family member's health condition, domestic violence, or spouse's relocation; the disqualification for misconduct; the manner of collection and amount of interest on a benefit obtained from a false statement, misrepresentation, or omission; and the hiring of the administrator of the State New Hire Registry. The act became effective April 3, 2009.

LAW ENFORCEMENT

ARRESTS

Act 158 (HB1270) - The act amends § 16-81-106 to correct a typographical error.

AWARD OF SERVICE PISTOL

Act 365 (HB1351) - The act provides for the award of the pistol carried by a parole or probation officer employed by the Department of Community Correction upon retirement or death.

LAW ENFORCEMENT

BACKGROUND CHECKS

Act 168 (SB142) - The act provides that the Arkansas State Police Automated Fingerprint Identification System may access and use the National Fingerprint File and Interstate Identification Index as provided by the FBI when the Arkansas Code authorizes a fingerprint-based FBI check for a noncriminal justice purpose and a positive identification based on fingerprints is made.

CHILD ABUSE AND NEGLECT

Child Maltreatment Act

Act 749 (SB464) - The act modernizes the law related to child abuse and neglect by adopting the Child Maltreatment Act and repealing the law that it is meant to replace, the Arkansas Child Maltreatment Act. The scope of this act is child maltreatment, which includes child abuse and neglect, the Child Abuse Hotline, reporting suspected child maltreatment, and the procedure for notice, investigation, hearings, and protective custody of a child related to child maltreatment matters. The act includes procedures for the Child Maltreatment Central Registry.

Act 758 (SB786) - The act updates references to the Child Maltreatment Act that was enacted as Act 749 of 2009, so that other citations in the Arkansas Code to the Child Maltreatment Act are consistent with Act 749.

CODE ENFORCEMENT OFFICERS AND COUNTY INSPECTORS - EXEMPTION FROM TRAINING REQUIREMENTS

Act 204 (HB1370) - The act exempts code enforcement officers and county inspectors from certain law enforcement training requirements.

CODE ENFORCEMENT OFFICERS, CITATION BY MAIL

Act 556 (SB393) - The act provides that a code enforcement officer may serve by mail a citation on a person charged with violating a municipal code, ordinance, or regulation. The act does not apply to moving traffic violations.

FORESTRY COMMISSION

Act 1198 (HB2274) - The act authorizes the executive head of the Arkansas Forestry Commission to appoint an institutional law enforcement officer.

INMATE CUSTODY AND TRANSPORTATION

Court Proceedings

Act 364 (HB1350) - The act provides that when an inmate in the care and custody of the Department of Community Correction is required to be present during a legal proceeding of any court in this state, the sheriff of the county in which the proceeding will take place shall take custody of the inmate at the institution where the inmate is confined and then transport the inmate to the appropriate county and make him or her available to the court.

INMATE DISCIPLINE IN CORRECTIONAL FACILITIES

Act 366 (HB1352) - The act provides that the Director of the Department of Community Correction, with the approval of the Board of Corrections, shall prescribe rules and regulations for the maintenance of good order and discipline in the facilities and institutions of the Department of Community Correction, including proceedings for dealing with violations.

LAW ENFORCEMENT STANDARDS AND TRAINING

Chiefs Of Police

Act 793 (HB2070) - The act authorizes the Arkansas Commission on Law Enforcement Standards and Training to develop nonmandatory requirements for chiefs of police. The act modifies the qualifications for appointment as a law enforcement officer.

LAW ENFORCEMENT

LAW ENFORCEMENT VEHICLES

Resale

Act 792 (HB2023) - The act provides that before a law enforcement vehicle may be sold for resale, all lights, decals, law enforcement radios, sirens, and other items that are associated with law enforcement vehicles shall be removed. A violation of this act is a violation and is punishable by a fine of not more than one thousand dollars (\$1,000). The items listed above are not required to be removed if the law enforcement vehicle is sold to a law enforcement agency.

NOTIFICATION OF DEATH

Act 1286 (HB1489) - The act amends § 12-12-315 to clarify which law enforcement personnel are to be notified upon the death of a person.

REGULATION OF TOBACCO PRODUCTS

Enforcement And Penalties

Act 785 (HB1858) - The act amends Arkansas laws concerning the regulation of tobacco products, including providing that agents of the tobacco control board shall be considered law enforcement officers and have statewide law enforcement authority, revising the penalties for providing a minor with tobacco products and cigarette papers, and increasing the amount of a civil penalty imposed by the board to not more than five thousand dollars (\$5,000).

RULES OF THE ROAD

School Buses, Reporting Unlawful Passing

Act 1206 (SB499) - The act requires the superintendent and director of transportation of each school district, in consultation with the appropriate law enforcement agency and appropriate prosecuting authority, to develop a school bus safety plan designed to ensure the safety of children being loaded onto or unloaded from school buses. The act clarifies that reports of violations of the laws prohibiting the passing of a school bus that is loading or unloading children can be made to either the appropriate law enforcement agency or the appropriate prosecuting authority with jurisdiction over the incident.

STATE POLICE

Weighing Vehicles Hauling Coal

Act 380 (SB300) - The act removes the sections of the Arkansas Code that require the Arkansas State Police to exclude trucks hauling coal from the public highways, seize the trucks, and weigh the coal.

TWENTIETH JUDICIAL DISTRICT

Prosecuting Attorney

Act 794 (HB2074) - The act authorizes the Prosecuting Attorney for the Twentieth Judicial District to employ certified law enforcement officers as investigators to perform certain tasks. The act became effective on April 3, 2009.

MANUFACTURED HOMES

MANUFACTURED HOME AND MOBILE HOME DEFINITIONS

Act 317 (HB1460) - The act amends the definitions of "manufactured home" and "mobile home" under the Uniform Motor Vehicle Administration, Certificate of Title, and Antitheft Act to make the definitions consistent with federal law.

MILITARY AND VETERANS

MILITARY CODE

Sexual Misconduct And Sexual Harassment Offenses

Act 207 (HB1374) - The act amends the Military Code of Arkansas to make sexual misconduct and sexual harassment offenses punishable by court martial.

MILITARY HONORS

Act 30 (HB1129) - The act requires the lowering of state flags on public buildings to honor and pay tribute to a member of the armed services who is killed in action.

MILITARY AND VETERANS

MILITARY LEAVE

Teachers And Administrators

Act 944 (HB2004) - The act eliminates the requirement that members of the National Guard or Reserve who are teachers or school administrators pay for the cost of a substitute employee when the member is on military leave.

NATIONAL GUARD TUITION INCENTIVE PROGRAM

Act 214 (SB268) - The act amends the Arkansas National Guard tuition incentive program by increasing the annual tuition incentive award to up to five thousand dollars (\$5,000) per eligible service member payable at two thousand five hundred dollars (\$2,500) per semester. The act became effective on February 23, 2009.

ORGANIZED MILITIA, ROLE IN EMERGENCIES OR DISASTERS

Act 232 (HB1376) - The act clarifies the Governor's power to order the organized militia into active service for the purpose of working with state agencies in the planning and training for emergencies or disasters and to respond to emergencies or disasters.

SPECIAL LICENSE PLATES

Cold War Veterans

Act 651 (SB3) - The act authorizes the issuance of a special license plate for Cold War veterans.

Gold Star Family Special License Plates

Act 685 (HB1842) - The act allows the Department of Finance and Administration to issue Gold Star Family special license plates to spouses or parents of members of the armed forces killed in a conflict.

Redesign Of Plates Issued To Honor Military Service And Veterans

Act 784 (HB1845) - The act allows the Department of Finance and Administration to redesign and simplify the special license plates issued to honor military service and veterans.

Retired Members Of The Armed Forces

Act 632 (HB1843) - The act amends the Special License Plate Act of 2005 to allow retired members of the armed forces of the United States to obtain special license plates for nominal fees.

MINORITIES

BLACK HISTORY COMMISSION OF ARKANSAS

Curtis H. Sykes Memorial Grant Program

Act 660 (SB379) - The act creates the Curtis H. Sykes Memorial Grant Program, which may provide grants to individuals to assist with collecting materials bearing on the history of black Arkansans from the earliest times, encouraging historical work and research in the background of black Arkansans to help the young citizens of the state appreciate their heritage, and performing work in relation to the history of black Arkansans. The program is administered by the Black History Commission of Arkansas and is contingent on an appropriation and availability of funding.

DEMOGRAPHIC DATA

Act 1489 (SB984) - The act requires state agencies, boards, and commissions that deal with health professions to procure and report demographic data regarding the state's health care workforce.

DIVERSITY REPRESENTATION

Act 1490 (SB985) - The act requires that each state health-related agency, board, and commission reflect the diversity of the state.

HEALTH DISPARITIES REPORT

Act 358 (SB343) - The act requires the Arkansas Minority Health Commission to develop strategies for and to report progress on reducing disparities in health and length of life among minority citizens of the state.

MINORITIES

MARTIN LUTHER KING JR. COMMISSION

Act 309 (SB91) - The act reconstitutes the Martin Luther King Jr. Commission, providing for the reappointment of the commission's membership as specified in the act within sixty (60) days of the effective date of the act. The act amends the commission's duties and provides that the Governor shall appoint the executive director of the commission. The act becomes effective on July 1, 2009.

MINORITY BUSINESS ECONOMIC DEVELOPMENT ACT

Act 1222 (SB1005) - The act revises the Minority Business Economic Development Act and laws concerning the Division of Minority Business Enterprise of the Arkansas Economic Development Commission for clarity and consistency.

MINORITY HEALTH COMMISSION

Act 574 (SB1002) - The act changes the membership and the appointment process for the Arkansas Minority Health Commission and expands and clarifies the duties of the commission.

RACIAL PROFILING

Act 768 (SB1001) - The act provides that the Attorney General establish a hotline to report racial profiling and publish procedures to receive complaints concerning racial profiling. Further, the act provides that the Attorney General maintain statewide statistics regarding complaints of racial profiling he or she has received and report the statistics to both the Legislative Council and the Task Force on Racial Profiling on a yearly basis. If the Attorney General suspects that a violation of law has occurred, the act provides that he or she shall refer the matter to the appropriate prosecuting attorney or other appropriate legal authority.

Act 1458 (SB299) - The act reestablishes the task force on racial profiling previously established by Act 1207 of 2003 and Act 2136 of 2005. The task force shall expire on June 30, 2012.

SICKLE CELL TASK FORCE

Act 1191 (HB2173) - The act creates the Legislative Task Force on Sickle Cell Disease. The task force will study and report to the General Assembly regarding various aspects of sickle cell disease in Arkansas. The task force expires on October 1, 2010

MOTOR VEHICLES

ACCIDENTS

Accident Response Service Fees Prohibited

Act 973 (HB1895) - The act prohibits the imposition of an accident response service fee on or from an insurance company, the driver or owner of a motor vehicle, or any other person.

ALL-TERRAIN VEHICLES

Use By A Person With A Serious Walking Handicap

Act 701 (HB1634) - The act clarifies the permitted uses of an all-terrain vehicle for a person with a serious walking handicap.

DEALERS

Payment Of Outstanding Liens

Act 455 (HB1602) - The act requires a motor vehicle dealer to tender full payment on an outstanding lien or encumbrance on a motor vehicle within ten (10) business days after the motor vehicle dealer takes possession of the motor vehicle from the customer.

MOTOR VEHICLES

DRIVER SAFETY

Fewer Distractions Mean Safer Driving Act

Act 197 (HB1119) - The act prohibits drivers under eighteen (18) years of age from using a wireless telephone for wireless interactive communication and drivers who are at least eighteen (18) but under twenty-one (21) years of age from using a handheld wireless telephone for wireless interactive communication. In this act, "wireless interactive communication" means talking, typing, text messaging, emailing, or accessing information on the Internet on a wireless telephone. The act allows the use of wireless telephones by drivers under twenty-one (21) years of age for emergency purposes only. The act applies to all violations committed on and after October 1, 2009.

Act 247 (SB28) - The act prohibits drivers under eighteen (18) years of age from using a wireless telephone for wireless interactive communication and drivers who are at least eighteen (18) but under twenty-one (21) years of age from using a handheld wireless telephone for wireless interactive communication. The act defines "wireless interactive communication" as talking, typing, text messaging, emailing, or accessing information on the Internet on a wireless telephone. The act allows the use of wireless telephones by drivers under twenty-one (21) years of age for emergency purposes only. The act applies to all violations committed on and after October 1, 2009.

Primary Seatbelt Law

Act 308 (SB78) - The act makes the mandatory seatbelt law a primary law for enforcement purposes. The act becomes effective on June 30, 2009.

Text Messaging While Driving, Prohibition Against

Act 181 (HB1013) - The act addresses driver safety and distracted driving issues by prohibiting drivers of motor vehicles from using handheld wireless telephones to engage in wireless interactive communication. Under the act, "wireless interactive communication" means typing, text messaging, emailing, or accessing information on the Internet with a handheld wireless telephone. The act applies to all violations committed on and after October 1, 2009.

DRIVER SERVICES

Federal Compliance

Act 456 (HB1612) - The act aligns state law with federal requirements so that Arkansas is eligible to receive federal highway funds. The act amends several portions of the code regarding the procedure for the state to follow when a person is charged with a violation of any law regulating the operation of a vehicle on a highway, clarifies driver's licensing requirements for military members, modifies the definition of hazardous materials to mirror federal language, increases the penalty range for employing a driver who does not have a valid commercial driver's license, increases the period of license revocation for a commercial motor vehicle driver who violates an out-of-service order, increases the civil penalty for a commercial motor vehicle driver who is convicted of violating an out-of-service order, adds several definitions to the code to mirror federal definitions concerning consortium/third-party administrators that provide or coordinate drug and alcohol testing services to Arkansas employers under the Federal Motor Carrier Safety Regulations, and repeals obsolete sections of the code.

DRIVER'S LICENSES AND IDENTIFICATION CARDS

Driver's License Photographs

Act 1486 (SB964) - The act allows a licensee who has an illness that causes hair loss or is undergoing treatment for an illness that causes hair loss to have the option to use a photograph from the most recent driver's license on file under certain circumstances.

MOTOR VEHICLES

DRIVER'S LICENSES AND IDENTIFICATION CARDS

Restrictions On Hardship Licenses Issued To Youthful Drivers

Act 807 (SB826) - The act provides additional restrictions on hardship licenses issued to youthful drivers.

Validity Periods For Applicants Who Are Not Citizens Of The United States

Act 786 (HB1860) - The act limits the validity period for a driver's license or identification card that is issued to an applicant who is not a citizen of the United States.

Voluntary Enhanced Security Driver's License and Identification Card Act

Act 1308 (HB1978) - The act known as the "Arkansas Voluntary Enhanced Security Driver's License and Identification Card Act" provides for the issuance of a voluntary enhanced security driver's license, voluntary enhanced security commercial driver's license, and voluntary enhanced security identification card. The effectiveness of the act is contingent on the provisions of § 27-16-212.

DRIVING WHILE INTOXICATED

Chemical Test Administration

Act 423 (SB217) - The act eliminates the requirement concerning an accident resulting in the loss or likelihood of loss human life that probable cause must exist to believe that a driver is guilty of DWI before any chemical test can be administered to check for alcohol or drugs in the driver's body. The act requires that either the law enforcement officer who investigates the collision, the physician in attendance, or any other person designated by state law shall order the test. Further, the act provides that the results of the chemical analysis may be used for any law enforcement purpose.

Consent To Testing

Act 431 (SB543) - The act provides that a person who operates a motor vehicle has consented to one (1) or more chemical tests, rather than to a single test, of his or her breath, blood, or urine to determine the alcoholic or controlled substance content of his or her breath, blood, or urine.

DUPLICATE TITLES

Notice To Lienholder

Act 634 (HB1867) - The act sets conditions and information required for making application to the Office of Motor Vehicle for a duplicate title. If the records show that there is a lien on the motor vehicle, then the office shall mail a notice to the lienholder before issuance of the duplicate title.

EARTHMOVING EQUIPMENT PERMITS

Limit On Towing Dirt Pans

Act 406 (HB1455) - The act provides that no more than two (2) dirt pans can be towed under a permit for earthmoving equipment.

ELECTRIC AUTOCYCLE ACT

Act 636 (HB1902) - The act establishes the Electric Autocycle Act and defines an autocycle as an electric vehicle that is a hybrid of an automobile and a motorcycle, with three wheels, a fully-enclosed cab, and zero emissions. Under the act, an autocycle can be registered as a motorcycle, but an autocycle may not be operated where its operation is prohibited, on controlled-access highways, on roads with a speed limit that is more than fifty-five miles per hour (55 m.p.h.), or on a road where the autocycle cannot maintain the posted speed limit.

GOVERNMENT-OWNED AND OPERATED STORAGE FACILITY

Proof Of Insurance

Act 313 (HB1397) - The act allows a government-owned and government-operated motor vehicle storage facility to refuse to release an operating motor vehicle if the owner cannot establish that the motor vehicle is covered by insurance.

MOTOR VEHICLES

GRADUATED DRIVER'S LICENSES

Prohibiting The Use Of A Cellular Telephone Device

Act 394 (SB309) - The act amends the current graduated driver's licensing law for youthful drivers by prohibiting the use of a cellular telephone device or other wireless interactive communication device by a driver who has a learner's license or intermediate license, except for emergency purposes. The act establishes a limit on when a driver who has an intermediate license can drive, prohibiting driving between 11:00 p.m. and 4:00 a.m. unless the driver is accompanied by a licensed driver who is twenty-one (21) years of age or older, driving to or from a school activity, church-related activity, or job, or driving because of an emergency. The act limits the number of passengers that a driver who has an intermediate license can have in the car. The act is not retroactive and applies only to a person who applies for and is issued a learner's license or intermediate license after the effective date of this act.

LICENSING AND REGISTRATION

Alteration Of Temporary Cardboard Buyer's Tags Prohibited

Act 186 (HB1116) - The act clarifies the penalty for using or making unofficial license plates by including temporary cardboard buyer's tags. The act makes it unlawful for a person to alter a temporary cardboard buyer's tag or other license plate.

Mini-Trucks

Act 146 (HB1239) - The act allows the agriculture industry to use mini-trucks, which are more fuel efficient than motor vehicles that are typically used in farming operations. The mini-trucks can be licensed as Class Eight agriculture or natural resource vehicles under this act.

Registration Of A Fleet Of Motor Vehicles

Act 1194 (HB2208) - The act allows the permanent registration of a fleet of motor vehicles for a period of three (3) years with the advance payment of all registration fees and fleet management fees for that period. To qualify as a fleet of motor vehicles, there must be at least fifty (50) motor vehicles owned or leased by an entity and used for business purposes.

Vehicles Used In Business Operations

Act 945 (HB2020) - The act clarifies the requirement that a person or entity that transacts or conducts business in Arkansas and has a place of business in Arkansas shall register a motor vehicle that is used in its business operations in the state and considered a pleasure vehicle with the Office of Motor Vehicle of the Revenue Division of the Department of Finance and Administration, subject to certain limitations and exceptions.

MOTOR VEHICLE LIABILITY INSURANCE

Act 476 (SB357) - The act authorizes the Department of Finance and Administration to choose a vendor to process motor vehicle liability insurance information submitted from insurance companies on a real-time basis when there are two (2) qualified vendors that have the capability of accepting information on a real-time basis.

MOTOR VEHICLE RACING FACILITIES

Act 1287 (HB1553) - The act expands the geographical locations for constructing and operating motor vehicle racing facilities and requires prior approval of new motor vehicle racing facilities by Arkansas Department of Environmental Quality.

NEGLIGENT HOMICIDE

Penalty Enhancements

Act 650 (HB2259) - The act increases the felony level classification for negligent homicide, § 5-10-105, from a Class C felony to a Class B felony. The act provides that a conviction for negligent homicide can be used as a prior or previous offense both for suspending or revoking a person's driver's license and for enhancing sentences for DWI.

MOTOR VEHICLES

NEW MOTOR VEHICLE QUALITY ASSURANCE ACT

Gross Vehicle Weight Rating Of A Vehicle, Increase In The

Act 322 (SB255) - The act increases the gross vehicle weight rating used in the definition of "motor vehicle" under the Arkansas New Motor Vehicle Quality Assurance Act to thirteen thousand pounds (13,000 lbs).

NEW MOTOR VEHICLES

Event Data Recorders Or "Black Boxes"

Act 148 (SB27) - The act clarifies the authority of the Arkansas Motor Vehicle Commission to administer the motor vehicle event data recorder law. Event data recorders are also known as "black boxes".

Motor Vehicle Commission Act

Act 756 (SB781) - The act amends the Arkansas Motor Vehicle Commission Act to clarify certain definitions and procedures related to the licensing of new motor vehicle dealers. The act concerns procedures and payment for repairs made under warranty or because of a manufacturer's recall of a motor vehicle part. The act addresses the procedure for cancellation and termination of a franchise, sales and service agreement, or bona fide contract. The act makes several technical corrections to the law. The act became effective on April 1, 2009.

SALVAGE TITLES

Act 445 (HB1438) - The act allows the Office of Motor Vehicle to issue titles for "parts only" salvage vehicles, meaning a vehicle whose only value is the resale of the parts or scrap of the vehicle.

SCHOOL BUSES

Rules Of The Road, Reporting Unlawful Passing

Act 1206 (SB499) - The act requires the superintendent and director of transportation of each school district, in consultation with the appropriate law enforcement agency and appropriate prosecuting authority, to develop a school bus safety plan designed to ensure the safety of children being loaded onto or unloaded from school buses. The act clarifies that reports of violations of the laws prohibiting the passing of a school bus that is loading or unloading children can be made to either the appropriate law enforcement agency or the appropriate prosecuting authority with jurisdiction over the incident.

SPECIAL LICENSE PLATES

Gold Star Family Special License Plates

Act 685 (HB1842) - The act allows the Department of Finance and Administration to issue Gold Star Family special license plates to spouses or parents of members of the armed forces killed in a conflict.

Redesign Of Plates Issued To Honor Military Service And Veterans

Act 784 (HB1845) - The act allows the Department of Finance and Administration to redesign and simplify the special license plates issued to honor military service and veterans.

Special License Plate For Cold War Veterans

Act 651 (SB3) - The act authorizes the issuance of a special license plate for Cold War veterans.

Special License Plates For Retired Members Of The Armed Forces

Act 632 (HB1843) - The act amends the Special License Plate Act of 2005 to allow retired members of the armed forces of the United States to obtain special license plates for nominal fees.

Support Animal Rescue And Shelters

Act 692 (HB2222) - The act creates the Animal Rescue and Shelter Trust Fund and allows the Department of Finance and Administration to issue a special license plate that bears the decal "Support Animal Rescue and Shelters". The act becomes effective on July 1, 2009.

MOTOR VEHICLES

SUBSTANTIALLY ALTERED MOTOR VEHICLES

New Motor Vehicle Quality Assurance Act

Act 492 (SB681) - The act clarifies that a vehicle over ten thousand pounds (10,000 lbs.) gross vehicle weight rating that has been substantially altered after its initial sale from a dealer to a person is not a motor vehicle under the Arkansas New Motor Vehicle Quality Assurance Act.

TEMPORARY TAGS

Act 484 (SB426) - The act amends provisions of the code to provide for increased security in the issuance of temporary motor vehicle buyer's tags. The act becomes effective July 1, 2010.

TOWING AND STORAGE

Towing Large Vehicles, Tractors, And Tractor-Trailers

Act 1396 (HB2045) - The act authorizes the State Highway Commission to issue a special permit for towing businesses for the operation of wreckers or towing vehicles used as emergency vehicles when the operation or movement of the vehicle or combination of vehicles exceeds the maximum size and weight limitations imposed by law.

UNIFORM MOTOR VEHICLE ADMINISTRATION, CERTIFICATE OF TITLE, AND ANTITHEFT ACT

Transportation Of Vehicles To Dealers

Act 318 (HB1461) - The act amends the penalty for violating the Uniform Motor Vehicle Administration, Certificate of Title, and Antitheft Act for violations related to transporting vehicles to dealers.

WEIGHT LIMITS

Front Or Steering Axle Weight Limits

Act 493 (SB765) - The act increases the maximum weight allowed on the front or steering axle of a vehicle to twenty-four thousand pounds (24,000 lbs.). The act became effective on March 19, 2009.

MUSEUMS AND LIBRARIES

LIBRARIES

County Libraries

Act 764 (SB936) - The act provides guidance to county libraries concerning Amendment 38 of the Arkansas Constitution as to what constitutes "maintaining and operating" a public county library or a county library service or system.

Maintenance And Operation Costs

Act 570 (SB824) - The act clarifies that the maintenance and operation costs of a public library that is supported by a library tax under Amendment 38 of the Arkansas Constitution includes rental costs paid by the library facility.

Disclosure Of Personally Identifiable Information

Act 757 (SB785) - The act modifies provisions related to the disclosure of personally identifiable information of a library patron.

OLD STATE HOUSE COMMISSION

Act 307 (SB332) - The act authorizes the Department of Correction to enter into an agreement with the Old State House Commission to produce or manufacture items utilizing inmate labor. The proceeds may be used to develop exhibits and programs about the history of the Department of Correction or to maintain the Old State House Museum's collection of the Department of Correction artifacts.

NATURAL RESOURCES

LIQUEFIED PETROLEUM GAS BOARD

Act 528 (HB1629) - The act authorizes the director of the Liquefied Petroleum Gas Board to authorize liquefied petroleum gas companies to fill or service another liquefied petroleum gas company's container during a declared emergency.

NATURAL RESOURCES

MINERAL RIGHTS

Act 1183 (HB2005) - The act requires that a person who holds a mineral lease shall notify the owner of the mineral rights upon which the lease has been given upon the transfer of the mineral lease to another person if the transfer occurs within twenty-four (24) months after the execution of the lease. The act applies to mineral leases entered into after August 1, 2009.

OIL AND GAS COMMISSION

Changes To Numerous Provisions

Act 1175 (HB1580) - The act amends statutory provisions pertaining to the Oil and Gas Commission, including the number of votes needed to adopt a rule; the appointment and duties of the Director of Production and Conservation; the conduct of a proceeding by a hearing officer; the remittance of the assessment by the producer; amendments to the commission's rules; increased penalties for certain violations of rules and statutes administered by the commission; changes to the operator's proof of financial responsibility; additional provisions relating to the plugging of a dry or abandoned well; and increases in the aggregated amounts for the annual distribution of royalties.

Membership

Act 389 (HB1026) - The act requires that a majority of the members of the Oil and Gas Commission be experienced in the development, production, or transportation of oil and gas.

WATER SOURCE PROTECTION TASK FORCE

Act 1177 (HB1746) - The act creates the Task Force on Water Source Protection to identify the nonmunicipal wastewater treatment systems and the compliance records of the systems that exist and surface discharge into water utility-owned or operated lakes, reservoirs, and impoundments and recommend ways to preserve the water quality of such lakes and reduce the risk of contamination. The act became effective on April 7, 2009.

PROFESSIONS AND OCCUPATIONS

ACCOUNTANTS

Act 93 (SB133) - The act amends the Public Accountancy Act of 1975 to make technical corrections and address registration and practice requirements.

ALCOHOLISM AND DRUG ABUSE COUNSELORS

Act 443 (HB1379) - The act replaces certification with licensure for alcoholism and drug abuse counselors and authorizes the registration of clinical alcoholism and drug abuse counselor supervisors.

APPRAISERS

Appraisal Management Companies

Act 628 (HB1694) - The act provides for the registration and regulation of appraisal management companies by the Arkansas Appraiser Licensing and Certification Board. The act becomes effective on January 1, 2010.

Penalties For Improperly Influencing An Appraiser

Act 413 (HB1500) - The act increases penalties under the Arkansas Appraiser Licensing and Certification Act and prohibits improperly influencing an appraiser.

ARCHITECTS, LANDSCAPE ARCHITECTS, REGISTERED INTERIOR DESIGNERS

Act 1367 (SB827) - The act transfers the State Board of Registered Interior Designers and the Arkansas State Board of Landscape Architects to the Arkansas State Board of Architects. The act renames the Arkansas State Board of Architects the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.

AUCTIONEERS

Auctions Conducted Over The Internet

Act 183 (HB1018) - The act clarifies that the Auctioneer's Licensing Act, § 17-17-101 et seq., does not apply to auctions conducted over the Internet.

PROFESSIONS AND OCCUPATIONS

AUCTIONEERS

Late Renewals And Recovery Fund

Act 773 (HB1160) - The act modifies the procedure for late renewal of auctioneer licenses and extends the auctioneer recovery fund to fifteen thousand dollars (\$15,000) per violation.

BAIL BONDSMEN

Board Membership

Act 683 (SB878) - The act added one (1) lay member to the Professional Bail Bondsman Licensing Board.

Credit Or Certificate Of Deposit

Act 147 (SB16) - The act provides that the minimum amount of a letter of credit or certificate of deposit for a professional bail bond company initially licensed on or after July 1, 2009, shall be two hundred fifty thousand dollars (\$250,000).

Education Programs

Act 491 (SB641) - The act mandates that the Professional Bail Bond Company and Professional Bail Bondsmen Licensing Board solicit proposals from education providers approved by the State Board of Private Career Education to establish educational programs for bondsmen to meet prelicense and continuing education requirements.

Summons On Bail Bond Surety

Act 290 (SB15) - The act provides that a summons shall be directed to and served on a bail bond surety in the manner provided in Rule 4 of the Arkansas Rules of Civil Procedure.

COSMETOLOGY

Cosmetology Board Abolished

Act 4 (SB39) - The act abolishes the State Board of Cosmetology, transfers the duties and powers of the board to the State Board of Health and the Department of Health, and creates the Cosmetology Technical Advisory Committee.

Schools Of Cosmetology

Act 704 (HB1892) - The act allows schools of cosmetology to extend the hours of instruction during a school day to ten (10) hours per day.

Act 705 (HB1893) - The act requires the same application process for approval of all schools of cosmetology in the state.

Technical Advisory Committee

Act 381 (SB311) - The act expands the number of positions on the Cosmetology Technical Advisory Committee.

COUNSELORS, UNLICENSED PRACTICE

Act 1298 (HB1745) - The act makes a second or subsequent offense of practicing as a counselor without a license a Class D felony and creates a cause of action for persons injured by an unlicensed counselor.

DELEGATED MEDICAL PROCEDURES

Act 472 (SB239) - The act authorizes physicians and podiatrists to delegate the performance of some simple procedures to employees who are trained by the physician or podiatrist to perform those procedures.

ELECTRIC SIGN INSTALLATION

Act 1188 (HB2127) - The act provides for the regulation and licensing of parties involved in the installation of electric signs.

ELECTRICIANS, LICENSURE OF MASTER OR JOURNEYMAN

Act 312 (HB1390) - The act authorizes the Board of Electrical Examiners to establish the experience qualifications for an applicant for a temporary license for a master electrician or journeyman electrician in the rules promulgated by the board.

PROFESSIONS AND OCCUPATIONS

EMERGENCY VOLUNTEER HEALTH PRACTITIONERS

Act 432 (HB1403) - The act creates the Uniform Emergency Volunteer Health Practitioners Act, effective October 1, 2009, and establishes a mechanism for allowing out-of-state health care practitioners to practice in Arkansas during a declared emergency without receiving Arkansas state licensure.

ENGINEERS AND SURVEYORS

Act 444 (HB1426) - The act changes the name of the State Board of Registration for Professional Engineers and Land Surveyors to the State Board of Licensure for Professional Engineers and Professional Surveyors. The act changes the registration requirement for professional engineers and professional surveyors to a licensure requirement.

MANDATED REPORTERS

Child Abuse And Neglect

Act 629 (HB1715) - The act adds persons in child abuse, rape, and sexual abuse advocacy positions, as well as victim-witness coordinators and victim assistance professionals, to the list of mandated reporters of suspected child abuse or neglect.

MASSAGE THERAPY ACT

Act 1305 (HB1951) - The act amends provisions of the Massage Therapy Act. The act changes the definition of massage therapy; the membership of the Arkansas State Board of Massage Therapy; the authorization of the Board to require criminal background checks for license applicants; and the fee structure for licenses. The act establishes two-year licenses, increases the required number of continuing education credits for license holders, and prohibits the massage of certain areas of the body. The act became effective on April 9, 2009.

MEDICAL ETHICS

Act 1178 (HB1927) - The act authorizes the Arkansas State Medical Board to discipline physicians for ethical violations.

MEDICAL PROFESSIONS

Act 1375 (SB949) - The act excludes chiropractic externs from the Consumer-Patient Radiation Health and Safety Act.

OPTOMETRISTS AND OPHTHALMOLOGISTS

Contact Lenses

Act 449 (HB1518) - The act authorizes optometrists and ophthalmologists to sell or dispense prescription contact lenses that are medicated with legend drugs if the lenses have been authorized by the Food and Drug Administration.

ORTHOTICS/PROSTHETICS

Act 200 (HB1267) - The act reduces from five (5) years to three (3) years the experience needed for certification as an orthotic assistant, an orthotic/prosthetic assistant, or a prosthetic assistant and limits temporary licenses for the practice of orthotics, prosthetics, or pedorthics to six (6) months with one (1) extension.

PHARMACY BOARD RULES

Act 355 (SB120) - The act amends statutes regarding the regulatory authority of the Arkansas State Board of Pharmacy.

PHYSICAL THERAPISTS

Act 1471 (SB844) - The act clarifies who may advertise or promote themselves as practicing physical therapy and clarifies licensing requirements of the board.

PROFESSIONS AND OCCUPATIONS

PROFESSIONS INVOLVING PERSONS WITH DISABILITIES, PERSONS WITH DEVELOPMENTAL DISABILITIES, THE ELDERLY, AND CHILDREN

Criminal History Checks

Act 762 (SB819) - The act provides for comprehensive changes to the criminal history and background checks at the Department of Health and the Department of Human Services. The changes will affect criminal history and background checks for service providers and their employees in professions that involve persons with disabilities, persons with developmental disabilities, the elderly, and children. The act becomes effective on September 1, 2009.

RADIOLOGIST ASSOCIATES AND ASSISTANTS

Act 1457 (SB79) - The act authorizes the Arkansas State Medical Board to license and regulate the practice of radiologist assistants and radiology practitioner assistants. The act authorizes the board to establish a fee for licensure and creates penalties for misconduct.

SCRAP METAL DEALERS

Act 390 (HB1479) - The act makes it a Class D felony to damage wires and other fixtures of telephone, cable, and electric power companies. The act amends Arkansas law pertaining to scrap metal dealers, including amending record keeping requirements, placing restrictions on the purchase of certain items, and specifying the manner of certain types of payments. The act increases the penalty for failing to comply with laws pertaining to scrap metal dealers to a Class A misdemeanor.

SURVEYORS

Powers And Duties Of The State Surveyor

Act 694 (SB841) - The act amends the powers and duties of the State Surveyor to permit him or her to administer rules by referring evidence of violations to the State Board of Licensure for Professional Engineers and Professional Surveyors. The State Surveyor may also receive and investigate complaints against any surveyor and present the results of an investigation to the board for any action the board considers appropriate.

Registration

Act 392 (SB445) - The act amends the requirements for registration as a professional surveyor and a surveyor intern. The amended registration requirements become effective on January 1, 2017.

TERMITE AND OTHER STRUCTURAL PESTS LICENSE

Act 367 (HB1359) - The act increases the amount of the surety bond and insurance required for an applicant to the State Plant Board for a termite and other structural pests license or any combination of license that includes the classification of termite and other structural pests. The act became effective July 1, 2009.

VOCATIONAL AND TECHNICAL EDUCATION

Act 1376 (SB955) - The act allows a student who successfully completes an approved vocational or technical career pathway or program to study at a public high school to be awarded a certificate of attainment which may be used for consideration of acceptance and advanced placement into an appropriate apprenticeship training program.

WATER WELL CONSTRUCTION, COMMISSION ON

Act 371 (HB1477) - The act establishes the maximum fees that the Commission on Water Well Construction can collect for a contractor's license, a rig permit, and registration by a well driller, a pump installer, or an apprentice.

PROPERTY RIGHTS AND INTERESTS

ABANDONED PROPERTY

Jewelry

Act 652 (SB54) - The act clarifies the rights and duties of affected parties to jewelry that is unclaimed by its owner or consignor for more than one (1) year.

PROPERTY RIGHTS AND INTERESTS

APPRAISAL MANAGEMENT COMPANIES

Act 628 (HB1694) - The act provides for the registration and regulation of appraisal management companies by the Arkansas Appraiser Licensing and Certification Board. The act becomes effective on January 1, 2010.

CENTRAL FILING FOR AGRICULTURAL LIENS

Act 942 (HB1984) - The act provides central filing with the Secretary of State for agricultural liens and farm-related security interests for new filings and continuation statements unless the collateral described in a financing statement is a farm-stored commodity financed by a loan through the Commodity Credit Corporation of the United States Department of Agriculture. If the collateral described in a financing statement is a farm-stored commodity financed by a loan through the Commodity Credit Corporation of the United States Department of Agriculture, the UCC lien may continue to be filed at the county level through midnight, December 31, 2012. The act becomes effective on January 1, 2010.

FOREIGN INVESTMENT ACT, ARKANSAS AGRICULTURAL

Act 643 (HB2029) - The act specifies when agricultural land acquired by a foreign party for nonfarming purposes must be registered with the Secretary of State. The act is retroactive to April 19, 1979.

LANDLORD AND TENANT

Evictions

Act 464 (SB34) - The act provides a procedure for the eviction of tenants engaged in certain gambling, alcohol, and prostitution offenses.

Security Deposits

Act 559 (SB454) - The act clarifies the law concerning security deposits for the lease of residential property and extends the time for returning money held as a security deposit from thirty (30) to sixty (60) days.

MECHANIC'S AND MATERIALMEN'S LIENS

Act 454 (HB1594) - The act amends and updates § 18-44-101 et seq. concerning the perfection, filing, and enforcement of mechanic's and materialmen's liens, expressly provides lien protection for architects, surveyors, appraisers, landscapers, abstractors, and title insurance agents, and prorates the amount of the lien of a lien claimant that relies upon the lien notice of another lien claimant to provide a lien only for labor and materials supplied after the other lien claimant's notice was given.

MINERAL INTERESTS TAX

Act 531 (HB1831) - The act repeals the law that allowed the tax on mineral interests to not be billed or collected when the cost of collecting the tax exceeded the annual tax on the mineral interest. The act is effective for tax years beginning on or after January 1, 2009.

MINERAL RIGHTS, NONPRODUCING

Act 421 (HB1841) - The act provides that a nonproducing mineral right has zero (0) value for the purpose of property tax assessment and is included in the value of the fee simple interest assessed.

OIL AND GAS COMMISSION

Act 1175 (HB1580) - The act amends provisions pertaining to the Oil and Gas Commission, including the number of votes needed to adopt a rule; the appointment and duties of the Director of Production and Conservation; the conduct of a proceeding by a hearing officer; the remittance of the assessment by the producer; amendments to the commission's rules; increased penalties for violations of rules and statutes administered by the commission; changes to the operator's proof of financial responsibility; additional provisions relating to the plugging of a dry or abandoned well; and increases in the aggregated amounts for the annual distribution of royalties.

PROPERTY RIGHTS AND INTERESTS

OIL AND GAS LEASE

Act 719 (HB2247) - The act provides that a mineral lessee under an oil and gas lease does not owe a fiduciary duty to the mineral lessor but shall perform the covenants of the lease in good faith and develop and operate the mineral estate for the mutual benefit of the mineral lessor and the mineral lessee. The act became effective on March 31, 2009.

PERSONAL PROPERTY TAX

Sales Proceeds Deductions

Act 400 (HB1386) - The act allows delinquent personal property taxes and penalties to be deducted from the proceeds of delinquent land sales.

RESIDENTIAL-LANDLORD TENANT

Act 311 (HB1213) - The act makes a number of terminology amendments to the Arkansas Residential-Landlord Tenant Act of 2007 and amends provisions to give the district court jurisdiction over the eviction proceeding. The act clarifies provisions pertaining to the commencement of an eviction proceeding, service of an order to vacate, and the procedure applicable to an ejectment action involving a commercial lease.

SEIZURE AND SALE OF GOODS

Act 555 (SB369) - The act establishes uniform requirements for the seizure and sale of goods or chattels to pay delinquent personal property taxes.

TERMINATION OF ORAL LEASE OF FARMLANDS

Act 815 (SB993) - The act requires written notice by certified mail on or before June 30 in order to terminate an oral lease of farmlands for the following year. The act became effective April 3, 2009.

UNCLAIMED PROPERTY

Agricultural Farm Supply Cooperative Associations

Act 1174 (HB1483) - The act provides an exemption from the administration of unclaimed property for a patronage dividend, capital credit, customer deposit, or nonnegotiated payment check that does not exceed one hundred dollars (\$100) held or owing by an agricultural farm supply cooperative association organized under the laws of the state.

PUBLIC OFFICERS AND EMPLOYEES

CATASTROPHIC LEAVE

Act 870 (HB1680) - The act provides that a state employee who previously worked for a school district or institution of higher education for more than two (2) years is eligible for catastrophic leave. The act provides that a state employee that was previously employed by a public school district or institution of higher education for less than two (2) years is eligible for catastrophic leave if the person's combined years of employment with the state and with the public school district or institution of higher education totals more than two (2) years.

COMPENSATION FOR SICK LEAVE

Act 220 (HB1024) - The act amends § 21-4-503(a) to allow classified employees of state-supported institutions of higher education to receive compensation for accumulated sick leave. The act became effective on February 25, 2009.

PUBLIC OFFICERS AND EMPLOYEES

CONSTITUTIONAL OFFICERS

Act 1398 (HB2067) - The act provides that a constitutional officer who was employed by a state agency, a public school district of this state in a licensed or nonlicensed position, a state-supported vocational education school, an education service cooperative, or a state-supported college or university and who receives the prior approval of the Joint Budget Committee of the General Assembly during a legislative session or the Legislative Council between legislative sessions, and the Governor, may transfer employment to or become reemployed by another state agency, public school district of this state, state-supported vocational education school, an educational service cooperative, or a state-supported college or university, change positions under his or her current employer, or upon retirement from a state agency, public school district of this state, state-supported vocational education school, an education service cooperative, or a state-supported college or university, enter into a part-time or temporary employment with a state agency, public school district of this state, state-supported vocational education school, an educational service cooperative, or a state-supported college or university.

COUNTY AND DISTRICT OFFICIALS

Reimbursement Of Allowable Expenses

Act 732 (HB1899) - The act clarifies the procedures for reimbursement of allowable expenses of county and district officials and their authorized deputies or employees.

DEATH BENEFITS

Act 1313 (HB2105) - The act increases the death benefits for covered public employees killed in the line of duty to two hundred thousand dollars (\$200,000) and allows the covered public employee to designate a beneficiary of his or her death benefits. The act is retroactive to July 1, 2008.

ELECTED OFFICIALS

Leave Of Absence For Military Service

Act 775 (HB1249) - The act ensures that a public officer or employee who is called or volunteers for active military duty retains his or her office during the leave of absence and upon return from duty may resume his or her duties for the rest of the term of office.

ETHICS

General Revisions

Act 473 (SB317) - The act makes general revisions to Arkansas ethics law, including providing that the gathering of signatures for a nominating petition is considered devoting time or labor toward a campaign, imposing restrictions on donations by prohibited political action committees, and providing a procedure for the registration of independent expenditure committees.

Lobbyists And Public Officials

Act 963 (SB867) - The act makes revisions to ethics laws pertaining to lobbyists and public officials, including preventing a lobbyist from providing payment for food or beverages at any location or event at which the lobbyist is not physically present, allowing the imposition of a fine for a violation of certain lobbying laws, requiring a chief of staff or chief deputy of a constitutional officer, the Senate, or the House of Representatives to file a statement of financial interest, requiring all lobbyist activity reports required to be filed with the Secretary of State beginning January 1, 2010, to be filed in electronic form through the Internet, and requiring all statements of financial interest filed with the Secretary of State on or after January 1, 2010, to be publicly accessible at no charge through the Internet.

PUBLIC OFFICERS AND EMPLOYEES

FORFEITURE OF OR DISQUALIFICATION FROM PUBLIC EMPLOYMENT

Conviction Of A Felony Offense Related To Public Employment

Act 679 (SB780) - The act provides for a public servant who pleads guilty to or nolo contendere to or is found guilty of a felony offense relating to his or her office, position, or employment to forfeit his or her office, position, or employment. A person who pleads guilty or nolo contendere to or is found guilty of a felony offense relating to his or her office, position, or employment in a governmental body shall be disqualified and barred from holding any office, position, or employment in a governmental body.

FREEDOM OF INFORMATION ACT

Public Employees Requesting Records

Act 771 (HB1052) - The act provides that a public employee shall not be prohibited from exercising a right or privilege under the Freedom of Information Act of 1967.

IMMUNITY

Act 284 (HB1427) - The act extends immunity to certain dental residents and faculty in a pediatric dentistry program when certain requirements are met.

INSURANCE COMMISSIONER

Act 149 (SB53) - The act provides that the Insurance Commissioner shall serve at the pleasure of the Governor instead of the previously specified four-year term.

NOTARIES PUBLIC

Act 1404 (HB2231) - The act provides that the obligation of an issuer of a bond required to be filed in the office of the recorder of deeds shall be solely to the State of Arkansas and is solely for the benefit of the State of Arkansas. Under no circumstances shall the aggregate liability of the issuer exceed the amount of the bond.

PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS

Compliance By State Employee And Public School Personnel Health Benefit Plans

Act 702 (HB1703) - The act requires state employee and public school personnel health benefit plans to comply with Arkansas's patient protection and any willing provider laws.

UNIFORM CLASSIFICATION AND COMPENSATION

Act 688 (SB437) - The act amends portions of the Uniform and Classification Compensation Act including establishing new classification titles and grades for state employees. The act becomes effective on July 1, 2009.

PUBLIC PROPERTY

ARKANSAS BUILDING AUTHORITY

Design Professional Contracts

Act 532 (HB1832) - The act requires that a state agency follow the Arkansas Building Authority guidelines, procedures, and rules for the selection and award of contracts. The act further states that the authority's guidelines, procedures, and rules regarding selection and award of contracts must stay within specified statutory limitations.

Duties

Act 193 (SB302) - The act requires approval by the Arkansas Building Authority of executed counterparts of a contract entered by state agencies for proposed projects before the issuance of vouchers to make payments under the contract, amends the percentage of earned progress payments payable to contractors, and clarifies the duties of the Construction Section of the authority.

COMMODITIES CONTRACTS

Act 396 (HB1130) - The act requires the State Procurement Director to compile a monthly report of all commodities contracts that include services and have a projected total cost of two hundred fifty thousand dollars (\$250,000) or more and submit the report to the Legislative Council or the Joint Budget Committee.

PUBLIC PROPERTY

HERITAGE TRAILS SYSTEM ACT

Act 728 (HB2009) - The act establishes a heritage trails system, including the criteria for designation as a heritage trail. The act designates certain trails as heritage trails and provides for the study of prospective heritage trails.

HOLD HARMLESS CLAUSE IN PUBLIC CONSTRUCTION CONTRACTS

Act 540 (HB1944) - The act amends the definition of construction to include site work when entering into a hold harmless clause in a public construction contract.

PUBLIC ROADS OR NAVIGABLE WATERCOURSES

Easements

Act 747 (SB399) - The act updates and clarifies the county court procedure for acquiring an access easement to a public road or navigable watercourse from a landlocked piece of property.

ROYALTIES FROM MINERAL LANDS

Act 1476 (SB868) - The act specifies the distribution of royalties received by the state from oil and gas leases on land belonging to the federal government.

WASTEWATER SYSTEMS

Act 1371 (SB912) - The act amends the interlocal cooperation act to authorize public agencies to create consolidated wastewater systems.

RACING

MOTOR VEHICLE RACING FACILITIES

Act 1287 (HB1553) - The act expands the geographical locations for constructing and operating motor vehicle racing facilities and requires prior approval of new motor vehicle racing facilities by Arkansas Department of Environmental Quality.

RETIREMENT

CONCURRENT EMPLOYMENT

Act 1280 (HB1234) - The act requires a prospective employer to provide notice to an applicant for concurrent employment in a public employee position that the concurrent employment might affect the employee's retirement benefits. By providing notice to the prospective employee, it allows the employee and employer an opportunity to consider an alternative method of employment that would allow an enhanced retirement benefit for the prospective employee.

GENERAL RETIREMENT

Trustees, Fiduciary Duties

Act 79 (SB139) - The act requires representatives from the state-supported retirement systems to: follow the prudent investor rules; pass a resolution with the reason for retaining an investment manager, etc., and notify the Office of Procurement and the Legislative Review Committee within five (5) business days of such action; and appear before the Legislative Review Committee in certain situations.

JUDICIAL RETIREMENT SYSTEM

Retirement Benefits

Act 744 (SB190) - The act allows a judge with at least twenty (20) years of judicial service to continue or recommence payment of the six percent (6%) contribution into the system to accrue the maximum retirement benefits. The act provides that the benefit payable for each year of additional judicial service after twenty (20) years shall be increased by two and one-half percent (2.5%). The act becomes effective July 1, 2009.

RETIREMENT

LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS

Board Members - Financial Disclosure

Act 260 (SB188) - The act clarifies that members of the board of trustees of the Local Police and Fire Pension and Relief Funds must disclose any gifts or other compensation that exceeds one hundred dollars (\$100).

Local Fire Pension

Act 255 (SB116) - The act amends references to "local police pension" in § 24-11-804(a)(1) to read "local fire pension".

Military Credit

Act 256 (SB117) - The act amends the requirements for former military personnel to obtain service credit in the Local Police and Fire Pension and Relief Funds by removing the disqualification for members receiving federal military service based on nineteen (19) or more years of active duty.

Police Funds - Confiscated Goods

Act 31 (HB1153) - The act allows confiscated goods to be sold over the Internet for the benefit of a city's police pension and relief fund.

Police Funds - Surviving Spouse Benefits

Act 32 (HB1154) - The act amends § 24-11-425 to provide an effective date of July 1, 2007, for the surviving spouse of a deceased member of the Policemen's Pension and Relief Fund to receive benefits.

Trustees

Act 1201 (SB182) - The act allows the local pension and relief funds to hire a trustee or custodian to hold the assets. The act allows the trustee or custodian to pay benefits to persons entitled to benefits under the fund. The act became effective on April 7, 2009.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

Benefits Multiplier

Act 720 (SB179) - The act increases the multiplier used by the Local Police and Fire Retirement System. The increased multiplier will be funded by an increase in the member's contribution. The act becomes effective on July 1, 2009.

Credit for Volunteer Services

Act 1278 (HB1202) - The act provides that the Board of Trustees of the Arkansas Local Police and Fire Retirement System may credit a member both with volunteer service and with paid service when the member earns the service credit simultaneously. However, a member is not entitled to earn volunteer services if the member is entitled to paid service for the same work.

Credited Service - Military

Act 257 (SB118) - The act allows former military personnel receiving federal military service retirement pay based on nineteen (19) years or more of active duty to purchase credited service in the Arkansas Local Police and Fire Retirement System.

Early Retirement

Act 1317 (SB180) - The act amends the early retirement provisions under the Local Police and Fire Retirement System.

Local Plan Consolidation With LOPFI

Act 259 (SB186) - The act amends the premium tax allocations so that a local plan that consolidates with the Arkansas Local Police and Fire Retirement System continues to receive the same premium tax dollar amount for the year after the consolidation.

Members Benefits

Act 1316 (SB177) - The act allows members under the Arkansas Local Police and Fire Retirement System to receive employer contributions to their retirement account exempt from income tax. The act becomes effective on July 1, 2009.

RETIREMENT

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

Overpayments

Act 258 (SB119) - The act allows the Board of Trustees of the Arkansas Local Police and Fire Retirement System to recover overpayments through court action.

MAYORS OF CITIES OF THE SECOND CLASS

Act 144 (HB1135) - The act clarifies that the governing body of a city of the second class may prescribe the retirement benefits of a mayor of the city.

MUNICIPALITIES

Act 1279 (HB1203) - The act permits a retired employee or official of a municipality to participate in the health care plan of the municipality from which he or she retired if the retiree pays both the employer and employee contribution to the health care plan, the retiree is not covered by another health care plan, the retiree elects to participate in the municipalities health care plan within 30 days after retiring, and the retiree is receiving a retirement benefit from APERS, LOPFI, or a local pension fund.

PROCUREMENT

Act 1211 (SB812) - The act creates a new state review process for contracts by a state retirement system and another party in which the state retirement system is a partial owner and the contract utilizes retirement trust funds that are not appropriated by the General Assembly. Examples of partial equity ownership agreements include a partnership, a limited partnership, and a limited liability company. The act became effective on April 7, 2009.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Benefit Calculations

Act 1200 (SB164) - The act amends the calculations for benefits and straight life annuity under the Arkansas Public Employees' Retirement System. The act becomes effective on July 1, 2009.

Benefits

Act 657 (SB140) - The act increases the amount of time a member of the Arkansas Public Employees' Retirement System must be terminated from employment in order not to rescind his or her retirement benefits. The act becomes effective on July 1, 2009.

Bonus Payments

Act 616 (HB1110) - The act amends the definition of compensation under the Arkansas Public Employees' Retirement System to include a bonus paid to a county or municipal employee. The act becomes effective on July 1, 2009.

Credited Service - Military

Act 295 (SB128) - The act allows members of state-supported retirement systems who are receiving federal military service retirement to purchase credited service. The act provides employment protection to active-duty military personnel. The act increases the amount of credited service that members of the Arkansas Public Employees' Retirement System may purchase for service in the Arkansas National Guard or the Armed Forces Reserve. The act became effective on March 3, 2009.

Deferred And Reduced Annuities - Contributory Service

Act 742 (SB163) - The act amends the calculation of deferred annuities. The act allows members of the Arkansas Public Employees' Retirement System additional time within which to select contributory service. The act increases the amount of reduced annuity under the State Police Retirement System.

Food Service Employees Of The Department Of Parks And Tourism

Act 774 (HB1167) - The act allows tipped food service employees of the Department of Parks and Tourism to be considered substantially gainfully employed for purposes of the Arkansas Public Employees' Retirement System.

RETIREMENT

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Public Safety Member

Act 1277 (HB1143) - The act amends the definition of a "police officer" as that term is used to define "public safety member" to include drug enforcement officers of a judicial drug task force.

Retirement Age

Act 745 (SB243) - The act amends the laws of the Arkansas Public Employees' Retirement System and the Arkansas Teacher Retirement System to establish the regular retirement age for members consistent with the provisions of Section 411 of the Internal Revenue Code, and maintain the system's retirement plan tax qualification status by the federal government to remain tax exempt and tax qualified under Section 401(a) of the Internal Revenue Code.

State Police Retirement System

Act 1242 (SB138) - The act transfers the assets of the State Police Retirement System to the Arkansas Public Employees' Retirement System to hold in trust for the State Police Retirement System. The act reconfigures the Board of Trustees of the State Police Retirement System. The act creates a Deferred Retirement Option Plan for Tier Two Arkansas State Police Officers if the State Police Retirement System attains a certain funding level and is approved by the Board of Trustees of the State Police Retirement System. The act becomes effective on July 1, 2009.

STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM

Health Cost Offsets

Act 439 (HB1177) - The act modifies the eligibility requirements for receiving additional monthly sums to offset health insurance and health care under the Arkansas State Highway Employees' Retirement System by requiring individuals enrolled after July 1, 2009, to have at least ten (10) years in the system. The act allows a minimum increase in benefits based on a percentage of the health care offset according to the number of years the member has accrued in the system. The act becomes effective on July 1, 2009.

STATE POLICE RETIREMENT SYSTEM

Combined With The Arkansas Public Employees' Retirement System

Act 1242 (SB138) - The act transfers the assets of the State Police Retirement System to the Arkansas Public Employees' Retirement System to hold in trust for the State Police Retirement System. The act reconfigures the Board of Trustees of the State Police Retirement System. The act creates a Deferred Retirement Option Plan for Tier Two Arkansas State Police Officers if the State Police Retirement System attains a certain funding level and is approved by the Board of Trustees of the State Police Retirement System. The act becomes effective on July 1, 2009.

Deferred And Reduced Annuities - Contributory Service

Act 742 (SB163) - The act amends the calculation of deferred annuities. The act allows members of the Arkansas Public Employees' Retirement System additional time within which to select contributory service. The act increases the amount of reduced annuity under the State Police Retirement System.

RETIREMENT

TEACHER RETIREMENT SYSTEM

Definition Of Salary

Act 1326 (SB240) - The act amends two sections of the Arkansas Code to allow an incentive bonus for certification by the National Board of Professional Teaching Standards to be included as a part of the definition of salary.

Drop Benefit Recoupment

Act 470 (SB227) - The act allows the Arkansas Teacher Retirement System to recoup Teacher Deferred Retirement Option Plan benefits paid to a member if the member has not met the system's requirements for voluntary retirement. The act allows the system to recoup interest on the benefits and to cancel the payment of benefits. The act becomes effective on July 1, 2009.

Error Correction

Act 465 (SB155) - The act allows the Arkansas Teacher Retirement System to correct the system's calculation errors that would be unfair to the member and to waive the interest on any subsequent amount that the system calculates that a member owes if the amount calculated in error would cause the member to owe a greater amount than the original amount calculated by the system. The act becomes effective on July 1, 2009.

Final Average Salary, Calculation

Act 1325 (SB231) - The act specifies how a member's final average salary is calculated for purposes of determining retirement benefits. The act becomes effective July 1, 2009.

Group Health Insurance Premiums

Act 1172 (HB1224) - The act equalizes the retiree group health insurance premium costs under the Arkansas Teacher Retirement System for retired state employees and retired public school employees. The act permits state contributions to those costs for participants in the system who are not state employees.

Income Tax Exemption

Act 425 (SB229) - The act states the intention of the Arkansas Teacher Retirement System that a lump-sum benefit be exempt from state income tax. The act becomes effective on July 1, 2009.

Lump Sum Death Benefit

Act 1323 (SB224) - The act amended the distribution of the lump sum death benefit to allow the lump sum to be paid to the member's estate if there are no designated beneficiaries. The act allows a lump sum of up to ten thousand dollars (\$10,000) for retired members of the system who die prior to July 1, 2007, and have accrued five (5) or more years of actual service and a lump sum of up to ten thousand dollars (\$10,000) for retired members of the system who die on or after July 1, 2007, and have accrued ten (10) or more years of actual service. The act becomes effective on July 1, 2009.

Member Benefits

Act 1202 (SB209) - The act states that annual benefits that are paid to retirants by the Arkansas Teacher Retirement System shall not exceed the limitations under section 415(b) of the Internal Revenue Code applicable to the annuity effective date under section 415(d) of the Internal Revenue Code. The act becomes effective July 1, 2009.

One-Time Ad Hoc Benefit

Act 1315 (SB129) - The act allows a one-time ad hoc increase based on the retirant's years of credited service. Before allowing any benefit, the Board of Trustees of the Arkansas Teacher Retirement System shall promulgate rules for the ad hoc benefit.

Rescission Of Retirement

Act 1322 (SB210) - The act amends the law that allows a retirant to rescind their decision to terminate employment and go back to work. If the retirant again retires before accumulating one (1) year of additional credited service, then the system will refund member contributions. The law previously required three (3) years of additional credited service to be refunded. The act becomes effective July 1, 2009.

RETIREMENT

TEACHER RETIREMENT SYSTEM

Retirement Age

Act 745 (SB243) - The act amends the laws of the Arkansas Public Employees' Retirement System and the Arkansas Teacher Retirement System to establish the regular retirement age for members consistent with the provisions of Section 411 of the Internal Revenue Code, and maintain the system's retirement plan tax qualification status by the federal government to remain tax exempt and tax qualified under Section 401(a) of the Internal Revenue Code.

Survivor Benefits

Act 1324 (SB228) - The act changes the provisions for survivor benefits, including the surviving spouse and children of a deceased member. The act changes the age requirement of the member from 62 years to 60 years as an eligibility requirement for the surviving spouse to receive the annuity. The act provides that a surviving dependent child of the member shall receive an annuity in an amount equal to twenty percent (20%) of the member's highest salary year received in covered employment. The act becomes effective July 1, 2009.

Technical Corrections

Act 468 (SB191) - The act makes technical corrections to the Arkansas Teacher Retirement System laws, including the repeal of obsolete sections of the law. The act becomes effective on July 1, 2009.

Time A Retired Member Shall Remain Retired Before Returning To Work

Act 743 (SB165) - The act requires that if a member of the Arkansas Teacher Retirement System returns to covered employment within one hundred eighty (180) days after retiring, then the member is not considered eligible for retirement benefits at that time. Prior to the act, the law required thirty (30) days. The act is effective July 1, 2009.

Waiver Of Penalties And Interest

Act 467 (SB170) - The act gives the board authority to waive penalties and interest against an employer that is delinquent in the payment of a member's employer contributions if the employer delinquency was not the result of the employer's nondisclosure, fraud, or misrepresentation. The act becomes effective on July 1, 2009.

STATE AGENCIES

LAW ENFORCEMENT STANDARDS AND TRAINING, COMMISSION

Chiefs Of Police

Act 793 (HB2070) - The act authorizes the Arkansas Commission on Law Enforcement Standards and Training to develop nonmandatory requirements for chiefs of police. The act modifies the qualifications for appointment as a law enforcement officer.

ACUPUNCTURE RULES

Act 1461 (SB402) - The act prohibits acupuncturists from administering, dispensing, or prescribing legend drugs and authorizes the Arkansas State Medical Board to approve the rules of the Board of Acupuncture and Related Techniques.

ATTORNEY'S FEES

Act 440 (HB1326) - The act allows a plaintiff who substantially prevailed in an action under the Freedom of Information Act of 1967 against the State of Arkansas or a department, agency, or institution of the state to file a claim with the Arkansas State Claims Commission to recover reasonable attorney's fees and other litigation expenses reasonably incurred.

CAREER EDUCATION, DEPARTMENT OF

Act 787 (HB1884) - The act renames the Department of Workforce Education as the Department of Career Education and renames the State Board of Workforce Education and Career Opportunities as the State Board of Career Education. The act contains an emergency clause and becomes effective on July 1, 2009.

STATE AGENCIES

CEMETERY BOARD

Cemetery Act For Perpetually Maintained Cemeteries

Act 715 (HB2055) - The act amends the Cemetery Act For Perpetually Maintained Cemeteries, § 20-17-1001 et seq., to make technical corrections and provisions for the operation of the Arkansas Cemetery Board and the approval of permits to operate new or expanded cemeteries.

Permanent Maintenance Fund

Act 714 (HB2052) - The act allows the Arkansas Cemetery Board to revise funding requirements to ensure sufficient deposits into a cemetery company's permanent maintenance fund and defines a "lawn crypt". The act becomes effective on January 10, 2010.

CHILD SUPPORT ENFORCEMENT, OFFICE OF

Review Of Title IV-A Cases

Act 551 (SB260) - The act primarily requires the Office of Child Support Enforcement each three (3) years to review cases in its enforcement caseload where there has been an assignment under Title IV-A of the Social Security Act or upon the request of either parent. The act requires the office to petition for adjustment if appropriate.

COLLECTION AGENCIES, STATE BOARD OF

Fair Debt Collection Practices

Act 1455 (HB2228) - The act enacts the "Arkansas Fair Debt Collection Practices Act" and makes changes to the Arkansas Code regarding collection agencies.

COMMODITIES CONTRACTS

Act 396 (HB1130) - The act requires the State Procurement Director to compile a monthly report of all commodities contracts that include services and have a projected total cost of two hundred fifty thousand dollars (\$250,000) or more and submit the report to the Legislative Council or the Joint Budget Committee.

COMPUTER SYSTEMS

Act 157 (HB1269) - The act repeals obsolete §§ 16-125-101 through 16-125-104 concerning state agency immunity for Year 2000 computer errors.

CONTRACTING BID AWARDS

Act 206 (HB1373) - The act increases the amount of the job order contracting bid awards for state agencies and institutions of higher education to four hundred thousand dollars (\$400,000) per construction job for the first year of the contract.

CORRECTION, DEPARTMENT OF

Expansion Of Existing Skills Training Programs And Educational Opportunities For Inmates

Act 788 (HB1894) - The act authorizes the Department of Correction to expand the existing skills training program and to increase educational opportunities for inmates. The act provides that an inmate released upon completion of his or her term of incarceration shall be provided written and certified proof that he or she completed and satisfied all the terms of incarceration as well as information on how to reinstate his or her voting rights.

DEMOGRAPHIC DATA

Act 1489 (SB984) - The act requires state agencies, boards, and commissions that deal with health professions to procure and report demographic data regarding the state's health care workforce

DESIGN PROFESSIONAL CONTRACTS

Act 532 (HB1832) - The act requires that a state agency follow the Arkansas Building Authority guidelines, procedures, and rules for the selection and award of contracts. The act further states that the authority's guidelines, procedures, and rules regarding selection and award of contracts must stay within specified statutory limitations.

STATE AGENCIES

DEVELOPMENT FINANCE AUTHORITY

Housing Trust Fund

Act 661 (SB396) - The act creates the Arkansas Housing Trust Fund to be administered by the Arkansas Development Finance Authority with input from the Housing Trust Fund Advisory Committee to provide assistance for eligible activities proposed by eligible applicants, including without limitation grants, loans, loan guarantees, and loan subsidies.

Technology Acceleration Fund

Act 967 (SB920) - The act creates the Technology Acceleration Fund which is to be used by the Arkansas Economic Development Commission, the Arkansas Science and Technology Authority, and the Arkansas Development Finance Authority for investment incentives for technology development that will enhance the state's economy. Any proposed use of the fund requires a joint recommendation of the three state agencies and the Governor's approval.

DIVERSITY REPRESENTATION

Act 1490 (SB985) - The act requires that each state health-related agency, board, and commission reflect the diversity of the state.

ECONOMIC DEVELOPMENT COMMISSION

Division Of Minority Business Enterprise

Act 1222 (SB1005) - The act revises the Minority Business Economic Development Act and laws concerning the Division of Minority Business Enterprise of the Arkansas Economic Development Commission for clarity and consistency.

Renovation And Construction Standards

Act 1494 (HB1663) - The act creates the Sustainable Energy-Efficient Buildings Program to promote energy conservation in buildings owned by a state agency or a state-supported institution of higher education. Under this program, the Arkansas Energy Office of the Arkansas Economic Development Commission shall develop policies and guidelines that meet the standards for the renovation or construction of a building owned by a state agency and shall develop and administer an energy management program to meet the energy reduction standards for state buildings. Each state institution of higher education shall develop policies and guidelines that meet the standards for the renovation or construction of a building owned by the institution and may develop and administer an energy management program for its buildings.

EMERGENCY MANAGEMENT, DEPARTMENT OF

Disaster Preparedness Program - Earthquakes

Act 711 (HB2032) - The act requires the Arkansas Department of Emergency Management to coordinate a disaster preparedness program with special emphasis on earthquake threats in the New Madrid area.

ENVIRONMENTAL QUALITY, DEPARTMENT OF

Salvage Auction Buyer's Fee

Act 639 (HB1924) - The act adds a fee of five dollars (\$5.00) on the buyer of each item at a salvage auction. The fee shall be divided between the Department of Environmental Quality and the Department of Arkansas State Police to be used for inspection and oversight of auto auctions.

FEDERAL SURPLUS PROPERTY PROGRAM

Act 1187 (HB2069) - The act transfers by a type 2 transfer the administration of the Federal Surplus Property Program from the Department of Workforce Education to the Department of Emergency Management. The act becomes effective on July 1, 2009.

STATE AGENCIES

FINANCE AND ADMINISTRATION, DEPARTMENT OF

Information Sharing

Act 504 (HB1478) - The act authorizes the Department of Workforce Services to share unemployment insurance contribution information reported by companies doing business in Arkansas with the Department of Finance and Administration. The act authorizes the Department of Finance and Administration to share withholding tax information reported by companies doing business in Arkansas with the Department of Workforce Services.

Voluntary Alternative Driver's Licenses And Identification Cards

Act 1308 (HB1978) - The act known as the "Arkansas Voluntary Enhanced Security Driver's License and Identification Card Act" provides for the issuance of a voluntary enhanced security driver's license, voluntary enhanced security commercial driver's license, and voluntary enhanced security identification card. The effectiveness of the act is contingent upon the provisions of § 27-16-1212.

GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION'S INDUSTRY DIVISION

Act 502 (HB1420) - The act authorizes school districts and public agencies to purchase certain goods produced by the Department of Correction's Industry Division.

HEALTH DISPARITIES REPORT

Act 358 (SB343) - The act requires the Arkansas Minority Health Commission to develop strategies for and to report progress on reducing disparities in health and length of life among minority citizens of the state.

HEALTH, DEPARTMENT OF

Administering The Statewide Trauma Care System

Act 393 (SB315) - The act amends the Trauma System Act to clarify the procedures for funding the trauma care system, including grants to emergency medical system care providers and ambulance providers, Level I, Level II, Level III, and Level IV trauma centers, rehabilitation service providers, quality improvement organization, trauma regional advisory councils, command communication networks, and injury prevention programs. The act becomes effective on July 1, 2009.

Criminal History Checks

Act 762 (SB819) - The act provides for comprehensive changes to the criminal history and background checks at the Department of Health and the Department of Human Services for service providers and their employees in professions that involve persons with disabilities, developmental disabilities, the elderly, and children. The act becomes effective on September 1, 2009.

HOLD HARMLESS CLAUSE IN PUBLIC CONSTRUCTION CONTRACTS

Act 540 (HB1944) - The act amends the definition of construction to include site work when entering into a hold harmless clause in a public construction contract.

HUMAN SERVICES, DEPARTMENT OF

Child Care Facilities

Act 801 (SB342) - The act requires child care facilities to create written evacuation plans for emergency procedures in coordination with the Division of Child Care and Early Childhood Education of the Department of Human Services.

Child Maltreatment Central Registry

Act 954 (SB595) - The act amends the procedures for removal of a person's name from the Child Maltreatment Central Registry by allowing a person to petition the Department of Human Services for removal if the offender has not had a subsequent true report for one (1) year and more than one (1) year has passed since the offender's name was placed on the central registry. The act applies only to the types of child maltreatment identified in the department's policy and procedure manual that are allowed to be removed from the central registry.

STATE AGENCIES

HUMAN SERVICES, DEPARTMENT OF

Classification Of Certain Employees

Act 297 (SB225) - The act allows an employee of an agency or department of the state to be a family service worker, a social service worker, or an adult protective services worker without being a licensed social worker.

Criminal History Checks

Act 762 (SB819) - The act provides for comprehensive changes to the criminal history and background checks at the Department of Health and the Department of Human Services. The changes will affect criminal history and background checks for service providers and their employees in professions that involve persons with disabilities, developmental disabilities, the elderly, and children. The act becomes effective on September 1, 2009.

Kinship Foster Care Program Repeal

Act 324 (SB350) - The act repeals the Kinship Foster Care Program in the Division of Children and Family Services of the Department of Human Services, § 9-28-501 et seq.

INFORMATION SYSTEMS, DEPARTMENT OF

Act 648 (HB2200) - The act makes technical corrections to the Arkansas Information Systems Act of 1997, § 25-4-101 et seq., and clarifies the definition of "State enterprise architecture".

INSURANCE COMMISSIONER

Cease And Desist Powers

Act 717 (HB2112) - The act provides general cease and desist procedures and powers to the Insurance Commissioner if not provided by a specific statute or rule.

INSURANCE DEPARTMENT, STATE

General Omnibus And Technical Corrections

Act 726 (SB806) - The act updates and makes technical corrections to insurance laws, including to improve the Insurance Commissioner's ability to administer the law and internal procedures; effective March 31, 2009, amend § 23-63-818 concerning a domestic insurer's investments in its subsidiaries; adopt the National Association Of Insurance Commissioners property and casualty actuarial opinion model law; implement a continuing education requirement and a notice requirement for insurance adjusters; clarify the record retention requirements of insurance agents and brokers; require certain information to accompany title insurance policies; remove the exemption for medical malpractice insurance from the minimum policy requirements of § 23-79-301 et seq.; authorize the Arkansas Comprehensive Health Insurance Pool to increase maximum lifetime benefits for pool policyholders, strengthen protection against fraudulent insurance acts, and update benefit exclusion provisions in pool plans; revise the definition of a small employer for small group health insurance coverage; and provide sixty days' notice of the renewal or nonrenewal of a commercial automobile insurance policy.

LABOR, DEPARTMENT OF

Unlawful Fee Collections

Act 405 (HB1453) - The act authorizes the Department of Labor to recover unlawfully collected fees under the Arkansas Private Employment Agency Act.

Director

Act 727 (SB873) - The act provides that the Director of the Department of Labor serves at the pleasure of the Governor.

Employer Required Drug Tests

Act 453 (HB1587) - The act provides that drug tests that are required by an employer are to be provided at no cost to employees. The act gives the Director of the Department of Labor the authority to oversee employer-required drug testing.

STATE AGENCIES

LOTTERY COMMISSION

Act 605 (SB26) - Act 606 (HB1002) - Identical acts 605 and 606 create the Arkansas Lottery Commission and provide for the establishment of lotteries under Amendment 87 of the Arkansas Constitution. The acts provide that net proceeds of the lottery shall supplement the Arkansas Academic Challenge Scholarship Program and revise the program to address the additional funds. The acts became effective on March 25, 2009.

Act 1405 (HB2243) - The act makes technical and substantive amendments to identical Acts 605 and 606, the "Arkansas Scholarship Lottery Act". The act became effective on April 9, 2009.

MEDICAL BOARD, STATE

Additional Member

Act 1273 (SB958) - The act adds one (1) additional member at large to the State Medical Board.

MINORITY HEALTH COMMISSION

Act 574 (SB1002) - The act changes the membership and the appointment process for the Arkansas Minority Health Commission and expands and clarifies the duties of the commission.

PARKS AND TOURISM, DEPARTMENT OF

Heritage Trails System

Act 728 (HB2009) - The act establishes a heritage trails system, including the criteria for designation as a heritage trail. The act designates certain trails as heritage trails and provides for the study of prospective heritage trails.

PAYROLLS

Additional Deductions

Act 368 (HB1422) - The act authorizes two (2) additional deductions from the payrolls of state employees: Arkansas Association of Correctional Employees Trust dues and Department of Correction Bus Pool dues.

PHARMACY, STATE BOARD OF

Sample Drug Distributors

Act 943 (HB1997) - The act restricts the distribution of drug samples and sets out the conditions under which drug samples may be distributed. The act requires registration of drug sample distributors with the Arkansas State Board of Pharmacy.

PROCUREMENT

American Recovery And Reinvestment

Act 706 (HB1919) - The act provides for certain procurement procedures to meet the requirements and deadlines of the American Recovery and Reinvestment Act of 2009. The act became effective on March 31, 2009, and expires on September 30, 2010.

Resolution Of Protested Solicitations And Awards For State Contracts

Act 677 (SB767) - The act provides that any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest by presenting a written notice at least seventy-two (72) hours before the filing deadline for the solicitation response to the State Procurement Director or the head of a procurement agency. Any actual bidder, offeror, or contractor who is aggrieved in connection with the award of a contract may protest to the director or the head of a procurement agency.

PUBLIC FINANCE

Procurement

Act 1211 (SB812) - The act creates a new state review process for contracts by a state retirement system and another party in which the state retirement system is a partial owner and the contract utilizes retirement trust funds that are not appropriated by the General Assembly. The act became effective on April 7, 2009.

STATE AGENCIES

PUBLIC MEETINGS

Notice Requirements

Act 1302 (HB1798) - The act requires all state agencies to post notice of public meetings on the Internet at least three (3) days before the date of the meeting. There is an exception for emergency or special meetings that meet the requirements of § 25-19-106(b)(2).

PUBLIC OFFICERS AND EMPLOYEES

Forfeiture Of Or Disqualification From Public Employment

Act 679 (SB780) - The act provides for a public servant who pleads guilty to or nolo contendere to or is found guilty of a felony offense relating to his or her office, position, or employment to forfeit his or her office, position, or employment. A person who pleads guilty or nolo contendere to or is found guilty of a felony offense relating to his or her office, position, or employment in a governmental body shall be disqualified and barred from holding any office, position, or employment in a governmental body.

PUBLIC SERVICE COMMISSION

Electric Generation And Transmission Cooperative

Act 676 (SB663) - The act provides an alternative procedure under which an electric generation and transmission cooperative may increase its rates and charges up to a maximum of five percent (5%) in any twelve-month period. The act provides a procedure for a member electric cooperative that sells electricity at retail to propose a modification in its rates to incorporate the rate change of the electric generation and transmission cooperative. The act became effective on March 27, 2009.

Exempt Entities

Act 789 (HB1948) - The act adds CoBank ACB to the list of certain entities with whom loans or transactions are outside the jurisdiction of the Arkansas Public Service Commission.

Storm Damage Bonds

Act 729 (HB1712) - The act authorizes the Arkansas Public Service Commission to approve the issuance of storm damage recovery bonds by an electric public utility for the purpose of financing the rebuilding of infrastructure damaged by a storm. Bondholders will be paid from the storm recovery charges authorized by the commission to be recovered from the electric utility's ratepayers. The act became effective on April 1, 2009.

Storm Restoration Costs

Act 434 (HB1898) - The act establishes policies and procedures for the Arkansas Public Service Commission to allow an electric public utility to recover storm restoration costs through the use of storm cost reserve accounting. The act became effective on March 18, 2009, and applies to storm restoration costs incurred on or after January 1, 2009.

Tax Division

Act 951 (HB2265) - The act repealed Act 218 of 2009 and reenacted §§ 26-24-101, 26-24-123, and 26-26-1610 which created the Tax Division of the Arkansas Public Service Commission, provided for an administrative appeal of a division assessment, and provided for a taxpayer's right to appeal a commission assessment to the circuit court and afterwards to the Arkansas Supreme Court.

Utilities Certificate Of Convenience

Act 418 (HB1622) - The act modifies the procedures regarding a certificate of convenience and necessity for municipally owned electric utilities from the Arkansas Public Service Commission.

SCIENCE AND TECHNOLOGY AUTHORITY

Postdoctoral Science And Engineering Grant Program

Act 463 (HB1962) - The act establishes a post-doctoral science and engineering grant program and specifies the guidelines for the disbursement of grants from the program.

STATE AGENCIES

SCIENCE AND TECHNOLOGY AUTHORITY

Technology Acceleration Fund

Act 967 (SB920) - The act creates the Technology Acceleration Fund which is to be used by the Arkansas Economic Development Commission, the Arkansas Science and Technology Authority, and the Arkansas Development Finance Authority for investment incentives for technology development that will enhance the state's economy.

SECRETARY OF STATE

Book Report

Act 192 (SB301) - The act amends Arkansas law concerning the distribution of the book report of the Secretary of State

STATE POLICE, ARKANSAS DEPARTMENT OF

Purchase Of Service Shotgun

Act 155 (HB1261) - The act allows a retiring officer or the spouse of a deceased officer to purchase the officer's service shotgun. The act has limited applicability.

Salvage Auction Buyer's Fee

Act 639 (HB1924) - The act adds a fee of five dollars (\$5.00) on the buyer of each item at a salvage auction. The fee shall be divided between the Department of Environmental Quality and the Department of Arkansas State Police to be used for inspection and oversight of auto auctions.

SUBPOENAS

Act 1182 (HB1986) - The act allows for alternatives to providing testimony in person to an individual who is the subject of a subpoena from a state board or commission. The act provides a method for challenging a subpoena issued by a state board or commission.

SUSTAINABLE BUILDING DESIGN PROGRAM

Act 1372 (SB921) - The act creates the Sustainable Building Design Program for State Agencies to be administered by the Arkansas Building Authority. Under this program, the authority may loan money from a revolving fund to a state agency, board, or commission for the renovation of state owned property if approved by the Department of Finance and Administration and the Governor.

WORKFORCE INVESTMENT BOARD

Act 1487 (SB965) - The act transfers the Arkansas Workforce Investment Board to the Department of Workforce Services and restructures the board to bring the membership into compliance with applicable federal law. The act become effective on April 10, 2009.

WORKFORCE SERVICES, DEPARTMENT OF

Amendments To Workforce Services Law

Act 802 (SB429) - The act amends provisions of the Department of Workforce Services Law, including the determination of suitable work; the determination of no disqualification for voluntarily leaving work because of an immediate family member's health condition, domestic violence, or spouse's relocation; the disqualification for misconduct; the manner of collection and amount of interest on a benefit obtained from a false statement, misrepresentation, or omission; and the hiring of the administrator of the State New Hire Registry. The act became effective April 3, 2009.

Information Sharing

Act 504 (HB1478) - The act authorizes the Department of Workforce Services to share unemployment insurance contribution information reported by companies doing business in Arkansas with the Department of Finance and Administration. The act authorizes the Department of Finance and Administration to share withholding tax information reported by companies doing business in Arkansas with the Department of Workforce Services.

STATE AGENCIES

YOUTH SERVICES, DIVISION OF

Education In Residential Facilities

Act 972 (HB1932) - The act requires the Division of Youth Services to provide a system of education in residential facilities operated by the division that conform to guidelines established by the Department of Education. The act requires the Department of Education to establish guidelines for the system of education no later than July 1, 2009 and the Division of Youth Services to conduct a education program assessment of each facility and report findings, including a corrective action plan if needed, no later than December 1, 2009. The act requires the Department of Education to monitor the system of education to ensure compliance with established guidelines. The act allows teachers employed by the Division of Youth Services to participate in the Arkansas Teacher Retirement System. The act requires the Department of Human Services and the Department of Education to report annually to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and to the Senate Committee on Children and Youth on the state of the system of education in juvenile facilities. The act became effective on April 6, 2009.

TAXES

ASSESSMENT ADJUSTMENT

Act 276 (HB1344) - The act limits an assessment adjustment by a county board of equalization to the year the assessment was made. The act permits an appeal of the county board of equalization's assessment to the county court if a petitioner has exhausted his or her remedies before the county equalization board or was not sent the notice of value change.

CHARITABLE BINGO

Act 499 (HB1111) - The act reduces the excise tax on the sale of bingo faces to three tenths of one cent (.003¢) and repeals the ten percent (10%) tax on the gross receipts derived from the sale of all bingo equipment other than bingo faces. The act makes other revisions to charitable bingo and raffle laws, including increasing the amount of a raffle prize to five thousand dollars (\$5,000) and providing that no more than two (2) organizations may conduct bingo games at the same premises so long as that premises is owned or leased by a licensed authorized organization. No more than four (4) bingo sessions shall be conducted at the same premises during any one (1) calendar week. The act became effective on March 24, 2009.

CIGARETTE TAX

Border City

Act 940 (HB1942) - The act allows a city bordering a city which is entitled to the border zone cigarette tax rate to sell cigarettes at the rate used by the border city. The act became effective on April 6, 2009.

Act 940 (HB1942) - The act allows a city bordering a city which is entitled to the border zone cigarette tax rate to sell cigarettes at the rate used by the border city. The act became effective on April 6, 2009.

DISCLOSURE OF TAX RECORDS

Act 272 (HB1277) - The act amends the confidentiality provisions of the Arkansas Tax Procedure Act to allow records filed with the Director of the Department of Finance and Administration to be disclosed to the office of a standing chapter 13 bankruptcy trustee regardless of whether a taxpayer filed a state tax return for the four (4) years before the date of the chapter 13 bankruptcy petition filing.

TAXES**ECONOMIC DEVELOPMENT**

Act 716 (HB2081) - The act repeals certain tax credits for biotechnology and advanced fuels and repealed the Arkansas Emerging Technology Development Act of 1999. The act amends certain definitions and other provisions of the Consolidated Incentive Act of 2003, including the qualifications for a job-creation tax credit, a state and local sales and use tax refund, a new targeted business' eligibility for a state and local sales tax refund, the qualification for an income tax credit, the proof of equity investment to qualify for a special incentive, and restrictions on the investment tax credit.

GROSS RECEIPTS***Exemptions, Machinery And Equipment***

Act 1208 (SB770) - The act expands the definition of machinery and equipment “used directly” in the manufacturing process to include frames, cavities, and forms that determine the physical characteristics of the finished product or its packaging material at any stage of the manufacturing process and dies, tools, and devices attached to or a part of a unit of machinery that determine the physical characteristics of the finished product or its packaging material at any stage of the manufacturing process. The act became effective on April 7, 2009.

Failure To Report

Act 360 (SB364) - The act provides for the closure of a business that fails to report or remit gross receipts or compensating use tax, or state income tax withholding for employees for three (3) months during a period of twenty-four (24) consecutive months. The act becomes effective on July 1, 2009.

Heavy Equipment

Act 682 (SB836) - The act repeals the requirement that a decal be affixed to heavy equipment proving that Arkansas taxes were paid on the equipment or that the equipment is exempt from tax. The act requires that heavy equipment dealers file a quarterly report with the Department of Finance and Administration identifying all sales of heavy equipment that are exempt from the gross receipts tax. The act is effective on the first day of the calendar quarter after July 31, 2009.

Sale Of Natural Gas And Electricity To Manufacturers

Act 691 (HB1624) - The act reduces the sales and use tax on the gross receipts from the sale of natural gas and electricity to a manufacturer for use directly in the actual manufacturing process to three and one-eighth percent (3.125%) beginning July 1, 2009, and requires the director of the Department of Finance and Administration to monitor tax savings and make adjustments to the tax refund to prevent the amount of tax savings from exceeding twenty-seven million dollars (\$27,000,000) during a fiscal year. The act becomes effective on July 1, 2009.

INCOME TAX***Cigarette Receptacle Tax Credit***

Act 1500 (HB1172) - The act allows a business with fifty (50) or fewer employees an income tax credit for the purchase of a cigarette receptacle. The act becomes effective when additional funding has been provided to state general revenues from other funding sources to offset the amount of this credit.

Credit For Rehabilitation Of Historic Structures

Act 498 (HB1953) - The act, known as the Arkansas Historic Rehabilitation Income Tax Credit Act, provides an income tax credit equal to twenty-five percent (25%) of the total qualified rehabilitation expenses up to the first five hundred thousand dollars (\$500,000) of expenses on income-producing property or one hundred thousand dollars (\$100,000) of expenses on non income-producing property. The act is effective for tax years beginning on and after January 1, 2009, and ending on or before December 31, 2015.

TAXES

INCOME TAX

Delta Geotourism Incentive

Act 1192 (HB2191) - The act amends the definition of the geographical qualifications necessary to qualify for a geotourism tax credit to include a greater portion of the Lower Mississippi River Delta.

Developmental Disability

Act 237 (SB323) - The act defines "diagnosis of developmental disability" for purposes of the Arkansas Income Tax law. The act is effective for tax years beginning on or after January 1, 2009.

Geotourism Income Tax Credit

Act 349 (HB1471) - The act amends the Delta Geotourism Incentive Act of 2007 to allow a geotourism income tax credit to transfer to other tourism projects around the state and to allow the income tax credit to carry forward. The act became effective on March 10, 2009, is effective for tax years beginning January 1, 2009, and expires at the end of the 2016 tax year.

Private Wetland And Riparian Zone Creation, Restoration, And Conservation Tax Credits

Act 351 (HB1577) - The act amends the Arkansas Private Wetland and Riparian Zone Creation and Restoration Incentives Act to include a conservation income tax credit for donation of a qualified real property interest for a qualified conservation purpose equal to fifty percent (50%) of the fair market value of the qualified real property interest donation excluding any short term capital gain and cannot exceed fifty thousand dollars (\$50,000). The act is effective for tax years beginning on or after January 1, 2009.

Refunds Resulting From IRS Corrections

Act 373 (HB1549) - Effective for tax years beginning on and after January 1, 2009, the act allows a taxpayer to receive a refund of income tax overpayment if the Internal Revenue Service makes a correction in the taxpayer's favor and the taxpayer files an amended state income tax return within ninety (90) days after receiving a notice of the correction from the Internal Revenue Service.

Retirement Contributions

Act 1316 (SB177) - The act allows members under the Arkansas Local Police and Fire Retirement System to receive employer contributions to their retirement account exempt from income tax. The act becomes effective on July 1, 2009.

Setoff Against An Arkansas Individual Income Tax Refund

Act 713 (HB2050) - The act authorizes a setoff against an Arkansas individual income tax refund for a tax debt owed by a taxpayer to the Internal Revenue Service. The act establishes a procedure for a nondebtor taxpayer to challenge the setoff of a joint income tax refund. The act is effective for tax years beginning on or after January 1, 2009.

Technical Corrections

Act 372 (HB1480) - The act makes various technical corrections to the state's income tax laws by adopting recent changes to the Internal Revenue Code. The act is effective for tax years beginning on and after January 1, 2009.

Tuition Savings Program Account

Act 211 (SB49) - The act allows a taxpayer to divert all or part of the taxpayer's state income tax refund to an Arkansas tax-deferred tuition savings program account by designating the contribution on the income tax form.

Veterans

Act 238 (SB324) - The act extends the statute of limitation for a veteran to file a claim for a refund of an overpayment of income taxes that results from a retroactive determination by the Secretary of Veteran Affairs that the veteran is entitled to compensation for a service-oriented disability. The act became effective on February 25, 2009.

TAXES

INCOME TAX

Windmill Blade Manufacturers

Act 736 (HB2230) - The act extends the amount of time from four (4) to six (6) years for a windmill blade manufacturer to expend one hundred fifty million dollars (\$150,000,000) in the state, and extends the amount of time from five (5) to six (6) years that a windmill blade manufacturer must hire one thousand (1,000) employees in the state in order to claim an income tax exemption. The act creates a limited exemption from income tax for windmill blade component manufacturers. The act is effective for tax years beginning on and after January 1, 2008.

PERSONAL PROPERTY TAX

Assessment

Act 277 (HB1345) - The act requires tangible personal property to be assessed according to its market value on either January 1 of the year of the assessment or the date of its acquisition if the personal property was acquired during the period of January 2 through May 31 of the year of assessment. The act is effective for the assessment year 2010 and afterwards.

Sales Proceeds Deductions

Act 400 (HB1386) - The act allows delinquent personal property taxes and penalties to be deducted from the proceeds of delinquent land sales.

PUBLIC SERVICE COMMISSION

Tax Division

Act 951 (HB2265) - The act repealed Act 218 of 2009 and reenacted §§ 26-24-101, 26-24-123, and 26-26-1610 which created the Tax Division of the Arkansas Public Service Commission, provided for an administrative appeal of a division assessment, and provided for a taxpayer's right to appeal a commission assessment to the circuit court and afterwards to the Arkansas Supreme Court.

REAL PROPERTY TAX

Homestead Exemption

Act 151 (HB1035) - The act ensures that a homestead used as a principal place of residence by a person who is disabled or at least sixty-five (65) years of age shall be assessed for property tax on the lower of the assessed value at the time the taxpayer qualified for the property tax relief or a later assessed value. The act became effective on January 1, 2008.

Mineral Interests

Act 531 (HB1831) - The act repeals the law that allowed the tax on mineral interests to not be billed or collected when the cost of collecting the tax exceeded the annual tax on the mineral interest. The act is effective for tax years beginning on or after January 1, 2009.

Mineral Rights, Nonproducing

Act 421 (HB1841) - The act provides that a nonproducing mineral right has zero (0) value for the purpose of property tax assessment and is included in the value of the fee simple interest assessed. The act is effective beginning in the assessment year 2009.

Reappraisal

Act 1189 (HB2147) - The act sets out the procedure for a county equalization board to follow when changing real property values in a year when a county is not completing reappraisal. A county may enter into a special session to decide what to do when the real estate in the county may have decreased in market value. If the board determines in the special session that action is needed, the board shall adjust market values of real estate in the county under the methodology established by the Assessment Coordination Department. The act became effective on April 7, 2009.

TAXES

SALES AND USE TAX - LOCAL

Aviation Fuel

Act 840 (HB1582) - The act provides that certain city and county taxes on aviation fuel be remitted directly to the publicly-owned airport where the aviation fuel was sold.

Capital Improvements

Act 957 (SB789) - The act authorizes municipalities to establish an effective date for the levy of sales and use taxes for capital improvements to a date that is later than the effective date provided by law. However, the date shall not be delayed more than thirty-six (36) months after the date the ordinance or petition would be effective under the law.

County Tax Books

Act 347 (HB1468) - The act adds the county clerk to the list of officers who may be designated as the preparer of the tax books by the quorum court.

Delayed Effective Date

Act 298 (SB267) - The act allows counties to establish a delayed effective date for the levy of county sales and use taxes that have been approved by a vote of the citizens of the county. The effective date of the levy of the tax cannot be delayed more than thirty-six (36) months after the effective date established by law under § 26-74-209(d).

Extension

Act 383 (SB321) - The act allows for the extension of a county-wide sales and use tax upon the approval of the voters of the county.

Municipal

Act 382 (SB320) - The act allows for the extension of a local sales and use tax upon the approval of the voters of a municipality.

Purchase Of Travel Trailer

Act 941 (HB1966) - The act provides a credit or rebate on the local sales and use tax paid above two thousand five hundred dollars (\$2,500) on the purchase of a travel trailer. The act becomes effective on October 1, 2009.

Rental Accommodations

Act 274 (HB1316) - The act adds certain rental accommodations to the list of items upon which a municipal sales and use tax may be levied.

SALES AND USE TAX - STATE

Farmers' Markets

Act 1205 (SB442) - The act exempts from the sales and use tax the sale of raw products from a farm, orchard, or garden that are produced and sold by the producer of the raw products at a farmers' market. The act became effective on April 7, 2009.

Food

Act 436 (SB88) - The act reduces the state sales and use tax rate on food and food ingredients by one percent (1%). The act becomes effective on July 1, 2009.

Machinery And Equipment

Act 1208 (SB770) - The act changes the definition of machinery and equipment "used directly" in the manufacturing process to include frames, cavities, forms used at any stage of the manufacturing process and dies, tools, and devices attached to or a part of a unit and exempts these parts from the sales and use tax. The act became effective on April 7, 2009.

Mini-Warehouse

Act 1274 (SB2) - The act repeals the gross receipts tax on mini-warehouse and self-storage rental services beginning July 1, 2011.

TAXES

SALES AND USE TAX - STATE

Search Dog Association, Inc., Exemptions

Act 1176 (HB1595) - The act exempts purchases of personal property or services made by the Arkansas Search Dog Association, Inc., from the sales and use tax levied by the state. The act becomes effective on the first day of the calendar quarter following the effective date of this act.

Streamlined Sales Tax

Act 384 (SB322) - The act amends the sales and use tax laws concerning installation charges, motor vehicles, utilities, prewritten computer software, durable medical equipment, and sales price in order to be consistent with the Streamlined Sales Tax Agreement. The act clarifies that a withdrawal from stock is subject to sales and use tax. The act became effective on March 10, 2009.

Thermal Imaging Equipment, Exemption

Act 767 (SB975) - The act exempts the sale of thermal imaging equipment purchased by a county government for use by law enforcement aircraft from sales and use tax. The act becomes effective on July 1, 2009.

Utilities Used By A Manufacturer

Act 695 (SB875) - The act reduces the sales and use tax rate on utilities used by a manufacturer. The act becomes effective on July 1, 2009.

SEIZURE AND SALE OF GOODS

Act 555 (SB369) - The act establishes uniform requirements for the seizure and sale of goods or chattels to pay delinquent personal property taxes.

SEVERANCE TAX

Biomass Exemption

Act 737 (HB2256) - The act provides that biomass used primarily for the purpose of biofuel production is not subject to a severance tax.

Monthly Reporting

Act 145 (HB1170) - The act creates a new monthly reporting process for producers of natural gas regarding severance taxes and sets requirements for the monthly report that is filed with the Department of Finance and Administration.

STAMP DEPUTY

Act 542 (HB1957) - The act provides that a stamp deputy's open account shall not exceed seventy-five percent (75%) of the total amount of the bond provided by the stamp deputy. The act became effective on March 24, 2009.

STATE AGENCIES

Information Sharing

Act 504 (HB1478) - The act authorizes the Department of Workforce Services to share unemployment insurance contribution information reported by companies doing business in Arkansas with the Department of Finance and Administration. The act authorizes the Department of Finance and Administration to share withholding tax information reported by companies doing business in Arkansas with the Department of Workforce Services.

TAX PROCEDURES, STATE

Standard Of Proof In Claims For Exemptions, Deductions Or Credits

Act 755 (SB769) - The act sets the standard of proof for the taxpayer to establish facts to support a claim for an exemption, deduction, or credit as clear and convincing evidence and provides that a presumption of correctness or weight of authority will not attach to a determination of the director in a trial de novo or an appeal of a taxpayer. The act became effective on April 1, 2009.

TAXES

TEACHER RETIREMENT SYSTEM

Income Tax Exemption

Act 425 (SB229) - The act states the intention of the Arkansas Teacher Retirement System that a lump-sum benefit be exempt from state income tax. The act becomes effective on July 1, 2009.

TOBACCO TAX

Act 180 (HB1204) - The act levies an additional tax of twenty-eight dollars (\$28.00) per one thousand (1,000) cigarettes sold. The act levies an additional tax on tobacco products other than cigarettes at the rate of thirty-six percent (36%) of the manufacturer's selling price. The act provides that a commission in the amount of three percent (3%) shall be paid by the Director of the Department of Finance and Administration to stamp deputies for the sales and collection of cigarette tax stamps and for affixing the tax stamps to each package of cigarettes. The act became effective on March 1, 2009.

VALUATION OF PROPERTY FOR ASSESSMENT

Act 278 (HB1346) - The act removes personal property from the requirement that the original valuation of newly discovered and newly constructed property be completed by July 1 of the assessment year. The act is effective for the assessment year of 2010 and afterwards.

TECHNOLOGY

CONNECT ARKANSAS BROADBAND

Act 947 (HB2119) - The act amends the Connect Arkansas Broadband Act, § 4-113-101 et seq., concerning the definition of broadband, establishment of the Arkansas Broadband Advisory Council, grants to support Connect Arkansas, and to give priority to county economic development plans that include regional broadband collaboration. The act became effective April 6, 2009.

CYBERINFRASTRUCTURE

Act 978 (HB2011) - The act establishes the Arkansas Cyberinfrastructure Task Force to implement and sustain the 2008 Cyberinfrastructure Strategic Plan and associated policy development; to benefit the state from an improved understanding of cyberinfrastructure; and to recommend cyberinfrastructure policies to leverage technology investments in order to energize the economic development system of the state and evolve cyberinfrastructure for the benefit of education, research, and business creation, including specifically commercialization of value-added products and services that increase gross state product, per capita income, and job and wealth creation into the state's economic development strategies.

IDENTITY THEFT PROTECTION

Act 223 (HB1037) - The act increases identity theft protection, permits placement of a security freeze before becoming a victim of identity theft, and simplifies the procedure and reduces the fees charged for the placement, removal, or temporary lifting of a security freeze.

INFORMATION SYSTEMS, DEPARTMENT OF

Information Systems

Act 648 (HB2200) - The act makes technical corrections to the Arkansas Information Systems Act of 1997, § 25-4-101 et seq., and clarifies the definition of "State enterprise architecture".

TOBACCO

CIGARETTE TAX

Border City

Act 940 (HB1942) - The act allows a city bordering a city which is entitled to the border zone cigarette tax rate to sell cigarettes at the rate used by the border city. The act became effective on April 6, 2009.

TOBACCO

FORFEITURE PROCEDURES

Nonpayment Of Excise Tax

Act 939 (HB1913) - The act establishes a forfeiture procedure for tobacco products on which the excise tax has not been paid. The act establishes a tobacco control fund to be used for law enforcement and prosecutorial purposes.

STAMP DEPUTY

Act 542 (HB1957) - The act provides that a stamp deputy's open account shall not exceed seventy-five percent (75%) of the total amount of the bond provided by the stamp deputy. The act became effective on March 24, 2009.

TOBACCO PRODUCTS, REGULATION OF

Enforcement And Penalties

Act 785 (HB1858) - The act amends Arkansas laws concerning the regulation of tobacco products, including providing that agents of the tobacco control board shall be considered law enforcement officers and have statewide law enforcement authority, revising the penalties for providing a minor with tobacco products and cigarette papers, and increasing the amount of a civil penalty imposed by the board to not more than five thousand dollars (\$5,000).

TOBACCO TAX

Act 180 (HB1204) - The act levies an additional tax of twenty-eight dollars (\$28.00) per one thousand (1,000) cigarettes sold. The act levies an additional tax on tobacco products other than cigarettes at the rate of thirty-six percent (36%) of the manufacturer's selling price. The act provides that a commission in the amount of three percent (3%) shall be paid by the Director of the Department of Finance and Administration to stamp deputies for the sales and collection of cigarette tax stamps and for affixing the tax stamps to each package of cigarettes. The act became effective on March 1, 2009.

TOURISM

HERITAGE TRAILS SYSTEM

Act 728 (HB2009) - The act establishes a heritage trails system, including the criteria for designation as a heritage trail. The act designates certain trails as heritage trails and provides for the study of prospective heritage trails.

ROCK 'N' ROLL HIGHWAY

Act 497 (HB1837) - The act designates a portion of Highway 67 as the Rock 'n' Roll Highway because the early legends of rock 'n' roll regularly traveled this route in the 1940s and 1950s for live performances at many establishments along this route.

SCENIC HIGHWAYS

Crowley's Ridge Scenic Highway

Act 495 (SB831) - The act alters the official route that is designated as Crowley's Ridge Scenic Highway so that the route can be designated as a national scenic byway.

TRANSPORTATION

AMBULANCES

Act 1448 (HB1751) - The act modifies the authority of a city of the first class and a city of the second class to regulate ambulance patient transports.

BOAT LIVERY

Act 647 (HB2132) - The act requires the owner of a boat livery to equip a vessel owned by him or her with certain safety equipment.

TRANSPORTATION

DRIVER SERVICES

Act 456 (HB1612) - The act aligns state law with federal requirements so that Arkansas is eligible to receive federal highway funds. The act amends the procedure for the state to follow when a person is charged with a violation of any law regulating the operation of a vehicle on a highway, clarifies driver's licensing requirements for military members, modifies the definition of hazardous materials to mirror federal language, increases the penalty range for employing a driver who does not have a valid commercial driver's license, increases the period of license revocation for a commercial motor vehicle driver who violates an out-of-service order, increases the civil penalty for a commercial motor vehicle driver convicted of violating an out-of-service order, adds several definitions to the code to mirror federal definitions concerning consortium/third-party administrators that provide or coordinate drug and alcohol testing services to Arkansas employers under the Federal Motor Carrier Safety Regulations, and repeals obsolete sections of the code.

INFRASTRUCTURE

County Road Maintenance, Repair, And Resurfacing

Act 810 (SB897) - The act provides a procedure for use by counties to enact an assessment ordinance to assist with the costs of road maintenance, repair, and resurfacing related to damage and anticipated damage caused by the hauling of materials and production fluids related to oil or gas exploration. The assessment ordinance would only apply to designated local road truck routes that the disposal haulers use to access the disposal facility. The designated local road truck routes do not include any road, street, or highway that is part of the state highway system. The act became effective on April 3, 2009.

LICENSES

Omnibus DWI Act

Act 359 (SB346) - The act amends the Omnibus DWI Act to provide that a person arrested for operating or being in actual physical control of a motor vehicle while intoxicated by a controlled substance or a person who refuses to submit to a chemical test is ineligible for an ignition interlock restricted driving permit.

MOTOR VEHICLE ACCIDENTS

Accident Response Service Fees Prohibited

Act 973 (HB1895) - The act prohibits the imposition of an accident response service fee on or from an insurance company, the driver or owner of a motor vehicle, or any other person.

MOTOR VEHICLES

Temporary Vehicle Tags

Act 780 (HB1673) - The act provides that temporary cardboard vehicle tags must be both visible and legible, and also provides for certain requirements regarding the size, placement, and legibility parameters of the tags.

MOTOR VEHICLES, DEPARTMENT OF

Salvage Titles

Act 445 (HB1438) - The act allows the Office of Motor Vehicle to issue titles for "parts only" salvage vehicles, that is, a vehicle whose only value is the resale of the parts or scrap of the vehicle.

PERSONAL WATERCRAFT

Minimum Age For Operation

Act 693 (SB38) - The act increases the minimum age for operation of a personal watercraft from fourteen (14) years of age to sixteen (16) years of age. The act applies the alcohol and drug testing requirements currently in place for operators of motorboats to operators of personal watercraft. The act further amends the examination requirements for obtaining a boater education certificate and requires parental consent for receipt of a boater education certificate.

TRANSPORTATION

PUBLIC ROADS OR NAVIGABLE WATERCOURSES

Easements

Act 747 (SB399) - The act updates and clarifies the county court procedure for acquiring an access easement to a public road or navigable watercourse from a landlocked piece of property.

RAILROAD

Railroad Employee Transportation Services

Act 637 (HB1904) - The act ensures that a contract carrier or a third party who contracts on behalf of a railroad to provide transportation services for railroad employees has insurance coverage.

Safe Transportation Of Railroad Employees

Act 243 (HB1318) - The act establishes standards for drivers employed by contract carriers used by railroad companies for the transportation of railroad employees to better ensure the safe transportation of railroad employees. The act became effective on February 26, 2009.

SPECIAL PERMITS

Sealed Containerized Cargo

Act 567 (SB771) - The act allows the State Highway Commission to issue special permits for the movement of sealed containerized cargo between two (2) contiguous counties.

STATE POLICE, ARKANSAS

Weighing Vehicles Hauling Coal

Act 380 (SB300) - The act removes the sections of the Arkansas Code that require the Arkansas State Police to exclude trucks hauling coal from the public highways, seize the trucks, and weigh the coal.

TOWING

Distribution Of Fines For Unlawful Towing Operations

Act 644 (HB2034) - The act clarifies the distribution of fines collected related to unlawful towing operations. The act becomes effective on July 1, 2009.

Nonconsensual Towing And Storage Of Vehicles, Guidelines

Act 681 (SB830) - The act contains guidelines to allow municipalities to regulate the nonconsensual towing and storage of a vehicle, implement, or piece of machinery. The act allows a municipality to limit the distance from the location of removal to the destination of storage and the amount of towing and storage charges that can be assessed against the owner or operator of the vehicle, implement, or piece of machinery with the remainder of the charges to be assessed against the property owner that requested towing. The act became effective March 27, 2009.

UTILITIES

CITIES

Act 418 (HB1622) - The act modifies the procedures regarding a certificate of convenience and necessity for municipally owned electric utilities from the Arkansas Public Service Commission.

ELECTRIC GENERATION AND TRANSMISSION COOPERATIVE

Rates

Act 676 (SB663) - The act provides an alternative procedure under which an electric generation and transmission cooperative may increase its rates and charges up to a maximum of five percent (5%) in any twelve-month period. The act provides a process for a member electric cooperative that sells electricity at retail to propose a modification in its rates to incorporate the rate change of the electric generation and transmission cooperative. The act became effective on March 27, 2009.

UTILITIES

GAS PIPELINE CERTIFICATION

Definition Of "Transportation Of Gas"

Act 452 (HB1573) - The act empowers the Oil and Gas Commission to submit a certification under the Natural Gas Pipeline Safety Act of 1968 for a natural gas pipeline or associated facility that is not affiliated with an Arkansas natural gas public utility and is majority-owned by a production company or its affiliate. The act deleted the exclusion of the gathering of gas in a rural area from the definition of "transportation of gas" in the Arkansas Natural Gas Pipeline Safety Act of 1971.

PUBLIC SERVICE COMMISSION

Act 789 (HB1948) - The act adds CoBank ACB to the list of certain entities with whom loans or transactions are outside the jurisdiction of the Arkansas Public Service Commission.

Storm Damage Bonds

Act 729 (HB1712) - The act authorizes the Arkansas Public Service Commission to approve the issuance of storm damage recovery bonds by an electric public utility for the purpose of financing the rebuilding of infrastructure damaged by a storm. Bondholders will be paid from the storm recovery charges authorized by the commission to be recovered from the electric utility's ratepayers. The act became effective on April 1, 2009.

Tax Division

Act 951 (HB2265) - The act repeals Act 218 of 2009 and reenacted §§ 26-24-101, 26-24-123, and 26-26-1610 which created the Tax Division of the Arkansas Public Service Commission, provided for an administrative appeal of a division assessment, and provided for a taxpayer's right to appeal a commission assessment to the circuit court and afterwards to the Arkansas Supreme Court.

STORM RESTORATION COSTS

Act 434 (HB1898) - The act establishes policies and procedures for the Arkansas Public Service Commission to allow an electric public utility to recover storm restoration costs through the use of storm cost reserve accounting. The act became effective on March 18, 2009, and applies to storm restoration costs incurred on or after January 1, 2009.

TELECOMMUNICATIONS

Providers

Act 191 (SB208) - The act allows an eligible telecommunications carrier to use additional methods to provide universal services including voice over Internet protocol and any other technology that provides service that is the functional equivalent of commercial mobile services or voice over Internet protocol.

Rural Telecommunications Cooperative

Act 761 (SB809) - The act amends and makes technical changes to the Rural Telecommunications Cooperative Act, § 23-17-201 et seq., concerning changes to a cooperative's bylaws, unclaimed capital credits, and the redemption of stock.

TELEPHONE, CABLE, AND ELECTRIC POWER COMPANIES - OFFENSE OF DAMAGING EQUIPMENT

Act 390 (HB1479) - The act makes it a Class D felony to damage wires and other fixtures of telephone, cable, and electric power companies. The act amends Arkansas law pertaining to scrap metal dealers, including amending record keeping requirements, placing restrictions on the purchase of certain items, and specifying the manner of certain types of payments. The act increases the penalty for failing to comply with laws pertaining to scrap metal dealers to a Class A misdemeanor.

UTILITIES

WATER SYSTEMS, PUBLIC

Freedom Of Information Act Exemption

Act 631 (HB1834) - The act extends the exemption of certain records relating to the security of a public water system from the examination and copying requirements of the Freedom of Information Act of 1967. The act extends a public water system's authority to meet in executive session to consider a matter pertaining to the security of a public water system. The act becomes effective on July 1, 2009.

WELFARE AND GOVERNMENTAL ASSISTANCE

CHILD CARE ASSISTANCE, TWO-YEAR COLLEGES

Act 1485 (SB963) - The act requires the Transitional Employment Assistance Program to provide funds for child care services for Temporary Assistance for Needy Families Program recipients who are enrolled in day or evening classes in a two-year college.

INDIVIDUAL DEVELOPMENT ACCOUNT OVERSIGHT

Act 1468 (SB807) - The act clarifies the authority of the Department of Workforce Services to oversee fiduciaries involved in the Individual Development Account Program.

TEA PROGRAM ANNUAL REPORTS

Act 415 (HB1579) - The act reduces from biannual to annual the required reports of the Transitional Employment Assistance Program to the Interim Committees on Public Health, Welfare, and Labor.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

Independent Evaluator

Act 150 (SB58) - The act repeals the requirement that an independent evaluator be hired to evaluate the Temporary Assistance for Needy Families Program.

WORKFORCE INVESTMENT BOARD

Act 1487 (SB965) - The act transfers the Arkansas Workforce Investment Board to the Department of Workforce Services and restructures the board to bring the membership into compliance with applicable federal law. The act became effective on April 10, 2009.

WILLS, ESTATES, AND TRUSTS

CHILDREN, GUARDIANSHIP OF

Act 301 (SB352) - The act clarifies the jurisdiction of matters involving juveniles and the qualifications for guardians of minors.

CLAIMS AGAINST AN ESTATE

Act 217 (SB329) - The act increases from three (3) months to six (6) months the time period within which a person having a claim against a deceased person's estate must give notice to the estate's personal representative.

UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT

Act 346 (HB1399) - The act adopts the uniform amendments to the Uniform Disclaimer of Property Interests Act (2006), concerning the rules of descent for disclaimed property interests.

PROPOSED CONSTITUTIONAL AMENDMENTS

HUNTING AND FISHING (SJR 3)

This resolution proposes to amend the Arkansas Constitution to provide for a constitutional right for citizens of the state of Arkansas to hunt, fish, trap, and harvest wildlife. The resolution states that the right would be limited only by the regulations consistent with Amendment 35 of the Arkansas Constitution.

INTEREST RATES (HJR 1004)

This resolution proposes to repeal existing constitutional provisions setting the maximum lawful rate of interest on bonds issued and loans made by or to governmental units. The resolution states that the maximum lawful rate of interest on loans by federally insured depository institutions remain at the rate that resulted from the federal preemption effective March 1, 2009. The resolution proposes to establish a maximum lawful interest rate for all other loans or contracts, authorizes governmental units to issue bonds to finance energy efficiency projects, and allows bonds for energy efficiency projects to be repaid from any source. The resolution proposes to repeal Article 19, § 13, and the interest rate provisions of Amendment Nos. 30, 38, 62, 65, and 78 of the Arkansas Constitution. The proposed effective date for the resolution is January 1, 2011.

ECONOMIC DEVELOPMENT BONDS (HJR 1007)

This resolution proposes to amend Amendment 82 of the Arkansas Constitution to authorize the General Assembly to establish criteria before authorizing the issuance of bonds for prospective employers planning an economic development project.

EFFECTIVE DATE OF ACTS

Acts with no emergency clause or specified effective date become effective on the 91st day following the date the General Assembly adjourns *sine die*. Ark. Const., art. 5, § 1; *see also* Ark. Op. Atty. Gen. No. 2007-164 (May 7, 2007). The effective date for acts of the 87th General Assembly with no emergency clause or specified effective date is July 31, 2009, as calculated by the Bureau of Legislative Research.

**GENERAL ASSEMBLY MEETING DATES AND
EFFECTIVE DATES SINCE 1969**

General Assembly	Year	Dates in Session	Total Days	Effective date without emergency clause/AG Opin. No.
67 th	1969	January 13 - Recessed April 11, Reconv. May 5 - Adjourned May 8	93	8/7/69 *
67 th FES	1970	March 2 - March 7	6	6/6/70 *
68 th	1971	January 11 - Recessed April 2, Reconv April 19 - Adjourned April 19	82	7/19/71 *
68 th FES	1972	February 7 - February 16	10	5/17/72*
69 th	1973	January 8 - Recess on April 5 until April 24- Recess until Jan 14, 1974 - Adjourned Jan 14, 1974	88	7/24/73; #73-120
69 th FES	1974	June 24 - Recessed July 12 - Reconv. Aug. 1 - Adjourned Aug 1	19	10/31/74 *
70 th	1975	January 13 - March 27 - Recess Until Apr. 9 - Adjourned Apr. 9	74	7/9/75 **
70 th Exten	1976	January 12 - January 28	17	4/28/76; #76-50
70 th FES	1976	September 8 - September 10	3	12/10/76 **; sole act passed contained an emergency clause to become effective upon passage, 9/10/76
71 st	1977	January 10 - Recessed March 18 Until Apr 6 - Recessed Apr 6 until Aug 14 - Adjourned Aug 14	68	7/6/77; #77-57
71 st FES	1977	August 2 - August 5	4	11/4/77 **
72 nd	1979	January 8 - Recessed April 4, Reconv. Apr. 20 - Recessed Apr 20	87	7/20/79; #79-88
72 nd Exten	1980	January 7 - January 17	10½	(No legislation passed)
72 nd FES	1980	January 17 - January 24	7½	4/24/80; #80-42

* Bureau Calculation

** Bureau Calculation, confirmed by Secretary of State

General Assembly	Year	Dates in Session	Total Days	Effective date without emergency clause/AG Opin. No.
72 nd SES	1980	April 15 - April 18	4	7/18/80*: all non-appropriation acts contained an emergency clause to become effective upon passage, 5/8/80
73 rd	1981	January 12, - March 18	66	6/17/81; 81-76
73 rd FES	1981	November 16 - November 25	10	2/24/82 **
74 th	1983	January 10 - Recessed on March 18, Recon v April 4 - Adjn. Apr. 4	68	7/4/83; #83-74
74 th FES	1983	October 4 - November 10	37	2/9/84; #83-228
75 th	1985	January 14 - Recessed March 22, Recon v. March 29 - Adjn. March 29	68	6/28/85; #85-108
75 th FES	1985	June 17 - June 21	5	9/20/85 **
75 th SES	1986	April 28 - May 1, 1986	4	7/31/86; #86-337
76 th	1987	January 12 - Recessed April 3 - Recon v. April 20 - Adjn. April 20	82	7/20/87; #87-156
76 th FES	1987	June 2 - June 5	4	9/4/87 **
76 th SES	1987	October 6 - October 9	4	1/8/88 **
76 th TES	1988	January 26 - February 5, 1988	11	5/6/88 **
76 th 4thES	1988	July 11 - July 14, 1988	4	10/13/88 **
77 th	1989	January 9 - March 17 - Recess until April 3 - Adjn. April 3	68	7/3/89; #89-078
77 th FES	1989	June 20 - June 23	4	9/22/89 **
77 th SES	1989	July 25 - July 27	3	10/26/89 **
77 th TES	1989	October 23 - November 3	12	2/2/90 **
78 th	1991	January 14 - March 27 - Recess until April 15 - Adjn. April 15	73	7/15/91; #91-119

* Bureau Calculation

** Bureau Calculation, confirmed by Secretary of State

General Assembly	Year	Dates in Session	Total Days	Effective date without emergency clause/AG Opin. No.
78 th FES	1992	February 24 - February 27 - Recess until March 4 - Adjn March 4, 1992	4	6/3/92; #92-114A & #93-025A
78 th SES	1992	December 14 - December 18, 1992	5	3/19/93; #93-025A
79 th	1993	January 11 - April 8 - Recess until May 14 - Adjn May 14	88	8/13/93; #93-149A
79 th FES	1994	February 28 - March 2, 1994	3	6/1/94; #94-076
79 th SES	1994	August 15 - August 24, 1994	10	11/23/94; #94-273
80 th	1995	January 9 - April 7 - Recess until April 28 - Adjn April 28	89	7/28/95; #95-119
80 th FES	1995	October 17 - October 20	4	1/19/96 *
81 st	1997	January 13 - April 17 - Recess until May 2 - Adjn. May 2	96	8/1/97; #97-144
82 nd	1999	January 11 – April 9 – Recess until April 30 – Adjn. April 30	89	7/30/99; #99-120
82 nd FES	2000	April 3 – April 7	5	7/7/00*; the two appropriation acts contained emergency clauses to become effective upon, passage 4/7/00, and the other act contained an Emergency clause to become effective upon passage, 4/11/00
82 nd SES	2000	December 13 – 15	3	3/16/01*; all the acts contained emergency clauses to become effective upon passage, 12/15/00
83 rd	2001	January 8 – April 13 – Recess until May 14 – Adjn May 14	97	8/13/01; #2001-138

* Bureau Calculation

** Bureau Calculation, confirmed by Secretary of State

General Assembly	Year	Dates in Session	Total Days	Effective date without emergency clause/AG Opin. No.
83 rd FES	2002	June 10 – June 12, 2002	3	9/11/02 *; both acts contained emergency clauses to become effective upon passage, 6/12/02
84 th	2003	January 13 - April 16, 2003	94	7/16/03; #2003-119
84 th FES	2003	May 5, 2003 - May 9, 2003	5	8/9/03*; All 63 acts contained an emergency clause per #2004-078
84 th SES	2003	Dec. 8, 2003 - March 4, 2004; Recess until June 9; Adjn June 9, 2004	89	6/3/04; #2004-186
85 th	2005	Jan. 10, 2005 - April 13, 2005; Recess until May 13; Adjn May 13, 2005	97	8/12/05; #2005-110
85 th FES	2006	April 3, 2006 - April 7; Adjn April 21, 2006	6	7/21/06; #2006-080
86 th	2007	Jan. 8, 2007 - April 3, 2007; Recess until April 30; Adjn May, 1, 2007	87	7/31/07; #2007-164
87 th	2009	Jan. 12, 2009 - April 9, 2009; Recess until May 1; Adjn May 1, 2009	88	7/31/09*

* Bureau Calculation

** Bureau Calculation, confirmed by Secretary of State