

SUMMARY OF ACTION ON

GENERAL LEGISLATION

**BY THE
83rd GENERAL ASSEMBLY
OF THE STATE OF ARKANSAS**

2001

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TABLE OF CONTENTS

ACTS	1 - 219
PROPOSED CONSTITUTIONAL AMENDMENTS	220
LEGISLATIVE SESSION DATES.....	221 - 223
INDEX	224 - 241

ABORTIONS

PRIOR INFORMATION

Act 353 (HB1074) - The act requires that a pregnant woman be provided certain information prior to and in no event on the same day as an abortion. The act requires the Department of Health to compile and make public certain information concerning abortions performed in this state. The act authorizes the Arkansas State Medical Board to impose penalties for violations of the act.

Act 1564 (HB2359) - The act makes technical changes to Act 353 of 2001 which assures women of their right to receive adequate information before terminating a pregnancy.

ADOPTION

HOSPITALS AND BIRTHING CENTERS

RELEASE FORM

Act 1737 (HB2379) - The act provides for a release form to be executed by the biological mother, the guardian of the minor child, the child placement agency, the Division of Children and Family Services, or the attorney acting on their behalf, before a hospital or birthing center surrenders custody of a minor to be adopted. The release form will be in addition to either a consent to adopt or a relinquishment of parental rights. Release of the child after the signing of a release form exempts the hospital or birthing center from liability for acts which might result from the release.

JURISDICTION

Act 383 (HB1316) - The act amends the jurisdiction provisions of the Arkansas Revised Uniform Adoption Act to give the state jurisdiction of the adoption of a child who is a resident of the state. The act also defines residency for children under 6 months of age and over 6 months of age. The act defines the residency of a person seeking to adopt a child.

JUVENILE CODE

OPEN CASE FILE

Act 1029 (HB1824) - The act provides that if a juvenile is the subject matter of an open case filed under the Arkansas Juvenile Code, then adoption and guardianship petitions concerning that juvenile shall be filed under the same case.

LEGAL SERVICES

GOVERNOR'S AWARD

Act 1273 (HB1891) - The act authorizes the Governor to award the Governor's Pro Bono Adoption Services Award to attorneys providing adoption services on a volunteer basis.

REGISTRY

Act 409 (HB1043) - The act requires the Department of Human Services to include the affidavit form for placement in the mutual adoption registry internet site and to keep records of every adoptee and birth parent reunited through the registry.

RELINQUISHMENT AND TERMINATION OF PARENT AND CHILD RELATIONSHIP

NOTICE TO NON-CUSTODIAL PARENT

Act 1779 (HB2654) - The act provides that the non-custodial parent receive notice and be given an opportunity to respond upon the filing of a petition for termination of parental rights based upon non-payment of child support and non-visitation of the child for a period of at least one year.

ADULT ABUSE

HUMAN SERVICES, DEPARTMENT OF

CUSTODY

Act 1028 (HB1764) - The act revises various sections of the Adult Abuse Act. The act revises the definitions of "abuse" and "neglect," authorizes firefighters and emergency medical technicians to receive allegations of abuse, authorizes 72-hour emergency custody of victims of adult abuse and raises the standard for a finding of "founded" allegation of adult abuse from "some credible evidence" to "preponderance of the evidence."

LONG-TERM CARE FACILITIES

CIVIL ACTION BY ATTORNEY GENERAL

Act 1621 (SB380) - The act permits the Attorney General, in the event of adult abuse violations, to institute a civil action against a long-term care facility with a penalty range of up to fifty thousand dollars (\$50,000) for a single adult abuse violation which results in death.

AGRICULTURE

ABANDONED PESTICIDE ADVISORY BOARD

NAME AND SCOPE

Act 1130 (SB608) - The act changes the name of the Abandoned Agricultural Pesticide Advisory Board to be the Abandoned Pesticide Advisory Board and adds a member to the board to represent the State Plant Board. The act redefines "pesticide" and expands the scope of the board's responsibilities. The act authorizes the board to collect a fee of \$50.00 per registered pesticide per registrant per year for the specific purpose of funding the disposal of abandoned pesticides.

CATFISH

CATFISH PROMOTION FUND

Act 215 (HB1327) - The act provides that the disbursement of monies in the Catfish Promotion Fund shall be made only upon motion formally adopted by the Catfish Promotion Board.

CROP AND RESEARCH FACILITIES PROTECTION ACT

Act 1025 (SB799) - The act provides that any person who willfully and knowingly damages or destroys any field crop shall be liable for twice the value of the crop damaged or destroyed.

EQUINE INFECTIOUS ANEMIA

EQUINE PUBLIC EVENTS

Act 540 (SB361) - The act redefines "equine infectious anemia research facility" as a facility that meets or exceeds the standards and requirements set forth by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services and the Arkansas Livestock and Poultry Commission, and requires that research facilities be certified by the Arkansas Livestock and Poultry Commission. The act authorizes the courts to order compliance with equine infectious anemia laws under penalty of contempt. The act sets guidelines for public events involving equidae, including a requirement that a certified equine infectious anemia verifier be present at all public events involving equidae.

FARM EQUIPMENT RETAILER FRANCHISES

WARRANTY WORK

Act 633 (SB515) - This act provides an additional section under the Farm Equipment Retailer Franchise Protection Law concerning warranty work.

FARM PRODUCT HAULING

CLASS EIGHT LICENSES

Act 1431 (HB2571) - The act repeals the provision under class 8 motor vehicle licenses which had said that the "hauling of unprocessed farm products shall be considered noncommercial hauling."

AGRICULTURE

FARM PRODUCT HAULING

POULTRY LITTER HAULING

Act 923 (HB1502) - The act includes poultry litter among the products eligible for class eight motor vehicle licenses.

FARMERS' MUTUAL AID COMPANY OR ASSOCIATION

MANAGEMENT AGREEMENTS

Act 1811 (HB2208) - The act provides that no farmers' mutual aid company or association may make any contract whereby any person is granted the management of the company or association or to have the controlling or preemptive right to produce substantially all insurance business for the company or association unless the contract is approved by the Insurance Commissioner. The act requires the Commissioner to disapprove the management agreement under identified circumstances. The act provides that no association may indemnify or insure its manager's obligations to any other person or entity, unless authorized by law and in that case any indemnification by the association may be limited to the extent of any insurance or reinsurance coverages applicable to the loss indemnified or insured.

FENCES

DEFINED

Act 176 (HB1013) - The act defines the term "fence" to mean a barrier sufficient to indicate an intent to restrict the area to human, livestock, or vehicle ingress or egress.

HORSES, MULES, AND DONKEYS

EQUINE PUBLIC EVENTS

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IRRIGATION

WATER ON HIGHWAYS

Act 1753 (HB2568) - The act prohibits any person from intentionally permitting or causing any center pivot irrigation water to be discharged on the traveled portion of any interstate or state highway.

LEGISLATIVE COMMITTEE

NAME CHANGE

Act 960 (HB2086) - The act renames the House and Senate Interim Committees on Agriculture and Economic Development as the House and Senate Interim Committees on Agriculture, Forestry and Economic Development.

LIVESTOCK AND POULTRY COMMISSION, ARKANSAS

EQUINE PUBLIC EVENTS

Act 540 (SB361) - The act redefines "equine infectious anemia research facility" as a facility that meets or exceeds the standards and requirements set forth by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services and the Arkansas Livestock and Poultry Commission, and requires that research facilities be certified by the Arkansas Livestock and Poultry Commission. The act authorizes the courts to order compliance with equine infectious anemia laws under penalty of contempt. The act sets guidelines for public events involving equidae, including a requirement that a certified equine infectious anemia verifier be present at all public events involving equidae.

AGRICULTURE

LIVESTOCK AND POULTRY COMMISSION, ARKANSAS

LIVESTOCK SHOWS AND FAIR ASSOCIATIONS

Act 619 (SB466) - The act requires county, district, and state livestock shows and fair associations to file a listing of expenditures with the Arkansas Livestock and Poultry Commission and authorizes the Division of Legislative Audit to audit expenditures of state funds by those entities.

LIVESTOCK SHOWS AND FAIR ASSOCIATIONS

Act 619 (SB466) - The act requires county, district, and state livestock shows and fair associations to file a listing of expenditures with the Arkansas Livestock and Poultry Commission and authorizes the Division of Legislative Audit to audit expenditures of state funds by those entities.

NORTH CENTRAL ARKANSAS DISTRICT FAIR AND LIVESTOCK SHOW

Act 358 (SB91) - The act adds Van Buren County to the North Central Arkansas District Fair and Livestock Show District and expands the membership of the North Central Arkansas District Fair Board from 10 to 12 members.

PESTICIDES

LICENSURE OF APPLICATORS

Act 242 (SB241) - The act authorizes one (1) and five (5) year licensing periods for agricultural pesticide applicators and sets fees for those licenses. The State Plant Board shall phase in renewal to ensure equally distributed funding over the licensing period.

PLANT BOARD, STATE

ABANDONED PESTICIDE ADVISORY BOARD

Act 1130 (SB608) - The act changes the name of the Abandoned Agricultural Pesticide Advisory Board to be the Abandoned Pesticide Advisory Board and adds a member to the board to represent the State Plant Board. The act redefines "pesticide" and expands the scope of the board's responsibilities. The act authorizes the board to collect a fee of \$50.00 per registered pesticide per registrant per year for the specific purpose of funding the disposal of abandoned pesticides.

PESTICIDE APPLICATOR'S LICENSURE

Act 242 (SB241) - The act authorizes one (1) and five (5) year licensing periods for agricultural pesticide applicators and sets fees for those licenses. The State Plant Board shall phase in renewal to ensure equally distributed funding over the licensing period.

PETROLEUM PRODUCTS TESTING

Act 586 (SB330) - The act is entitled The Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Act of 2001 and creates the State Petroleum Products Division within the Arkansas Bureau of Standards of the State Plant Board as the enforcement agency under the act.

WEIGHTS AND MEASURES

Act 587 (SB331) - The act adopts a model law drafted by the National Conference on Weights and Measures and creates the State Division on Weights and Measures within the Arkansas Bureau of Standards of the State Plant Board to enforce the act.

SOLID WASTE MANAGEMENT

EXEMPTIONS

Act 1686 (HB2511) - The act amends the law on illegal dump control officers to remove the prohibition on issuing citations for violations of illegal dumping occurring on an individual's own property. The act reaffirms that officers may issue citations for violations of the Arkansas Solid Waste Management Act prohibiting illegal dumping, subject to exemptions for individuals disposing of household wastes on their own land and agricultural exemptions.

AIDS

HIV/AIDS MEDICATIONS

Act 235 (SB34) - The “HIV/AIDS Medications Act of 2001” requires the State Board of Health to promulgate regulations for the distribution of HIV/AIDS medications to Arkansas citizens without ample resources or available avenues to acquire their medically necessary medications.

AIRPORTS

REGIONAL AIRPORT AUTHORITIES

POWERS

Act 772 (SB289) - The act authorizes regional airport authorities to issue regulations providing for the operation and parking of motor vehicles upon the grounds under control of the authority, and provides that each authority shall be audited annually within 150 days (currently 120 days) after the end of each fiscal year.

ALCOHOLIC BEVERAGES

ADVERTISING

Act 1838 (HB2638) - The act permits a manufacturer or wholesaler of alcoholic beverages to pay for advertising or promotional materials on premises owned by the holder of a franchise granted by the Arkansas Racing Commission.

CABINS AND COTTAGES

COMPLIMENTARY WINE

Act 1487 (SB974) - The act authorizes cabins and cottages to give a complimentary bottle of wine to their guests.

GOLF COURSES

SERVING LIQUOR ON GOLF COURSE

Act 584 (HB1609) - The act provides that a private club may serve liquor on the golf course when the club is hosting a professional golf tournament or charitable golf tournament.

HOME MANUFACTURER OF WINE

EXEMPT

Act 1813 (HB2219) - The act exempts the home manufacture of wine from license fees, taxes and permit requirements levied on commercial manufacturers.

MICROBREWERIES

OFF PREMISES CONSUMPTION

Act 805 (HB1995) - The act allows microbrewery-restaurants which hold a microbrewery-restaurant distribution permit to sell their beers for off-premises consumption.

PRIVATE CLUBS

SERVING LIQUOR ON GOLF COURSE

Act 584 (HB1609) - The act provides that a private club may serve liquor on the golf course when the club is hosting a professional golf tournament or charitable golf tournament.

RESTAURANTS IN COUNTIES WITH PARI-MUTUEL WAGERING

MINIMUM CAPACITY

Act 804 (HB1557) - The act provides that the minimum seating capacity of any restaurant granted a pari-mutuel mixed drink permit, in any county where pari-mutuel wagering has been authorized by law, is reduced from 200 to 100 seats.

ALCOHOLIC BEVERAGES

RETAIL LIQUOR STORES

LOCATION

Act 1072 (SB511) - The act provides that hereafter no new permit to engage in the retail liquor business may be issued for a location within 1,000 feet of any church or schoolhouse and no existing permit may be transferred to a location within 1,000 feet of any church or schoolhouse.

TAX

BEER

Act 1841 (SB576) - This act levies a special alcoholic beverage excise tax of three percent (3%) upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund with twenty percent (20%) of the funds to be used for subsidized child care for low-income families and eighty percent (80%) of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education. The excise tax on beer shall expire on June 30, 2003.

AMUSEMENT ATTRACTIONS

REGULATIONS BY DEPARTMENT OF LABOR

EXPANSION OF DEPARTMENT'S AUTHORITY

Act 1365 (SB752) - The act expands the definition of amusement ride to include bungee rides, go-carts, inflatable attractions, and wave pools, water slides, and similar attractions. The act amends various sections of the Amusement Ride and Amusement Attraction Safety Insurance Act.

ANIMALS

ANIMAL CONTROL OFFICERS, SHELTERS AND HUMANE SOCIETIES

CERTIFICATION

Act 1663 (SB988) - The act provides that the Department of Health shall establish a voluntary certification program for animal control officers, animal shelters, and other humane society counterparts.

ANIMAL CRUELTY

PSYCHOLOGICAL EXAMINATIONS

Act 1826 (HB2443) - The act authorizes the court to order any person found guilty of cruelty to animals to receive a psychiatric or psychological evaluation, and if determined appropriate, psychiatric or psychological counseling or treatment.

VETERINARY MEDICAL EXAMINING BOARD

Act 1741 (HB2417) - The act makes various changes to the Veterinary Medical Practice Act, clarifying membership on the Veterinary Medical Examining Board, adopting a new licensing examination and modifying procedures for censure.

WOLVES AND WOLF-DOG HYBRIDS

Act 1768 (HB2207) - The act provides for regulating ownership, breeding, and care of wolves and wolf-dog hybrids, prescribes minimum housing and feeding requirements and provides for penalties for noncompliance.

APPRAISER LICENSING AND CERTIFICATION BOARD, ARKANSAS

MEMBERSHIP DECREASED

Act 159 (SB40) - The act removes the State Bank Commissioner as a member of the Arkansas Appraiser Licensing and Certification Board.

APPRAISER LICENSING AND CERTIFICATION BOARD, ARKANSAS

STATE REGISTERED APPRAISER

QUALIFICATIONS

Act 1256 (HB2416) - The act makes numerous technical changes to the Arkansas Code regarding appraisers, sets the qualifications for a "state registered appraiser", and gives the Arkansas Appraiser Licensing and Certification Board the power to enjoin and restrain persons without a license from performing certain acts or practices as an appraiser.

ARKANSAS CODE

CODE REVISION COMMISSION

POWERS

Act 327 (HB1331) - The act expands the authority of the Code Revision Commission.

TECHNICAL CORRECTIONS

Act 1553 (HB2199) - The act is the Code Revision Commission's technical corrections act.

ASSESSORS

PROFESSIONAL DEVELOPMENT RECOGNITION

Act 1393 (HB2566) - The act provides that county assessors and their employees designated as Senior (Level 4) Appraiser Managers by the Assessment Coordination Department may receive a professional development recognition payment in an amount not to exceed \$750. The act also provides that a Senior (Level 4) Appraiser with four (4) years of appraisal experience may serve as an appraisal or reappraisal manager in a county if the appraiser complies with the standards established by the Assessment Coordination Department.

ATHLETE AGENTS

UNIFORM ATHLETE AGENTS ACT

REGISTRATION AND REQUIREMENTS

Act 1622 (SB394) - The act provides for registration of athlete agents, voids contracts in violation of the act, and prescribes a required contract. The act requires that notice be given to an athlete's educational institution of the agency contract and that records be produced. The act also prescribes prohibited conduct, criminal penalties, civil remedies, and administrative penalties. Provisions of this act governing the legal effect, validity, or enforceability of electronic records or signatures and of contracts formed or performed with the use of such records or signatures shall conform to the requirements of current Section 102 of the Electronic Signatures in Global and National Commerce Act.

ATHLETIC COMMISSION, STATE

BOXING

ELIMINATION CONTESTS

Act 631 (SB369) - The act exempts boxing elimination contests from the jurisdiction of the State Athletic Commission. The act lists competitions not affected by the act and promoter requirements. The act requires that a breathalyzer test be given as a part of the physical examination before the contest. Breathalyzer test results shall be made available to law enforcement and records of the test shall be maintained.

SPONSORING ORGANIZATION

FEES

Act 536 (HB1629) - The sponsoring organization of matches and exhibitions shall, within ten (10) days of the event, furnish to the State Athletic Commission a written report of tickets issued or sold, and gross receipts, and pay a five percent (5%) fee on the total gross receipts to the commission.

ATHLETIC TRAINING, ARKANSAS STATE BOARD OF

CREATED

Act 1124 (HB1084) - The act creates the Arkansas State Board of Athletic Training and empowers it to regulate and license athletic trainers.

ATTORNEY GENERAL

ADULT ABUSE

LONG-TERM CARE FACILITIES

Act 1621 (SB380) - The act permits the Attorney General, in the event of adult abuse violations, to institute a civil action against a long-term care facility with a penalty range of up to fifty thousand dollars (\$50,000) for a single adult abuse violation which results in death.

ETHICS

GIFTS

Act 239 (SB33) - The act allows the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Commissioner of State Lands, Attorney General, President Pro Tempore of the Senate, Speaker of the House, and the Chief Justice of the Supreme Court to accept gifts, grants, and donations on behalf of the state for any lawful public purpose. These gifts, grants, and donations shall become government property and shall be disclosed quarterly to the Ethics Commission.

FAIR HOUSING COMMISSION

CIVIL RIGHTS PROTECTION

Act 1785 (SB499) - The act creates the Arkansas Fair Housing Commission, in accordance with federal law. The act authorizes the commission to investigate housing discrimination complaints and, in cooperation with the state Attorney General, to punish violators.

TITLE OPINIONS

PURCHASE OF PROPERTY FOR STATE

Act 534 (HB1548) - The act requires a seller of real property, when selling real property to the state, to provide at the seller's expense, a commitment to issue a title insurance policy acceptable to the purchasing state entity. The Attorney General shall provide an opinion upon request.

AUCTIONEERS

AUCTIONEER'S LICENSING BOARD

SUSPENSION OR REVOCATION OF AUCTIONEER'S LICENSE

Act 1258 (HB2593) - The act adds "failing to disclose the buyer's premium in all advertising associated with an auction" as an act for which an auctioneer's license may be suspended or revoked by the Auctioneer's Licensing Board.

CONTINUING EDUCATION REQUIREMENT

EXEMPTION

Act 1754 (HB2607) - The act exempts auctioneers at least fifty-five (55) years of age from continuing education requirements.

BAIL BONDS

APPREHENSION OF DEFENDANTS ON BOND

AUTHORIZED PERSONS

Act 1387 (HB2222) - The act adds Arkansas-licensed bail agents and persons under their direct supervision as persons authorized to apprehend a defendant on bail bond.

BAIL BONDS

PRISONER'S RIGHTS

CALLS TO LOCAL BONDSPERSON

Act 1682 (HB2365) - The act provides that prisoners have the right to place calls to a local bondsman.

PROFESSIONAL BAIL BOND COMPANIES

APPEAL OF LICENSE REVOCATION

Act 1679 (HB2220) - The act requires professional bail bond companies to file a supersedeas bond during the appeal of a license revocation based on unpaid judgments.

LOCAL ADDRESS TO BE POSTED IN PRISONER HOUSING

Act 1139 (HB2632) - The act requires that a list of bonding companies authorized to do business in a county be posted in plain view in facilities housing prisoners. The local address of the bonding company shall be provided instead of the local agent's address.

PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING

INCREASE IN APPLICATION AND RENEWAL FEES

Act 1680 (HB2221) - The act increases the application, renewal, and agent transfer fees charged by the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board.

BENTON SERVICES CENTER

NAME CHANGED

Act 152 (SB100) - The act changes the name of the Benton Services Center to the Arkansas Health Center.

BUILDING SERVICES, ARKANSAS STATE

NONAGENCY STATE ENTITIES

LEASING AGENT

Act 238 (HB1381) - The act provides that State Building Services may act as the leasing agent for any nonagency state entity if requested in writing by the nonagency state entity.

PARKING DECKS

CONSTRUCTION

Act 736 (SB518) - The act authorizes Arkansas State Building Services to construct a parking deck on the State Capitol grounds.

SECTION NAMES CHANGED

Act 542 (HB1373) - The act renames the Building Operation/Maintenance Section of State Building Services as the Building Operations Section and renames the Leasing Section as the Real Estate Services Section.

BUSINESS LAW

ABANDONED SITE CLEANUP

IMPLEMENTING AGREEMENTS

Act 164 (SB139) - The act requires the Department of Environmental Quality and the prospective purchaser of a contaminated abandoned site to enter into an implementing agreement establishing cleanup-liabilities and obligations.

ACCEPTED-WORK DOCTRINE

Act 1119 (HB1383) - The act reinstates the accepted-work doctrine for publicly owned improvements to public property.

BUSINESS LAW

ARKANSAS ECONOMIC DEVELOPMENT INCENTIVE ACT

Act 1054 (SB797) - The act amends the Arkansas Economic Development Incentive Act to redefine several terms and change requirements for out-of-state sales.

BANK COMMISSIONER, STATE

APPLICATIONS

Act 63 (SB38) - The act specifies which applications filed with the State Bank Commissioner are subject to the commissioner's notice requirements.

APPRAISER LICENSING AND CERTIFICATION BOARD, ARKANSAS

Act 159 (SB40) - The act removes the State Bank Commissioner as a member of the Arkansas Appraiser Licensing and Certification Board.

DISCLOSURE OF RECORDS

Act 1056 (SB842) - The act authorizes the State Bank Commissioner to disclose records to state and federal regulatory agencies with jurisdiction over financial institutions and entities engaging in financial activities, including insurance, security brokerage and underwriting.

EXAMINATION FEES

Act 64 (SB39) - The act authorizes the State Bank Commissioner to charge each development finance corporation under his supervision assessment fees to defray the expenses of supervision and examination.

BANKS

ABANDONED PROPERTY

Act 793 (HB1943) - The act provides that a demand, savings, or time deposit that is automatically renewable shall not be deemed abandoned upon its initial date of maturity unless the most recent correspondence from the financial organization to the owner has been returned unclaimed or undelivered.

APPLICATIONS

Act 63 (SB38) - The act specifies which applications filed with the State Bank Commissioner are subject to the commissioner's notice requirements.

BANK REORGANIZATIONS

Act 65 (SB41) - The act provides that a copy of any proxy statement relating to a plan of exchange or other solicitation materials provided to the shareholders of a state bank must be filed with the commissioner on or before delivery to the shareholders.

BRANCH BANKING

Act 62 (SB36) - The act amends various sections of the Arkansas Banking Code relating to branch banking activity and authority to hold real estate and financial subsidiaries.

ELECTRONIC TRANSFERS

Act 1723 (HB2378) - The act provides that Arkansas financial institutions shall stop payment of any electronic funds transfer from a customer's account upon receipt, at least 3 business days prior to the scheduled transfer, of a written stop payment order from the customer or any person authorized to draw upon the account describing the transfer with reasonable certainty.

FRAUDULENT USE OF A DEBIT CARD

Act 1142 (SB755) - The act expands the criminal offense of "Fraudulent use of a credit card", Arkansas Code 5-37-207, to include the fraudulent use of a debit card.

PUBLIC FUND DEPOSITORIES

Act 1436 (HB1772) - The act defines "bank" and "banking institution" concerning depositories of public funds.

PUBLIC FUNDS HELD BY BANKS - PERMITTED SECURITIES

Act 310 (HB1370) - If an Arkansas depository or state bank must furnish security for the deposit of public funds, or if security must be granted to a public official in connection with public funds, the type of security given is limited to those identified by the act.

BUSINESS LAW

BANKS

TRANSMISSION OF ACCOUNT INFORMATION

Act 1466 (HB2194) - The act provides that certain electronic commerce transactions shall be covered by the Arkansas hot check law. The act also increases the service charge that can be levied upon hot checks to \$25.00 dollars plus fees charged against the holder of the check as a result of a check not being honored.

BUSINESS CORPORATION ACT OF 1987, ARKANSAS

REFERENCE

Act 728 (HB1728) - The act ensures that the Arkansas Business Corporation Act is correctly referenced.

SERVICE UPON A CORPORATION WHEN THERE IS NO REGISTERED AGENT

Act 1815 (HB2272) - The act amends the Business Corporation Act of 1987 to increase the available methods of service on a corporation which has no registered agent.

CITIES

PURCHASES OF GOODS AND SERVICES

Act 508 (HB1601) - The act amends Arkansas Code 14-58-303 regarding purchase of goods and services by cities of the first and second class and incorporated towns.

CLASS A MISDEMEANOR

DIRECTED SURETYSHIP

Act 771 (SB244) - The act makes it a Class A misdemeanor for a contracting body to require a bidder or contractor to obtain any surety bond from any particular insurance or surety company, agent, or broker, or to include surety bonds in an owner-controlled insurance program.

CORPORATIONS

INCORPORATION

Act 454 (HB1560) - The act allows corporations to change their state of incorporation to or from Arkansas and sets out the required procedures.

SERVICE OF PROCESS

Act 749 (HB1778) - The act provides that service of process on a corporation is perfected on the earliest of: (1) the date the corporation receives the mail, (2) the date shown on the return receipt, or (3) five days after its deposit in the U.S. mail.

DEVELOPMENT FINANCE AUTHORITY, ARKANSAS

INDUSTRIAL REVENUE BOND GUARANTY LAW

Act 1032 (HB2190) - The act amends the Industrial Revenue Bond Guaranty Law to redefine the term "ADFA bonds" to include direct loans by the Arkansas Development Finance Authority and provides that no one issue or series of Act No. 9 bonds or ADFA bonds guaranteed shall exceed \$5,000,000 (currently \$4,000,000).

VENTURE CAPITAL INVESTMENT ACT OF 2001

Act 1791 (SB808) - The act increases the availability of equity and near-equity capital for emerging, expanding, relocating, and restructuring enterprises in the state, strengthening the state's economic base, and creating jobs.

DEVELOPMENT FINANCE CORPORATIONS

EXAMINATION FEES

Act 64 (SB39) - The act authorizes the State Bank Commissioner to charge each development finance corporation under his supervision assessment fees to defray the expenses of supervision and examination.

ECONOMIC DEVELOPMENT ACT OF 1995, ARKANSAS

CLARIFICATION

Act 1401 (SB304) - The act provides that expenditures for replacements of items previously purchased as part of a project and routine operating expenditures are not eligible for benefits under the Arkansas Enterprise Zone Act of 1993 or the Arkansas Economic Development Act of 1995.

BUSINESS LAW

ECONOMIC INVESTMENT TAX CREDIT ACT

INCOME TAX CREDIT

Act 737 (SB528) - The act includes defense industry projects in the Economic Investment Tax Credit Act. As a result, defense industry projects are eligible for an income tax credit equal to 100% of the sales and use tax liability for the reporting period. The act also amends the definition of distribution center in the Economic Investment Tax Credit Act to include a facility for the reception, storage, or shipping of products if 75% of the sales revenue is from out-of-state-customers.

ELECTRICIANS

EXEMPTIONS FROM LICENSURE

Act 1776 (HB2610) - The act exempts agents, contractors, and subcontractors of existing businesses with assets in this state of one billion dollars or more from meeting electrician licensure requirements.

ELECTRONIC TRANSACTIONS

Act 905 (SB159) - The act adopts the Uniform Electronic Transactions Act.

EMPLOYEE RIGHTS

GENETIC DISCRIMINATION PROHIBITED

Act 1407 (SB766) - The act makes it unlawful for an employer to use a genetic test or genetic information of an employee for the purposes of discriminating against or restricting any right or benefit otherwise due or available to an employee. Any employer who violates the act may be fined up to twenty-five thousand dollars (\$25,000) or imprisoned up to one (1) year in jail, or both.

ENGINEERS

REGISTRATION

Act 591 (SB419) - The act requires renewal of engineer registration certificates, annually or biannually, at the discretion of the State Board of Registration for Professional Engineers. Engineers are no longer required to file boundary surveys.

ENTERPRISE ZONE ACT OF 1993, ARKANSAS

CLARIFICATION

Act 1401 (SB304) - The act provides that expenditures for replacements of items previously purchased as part of a project and routine operating expenditures are not eligible for benefits under the Arkansas Enterprise Zone Act of 1993 or the Arkansas Economic Development Act of 1995.

ETHICS

MEMBERS OF ENTITIES RECEIVING STATE FUNDS

Act 1244 (HB2254) - The act provides that members of entities receiving state funds shall not participate in, vote on, influence, or attempt to influence, official decisions if the member has a pecuniary interest in the matter, or if the member would benefit from a proposed rule or regulation. Members of entities receiving state funds shall not use or attempt to use their position to secure privileges or exemptions; nor may members of entities receiving state funds disclose or use confidential information acquired as a member.

EXEMPTIONS FROM LICENSURE

ELECTRICIANS

Act 1776 (HB2610) - The act exempts agents, contractors, and subcontractors of existing businesses with assets in this state of one billion dollars or more from meeting electrician licensure requirements.

FARM EQUIPMENT RETAILER FRANCHISES

WARRANTY WORK

Act 633 (SB515) - This act provides an additional section under the Farm Equipment Retailer Franchise Protection Law concerning warranty work.

BUSINESS LAW

FINANCIAL INSTITUTIONS

ABANDONED PROPERTY

Act 793 (HB1943) - The act provides that a demand, savings, or time deposit that is automatically renewable shall not be deemed abandoned upon its initial date of maturity unless the most recent correspondence from the financial organization to the owner has been returned unclaimed or undelivered.

ELECTRONIC TRANSFERS

Act 1723 (HB2378) - The act provides that Arkansas financial institutions shall stop payment of any electronic funds transfer from a customer's account upon receipt, at least 3 business days prior to the scheduled transfer, of a written stop payment order from the customer or any person authorized to draw upon the account describing the transfer with reasonable certainty.

FRANCHISE TAXES

NONPAYMENT

Act 1549 (HB1931) - The act provides that corporations or limited liability companies owing franchise taxes to the Secretary of State shall not be allowed to file any forms or documentation related to that corporation or company. Persons substantially related to a corporation or company owing franchise taxes shall not be allowed to create a legal entity or obtain authority to do business in the state.

HEALTH INSURANCE

PURCHASING GROUPS FOR ELIGIBLE EMPLOYERS

Act 925 (HB1660) - The act provides for Health Insurance Purchasing Groups for eligible employers, sets forth organizational, coverage, ethics, filing, operations, and coordination requirements. Written notice of the option to select an alternative policy or plan must be given to the employee and rejected in writing by the employee or the eligible employee will be deemed to have selected a health benefit plan subject to state mandated benefits, services, provisions, and rights. The act allows administrative services to be provided to members.

HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION LICENSING LAW

UNLICENSED REPAIRMEN PROHIBITED FROM ENFORCING LIENS

Act 1563 (HB2349) - The act amends the Heating, Ventilation, Air Conditioning, and Refrigeration licensing law to prohibit unlicensed repairmen from enforcing various liens for any unlicensed work done. It applies to mechanic's and materialman's lien, a laborer's lien, a repairmen's lien or any other artisan's lien for work done in violation of the licensing law.

HOMEBUILDERS

Act 738 (HB1934) - The act repeals the Arkansas Homebuilders Registration Act.

INCOME TAX

APPORTIONMENT OF INCOME WITH OTHER STATES

Act 1228 (HB1462) - The act provides that for purposes of apportionment of income for tax purposes, a taxpayer is taxable in another state if: (1) in that state the taxpayer is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax; and the taxpayer files the requisite tax return in the other state; or (2) that state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not.

CAPITAL GAINS

Act 1584 (SB906) - The act provides that if a taxpayer has a net capital gain from a venture capital investment, 100% of the gain shall be exempt from the Income Tax Act of 1929.

CONSOLIDATED CORPORATE RETURNS

Act 1227 (HB1439) - The act provides that consolidated corporate income tax return deductions for charitable contributions must be calculated on a separate company basis. The act also provides that each member of the affiliated group filing a consolidated corporate return must calculate income separately.

BUSINESS LAW

INCOME TAX

DEDUCTIONS

Act 1558 (HB2298) - The act provides that in computing net income for Arkansas income tax purposes, there shall be allowed as a deduction the amount paid during a taxable year to the United States Small Business Administration as a guaranty fee associated with the acquisition of Small Business Administration financing.

INCOME TAX CREDIT

INCENTIVES FOR BIOTECHNOLOGY COMPANIES

Act 900 (HB2189) - The act makes various changes in the law granting tax incentives to biotechnology companies.

TOURISM DEVELOPMENT

Act 899 (HB2182) - The act amends the Arkansas Tourism Development Act to define the term "high unemployment", to remove the requirement that 25% of visitors be from out-of-state, and to clarify income tax credits in high unemployment counties.

INCORPORATION

ELECTRONIC FILING FEE SCHEDULE

Act 1395 (HB2602) - The act creates a schedule of electronic filing fees and imposes fees for change of domicile applications.

INDUSTRIAL REVENUE BOND GUARANTY LAW

Act 1032 (HB2190) - The act amends the Industrial Revenue Bond Guaranty Law to redefine the term "ADFA bonds" to include direct loans by the Arkansas Development Finance Authority and provides that no one issue or series of Act No. 9 bonds or ADFA bonds guaranteed shall exceed \$5,000,000 (currently \$4,000,000).

INSURANCE

PRODUCER LICENSING MODEL ACT

Act 580 (HB1456) - The act adopts the Producer Licensing Model Act to comply with the provisions of the Gramm-Leach-Bliley Act of 1999 regarding reciprocity, uniformity, and producer licensing.

RISK BASED CAPITAL ACT

Act 8 (HB1100) - The act allows the Insurance Commissioner to exempt domestic insurers which write direct annual premiums of two million dollars (\$2,000,000) or less from the Risk Based Capital Act.

INSURANCE COMMISSIONER

PERFORMANCE REVIEW OF ARKANSAS' WORKERS' COMPENSATION INSURANCE PLAN

Act 1721 (HB2360) - The act establishes the frequency with which the Insurance Commissioner conducts a comprehensive performance review of the plan administrator of Arkansas' Workers' Compensation Insurance Plan.

LIENS

MASSAGE THERAPISTS

Act 363 (SB328) - The act includes massage therapists as practitioners for purposes of the Medical, Nursing, Hospital, and Ambulance Service Lien Act.

LIMITED LIABILITY COMPANIES

ARTICLES OF ORGANIZATION

Act 829 (HB1832) - The act eliminates the requirement that articles of organization contain the latest date upon which a limited liability company is to dissolve.

BUSINESS LAW

LIMITED LIABILITY COMPANIES, FOREIGN

NAME REGISTRATION

Act 830 (HB1833) - The act permits foreign limited liability companies to register a name in Arkansas and sets forth application and renewal procedures.

LOAN PROGRAM

WASTE REDUCTION

Act 213 (HB1255) - The act expands the use of the Revolving Loan Fund administered by the Department of Environmental Quality to include waste reduction practices and increases the maximum amount of loans available.

MICROBREWERIES

OFF PREMISES CONSUMPTION

Act 805 (HB1995) - The act allows microbrewery-restaurants which hold a microbrewery-restaurant distribution permit to sell their beers for off-premises consumption.

MINIMUM WAGE

Act 1423 (HB1950) - The act amends the Minimum Wage Act to delete references to the Labor Board and substitute references to the Department of Labor and provides for civil penalties instead of criminal penalties for violating the act.

MOTOR AND DISTILLATE FUEL TAXES

DYED DIESEL FUEL

Act 777 (SB530) - The act eliminates the requirement that sellers of dyed diesel fuel identify each purchaser in monthly motor fuel tax reports.

MOTOR VEHICLE COMMISSION

DISCLOSURE OF DOCUMENTARY FEES

Act 1600 (SB854) - The act requires new and used motor vehicle dealers to disclose documentary fees to purchasers of new and used motor vehicles. Documentary fees are fees for services rendered on behalf of a purchaser in preparing, handling, and processing documents relating to, and in closing a retail installment transaction, involving a new or used motor vehicle. A standard disclosure of the documentary fee must appear on the buyer's order form.

MOTORCOACH INCENTIVE ACT

FUNDS

Act 1674 (HB1949) - Section 44 of the act adds under the Miscellaneous Revolving Fund incentive payments to eligible applicants under the Motorcoach Incentive Act of 1999.

NON-PROFIT CORPORATIONS

AUDITS

Act 958 (HB1910) - The act provides that any nonprofit organization receiving state financial assistance shall be subject to audit of its receipts and expenditures of state financial assistance by the Division of Legislative Audit.

OPEN-CUT MINING

Act 550 (HB1763) - The act amends various sections of the Arkansas Open-Cut Land Reclamation Act.

PETROLEUM STORAGE TANKS

Act 206 (HB1240) - The act amends the Petroleum Storage Tank Trust Fund Act to provide that an owner or operator who considers himself injured in his business or personal property by a decision of the Director of the Department of Environmental Quality may appeal the director's decision to the Pollution Control and Ecology Commission.

BUSINESS LAW

PREPAID FUNERAL BENEFITS

Act 1043 (HB1657) - The act amends various sections of the Arkansas prepaid funeral benefits law.

PUBLIC WORKS CONTRACTS

BONDS

Act 980 (HB2322) - The act allows both resident and non-resident agents to execute surety bonds for public works contracts.

RECYCLING

FEDERAL LAW, EXEMPTIONS

Act 449 (SB327) - The act exempts from both the emergency response fund act and the remedial action trust fund act those persons who have made certain efforts to recycle materials covered by the federal Comprehensive Environmental Response Compensation and Liability Act.

RESTAURANTS

FOOD HYGIENE

Act 1656 (SB929) - The act requires food preparation employees to take special precautions to keep their hands and arms clean while handling food.

PERMIT FEES

Act 467 (SB418) - The act provides that the food service establishment permit fee levied by Arkansas Code 20-57-204(d) expires on July 1, 2005.

RESTAURANTS IN COUNTIES WITH PARI-MUTUEL WAGERING

MINIMUM CAPACITY

Act 804 (HB1557) - The act provides that the minimum seating capacity of any restaurant granted a pari-mutuel mixed drink permit, in any county where pari-mutuel wagering has been authorized by law, is reduced from 200 to 100 seats.

RETAIL LIQUOR STORES

LOCATION

Act 1072 (SB511) - The act provides that hereafter no new permit to engage in the retail liquor business may be issued for a location within 1,000 feet of any church or schoolhouse and no existing permit may be transferred to a location within 1,000 feet of any church or schoolhouse.

SALES AND USE TAX

EXEMPTIONS

Act 1375 (SB967) - The act exempts from sales and use tax the sales of electricity and natural gas used in the process of manufacturing wall and floor tile by manufacturers of tile classified in Standard Industrial Classification 3253.

REPORTS OF BUSINESSES REMITTING TAX TO STATE

Act 1040 (SB806) - The act requires the Department of Finance and Administration to provide reports listing all businesses remitting sales and use taxes within a city, town, or county upon the request of the mayor or county judge. The municipality or county may request the sales and use tax report no more than quarterly.

UNIFORM SALES AND USE TAX ADMINISTRATION ACT

Act 1279 (HB2170) - The act adopts the "Uniform Sales and Use Tax Administration Act".

USED MOTOR VEHICLE CREDIT

Act 1047 (SB310) - The act requires the seller of a used motor vehicle claiming a sales or use tax credit on the purchase of a new or used vehicle to provide a copy of the bill of sale signed by all parties.

BUSINESS LAW

SALES AND USE TAX

VENDOR'S RESPONSIBILITY

Act 922 (HB1440) - The act provides that the processing of orders for goods electronically, by fax, telephone, the Internet, or other electronic ordering process, or the processing of orders by nonelectric means, by mail order, fax, telephone, or otherwise does not relieve a vendor of responsibility for collection of the use tax if the vendor holds a substantial ownership interest in a retailer in Arkansas and the vendor sells the same or substantially similar products as the Arkansas retailer under the same or substantially similar business name or the facilities or employees of the Arkansas retailer are used to advertise or promote sales by the out-of-state vendor to Arkansas purchasers.

SECURITIES

PUBLIC FUNDS HELD BY BANKS - PERMITTED SECURITIES

Act 310 (HB1370) - If an Arkansas depository or state bank must furnish security for the deposit of public funds or if security must be granted to a public official in connection with public funds, the type of security given is limited to those identified by the act.

VIATICAL SETTLEMENT CONTRACTS

Act 468 (SB432) - The act adds "viatical settlement contracts" to the definition of a security, and defines "issuer" with respect to viatical settlement contracts.

SHAREHOLDERS - BANK

BANK REORGANIZATIONS

Act 65 (SB41) - The act provides that a copy of any proxy statement relating to a plan of exchange or other solicitation materials provided to the shareholders of a state bank must be filed with the commissioner on or before delivery to the shareholders.

SMALL BUSINESSES

ECONOMIC DEVELOPMENT LOAN PROGRAM

Act 913 (SB760) - The act requires the Arkansas Department of Economic Development to institute a program to make participation loans which are originated by approved community lenders for small businesses in this state. The act sets out parameters for the loans and outlines the goals the department is to meet in making the loans.

STEEL MANUFACTURERS

TAX INCENTIVES

Act 541 (SB474) - The act provides tax credits and tax exemptions to qualified manufacturers of steel.

TAX CREDIT

ARKANSAS ECONOMIC DEVELOPMENT ACT

Act 975 (HB2057) - The act amends the Arkansas Economic Development Act to redefine terms and to make various changes in the tax credit provisions of the act.

NANOTECHNOLOGY

Act 1284 (HB2237) - The act renames the Arkansas Emerging Energy Technology Development Act of 1999 as the Arkansas Emerging Technology Development Act of 1999 and expands its applications to nanotechnology, microturbines, and Stirling engines and expands the carryover of any tax credit from 6 years to 14 years.

TELECOMMUNICATIONS DEVICES

DISABLED PERSONS

Act 530 (SB396) - The act amends various laws regarding telecommunications devices for disabled persons.

BUSINESS LAW

TERMS RELATED TO ARKANSAS STATE POLICE

RESTRICTING USE

Act 1094 (HB1840) - The act provides that the express written permission of the Director of the Department of Arkansas State Police must be obtained before a law enforcement agency, private security firm, corporation, partnership, or individual may use the terms "Arkansas State Police", "Arkansas State Trooper", or "Arkansas State Troopers" or otherwise display the terms for the endorsement of any product, business, or purpose.

UNEMPLOYMENT COMPENSATION

DISQUALIFICATION

Act 755 (SB254) - The act provides that, when determining disqualification for unemployment benefits, work offered to an individual by a base-period or last employer at earnings equal to or greater than the individual earned from the base-period or last employer shall be deemed to be suitable work, absent other factors.

DISQUALIFICATION - DRUGS

Act 770 (SB237) - The act disqualifies a person for unemployment benefits if the person is discharged for testing positive for illegal drugs pursuant to a Department of Transportation qualified drug screen conducted in accordance with the employer's bona fide written drug policy.

EMPLOYER CONTRIBUTION

Act 964 (HB1639) - The act provides that when an employer who has been assigned a contribution rate makes a voluntary payment to the Unemployment Compensation Fund, the Director of the Arkansas Employment Security Department shall compute a new experience rate for the employer.

FUTURE RATES

Act 1528 (SB438) - The act amends the Employment Security Law to provide that, under certain circumstances, an employer who at the time of establishing an account is in business in another state or states and not currently doing business in Arkansas may elect to receive a beginning contribution rate of 2.9% or a contribution rate based on the rate schedule at Arkansas Code 11-10-705(b)(1), whichever is lower, but in no event less than 1%.

OMNIBUS AMENDMENTS

Act 1367 (SB822) - The act amends various sections of the Arkansas Employment Security Law.

STABILIZATION TAXES

Act 1628 (SB562) - The act provides that the Director of the Employment Security Department shall report to the Employment Security Department Advisory Council on a quarterly basis as to any and all uses of funds generated by stabilization taxes.

VARIOUS CHANGES

Act 1467 (HB2215) - The act amends various sections of the Arkansas Employment Security Law.

UNIFORM COMMERCIAL CODE

SECURED TRANSACTIONS

Act 1439 (HB1147) - The act totally revises Article 9 of the Uniform Commercial Code relating to secured transactions.

VIATICAL SETTLEMENT CONTRACTS

INSURER DEFINED

Act 468 (SB432) - The act adds "viatical settlement contracts" to the definition of a security, and defines "issuer" with respect to viatical settlement contracts.

WORKERS' COMPENSATION LAW

TECHNICAL CORRECTIONS

Act 1757 (HB2646) - The act makes technical corrections to the Arkansas Workers' Compensation law by amending various sections of the Arkansas Code.

BUSINESS LAW

WORKERS' COMPENSATION LAW

VARIOUS CHANGES

Act 1281 (HB2521) - The act amends the Workers' Compensation Law to modify the burden of proof in establishing an occupational disease; to authorize the Workers' Compensation Commission to promulgate guidelines regarding carpal tunnel syndrome; to regulate health care provider payments while claims are pending; to prescribe conditions for the admission of expert testimony; and to amend the schedule of fees for legal services.

WORKPLACE VIOLENCE

PROHIBITING FURTHER UNLAWFUL ACTS AT THE WORKPLACE

Act 1084 (SB846) - The act allows an employer, instead of having criminal charges filed, to seek a temporary restraining order, a preliminary injunction, or an injunction under Rule 65 of the Arkansas Rules of Civil Procedure prohibiting further unlawful acts by an individual at the worksite.

WORTHLESS CHECKS

INCREASE IN COLLECTION FEES

Act 996 (HB1794) - The act increases the collection fee that a holder of a worthless check may charge the person who issues the check to twenty-five dollars (\$25.00), plus the amount of any fees charged to the holder of the check by any financial institution as a result of the check not being honored.

CHILDREN

ADOPTION

HOSPITAL RELEASE FORM

Act 1737 (HB2379) - The act provides for a release form to be executed by the biological mother, the guardian of the minor child, the child placement agency, the Division of Children and Family Services, or the attorney acting on their behalf, before a hospital or birthing center surrenders custody of a minor to be adopted. The release form will be in addition to either a consent to adopt or a relinquishment of parental rights. Release of the child after the signing of a release form exempts the hospital or birthing center from liability for acts which might result from the release.

JURISDICTION

Act 383 (HB1316) - The act amends the jurisdiction provisions of the Arkansas Revised Uniform Adoption Act to give the state jurisdiction of the adoption of a child who is a resident of the state. The act also defines residency for children under 6 months of age and over 6 months of age. The act defines the residency of a person seeking to adopt a child.

ADOPTION REGISTRY

HUMANS SERVICES, DEPARTMENT OF

Act 409 (HB1043) - The act requires the Department of Human Services to include the affidavit form for placement in the mutual adoption registry internet site and to keep records of every adoptee and birth parent reunited through the registry.

ALEXANDER YOUTH SERVICE CENTER

PRIVATIZATION

Act 1794 (SB839) - The act provides that any employee of the Alexander Youth Service Center who is placed in a lower graded position because his or her original position has expired due to the privatization of the center, may continue to be paid at the same rate as the employee was being paid in the higher graded position upon approval of the Chief Fiscal Officer of the State after seeking the review of the Arkansas Legislative Council or Joint Budget Committee.

CHILDREN

BODY PIERCING AND TATTOOING REGULATED

PARENTAL CONSENT REQUIRED

Act 414 (HB1256) - The act requires parental consent for the body piercing, branding, or tattooing of any person under eighteen (18) years of age. Previously, only tattooing of minors required parental consent. It also requires licensing and inspection of Arkansas businesses performing body piercing, branding, and tattooing by the Arkansas Department of Health and by local governments, if they enact local ordinances.

CHILD ABUSE

COURTS AND CUSTODY

Act 1503 (HB1766) - The act makes substantive changes in the definitions of "abuse" and "dependent juveniles" and other terms relevant to child abuse. The act makes substantive changes in the relations between the courts and the Department of Human Services, particularly concerning foster care and reunification services.

ENFORCEMENT AND REPORTING

Act 1210 (HB1765) - The act clarifies the definition of "abuse" in child abuse cases, adds definitions of "deviant sexual activity," "indecent exposure," "pornography" and "sexual contact." The act makes various changes in procedures for reporting child abuse and in the operations of the child abuse hotline.

LAW ENFORCEMENT TRAINING

Act 1452 (HB2315) - The act requires all new law enforcement officers to complete at least 20 hours of training concerning domestic violence and 20 hours of training concerning child abuse.

PERMITTING ABUSE OF A CHILD

Act 1374 (SB964) - The act provides for increased felony penalties for persons in a position of trust or in authority over a minor, including parents, guardians, teachers, school or school district staff, caregivers or other persons, for permitting child abuse or engaging in sexual activity with a child .

CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION

GRANTS TO CHILD ADVOCACY CENTERS

Act 1631 (SB578) - The act permits the Child Abuse/Rape/Domestic Violence Commission to administer and monitor grants to child advocacy centers. Child advocacy centers provide a child-friendly atmosphere, reduced trauma to the children and families, improved investigations and management, more effective utilization of multi-agency information, greater protection of children, increased prosecution of perpetrators and less unnecessary family intervention. The purpose of this act is to encourage the use of existing child advocacy centers and the development of new centers.

CHILD PASSENGER PROTECTION ACT

AGE AND WEIGHT REQUIREMENTS CHANGED

Act 470 (HB1124) - The act amends the Child Passenger Protection Act to require children under fifteen (15) years old to be restrained when riding in passenger vehicles. Previously, the age limit was under five (5) years old. The act also requires children who are under six (6) years old and who weigh less than sixty (60) pounds to be restrained in the vehicle in a child passenger safety seat. Formerly, the age and weight limits for children were 4 years old and 40 pounds.

CHILD SAFETY SEATS

AGE AND WEIGHT REQUIREMENTS CHANGED

Act 470 (HB1124) - The act amends the Child Passenger Protection Act to require children under fifteen (15) years old to be restrained when riding in passenger vehicles. Previously, the age limit was under five (5) years old. The act also requires children who are under six (6) years old and who weigh less than sixty (60) pounds to be restrained in the vehicle in a child passenger safety seat. Formerly, the age and weight limits for children were 4 years old and 40 pounds.

CHILDREN

CHILD SUPPORT

OMNIBUS REVISIONS

Act 1248 (SB249) - The act makes technical changes and amends numerous sections of the Arkansas Code regarding child support enforcement.

CHILD WELFARE AGENCY

BACKGROUND CHECKS

Act 1211 (HB1919) - The act adds various persons and entities to the list of those who may receive confidential information about applicants for licensure by the Child Welfare Agency Review Board. The act adds to the list of persons in a child welfare agency who must undergo criminal record and child maltreatment checks.

CHILD WELFARE AGENCY REVIEW BOARD

COMPOSITION

Act 1414 (SB985) - The act modifies the composition of the Child Welfare Agency Review Board.

LICENSE APPLICANTS

Act 1211 (HB1919) - The act adds various persons and entities to the list of those who may receive confidential information about applicants for licensure by the Child Welfare Agency Review Board. The act adds to the list of persons in a child welfare agency who must undergo criminal record and child maltreatment checks.

CHILDCARE FACILITIES LOAN GUARANTEE TRUST FUND

Act 305 (HB1205) - The act provides that any interest in the Childcare Facilities Loan Guarantee Trust Fund at the end of a fiscal year which exceeds the amount necessary to cover loan defaults occurring during that fiscal year shall be made available for professional development and quality improvement activities and grants.

COMPUTERS

USE POLICY

Act 912 (SB717) - The act requires each school district and each public library to adopt a written policy to prevent computer users from accessing material harmful to minors.

Act 1533 (HB1003) - The act provides that each public school that provides a public access computer shall, unless the school board votes otherwise, equip the computer with technology that seeks to prevent minors from gaining access to material that is harmful to minors or from obtaining internet connectivity from an internet service provider that provides filter services to limit access to material that is harmful to minors. The act also provides that each public library with one or more public access computers shall develop, adopt and implement a written policy that establishes and maintains a system to prevent minors from gaining computer access to materials harmful to minors, and provides for suspending the privilege of a minor from using the public access computers for violation of the policy and revoking such privilege for repeat offenders.

CONCEALING BIRTH

INCREASED PENALTIES

Act 205 (HB1232) - The act increases the penalty for concealing birth from a Class A misdemeanor to a Class D felony.

CONSUMER PROTECTION

UNSAFE PRODUCTS

Act 1313 (SB524) - The act prohibits the use, sale, or resale of unsafe children's products by commercial users, specifically those products not in conformance with federal law and regulatory standards, those recalled, and those products the federal government has issued warnings about. The act provides standards and specifications for crib safety.

CHILDREN

CRIME VICTIMS

REPARATIONS

Act 548 (HB1516) - The act expands the definition of victim under the Arkansas Crime Victims Reparations Act to include a child.

CUSTODY

ABUSIVE PARENT

Act 1235 (HB2173) - The act provides for a rebuttable presumption that it is not in the best interest of a child to be placed in the custody of an abusive parent.

DUTIES OF DEPARTMENT OF HUMAN SERVICES

Act 1245 (HB2280) - The act provides that when the Department of Human Services takes custody of a child due to the actions of someone other than the custodial parent, the department shall immediately search for the custodial parent and notify that parent as to the child's location.

DIVORCE

PARENTING, CUSTODY AND VISITATION MEDIATION

Act 198 (HB1148) - The act authorizes a court to require parties, subsequent to a divorce, to submit to mediation in regard to parenting, custody, and visitation issues.

DOMESTIC ABUSE

CHILDREN AND PERSONS WITH CHILDREN IN COMMON

Act 1678 (HB2174) - The act extends further protection for victims of domestic abuse by providing protection for any child residing in the household, and adding protection for persons who have or have had a child in common. The act amends the petition form for protection orders to reflect that protection.

REPORTING ABUSE OR NEGLECT OF CHILDREN

Act 1236 (HB2326) - The act requires domestic abuse advocates to report suspected abuse or neglect of children to the child abuse hotline.

DRUG ABUSE AND VIOLENCE PREVENTION TASK FORCE

FUNCTIONS AND DUTIES

Act 1655 (SB904) - The act establishes the Drug Abuse and Violence Prevention Task Force. The task force shall develop a model coordinated, comprehensive and cumulative curriculum for teaching drug abuse prevention and violence prevention in grades K-12 in the public schools. The task force shall report its findings and recommendations to the Governor and the Legislative Council on or before March 1, 2002, and shall cease to exist on that date.

ENDANGERING WELFARE OF MINOR - FIRST DEGREE

AFFIRMATIVE DEFENSE

Act 236 (HB1070) - The act requires a medical provider or law enforcement agency to take possession of a child age thirty (30) days or younger if the child is left with or voluntarily delivered to the provider or agency by the child's parent who does not express an intent to return for the child. Voluntary delivery of a child is an affirmative defense to prosecution for endangering the welfare of a minor, but not to prosecution for abuse or neglect committed prior to the delivery of the child.

EXPLOITATION AND PORNOGRAPHY

COMPUTER CRIMES

Act 1496 (SB975) - The act provides criminal penalties for persons committing computer crimes including distributing, possessing, or viewing matter depicting sexually explicit conduct involving a child, persons committing computer child pornography, persons failing to report computer child pornography and persons committing computer exploitation of a child. The act adds an additional subchapter to Arkansas Code Title 5, Chapter 41, entitled Unlawful Computer Crimes, which includes specified unlawful acts regarding computers, unlawful interference with access to computers, unlawful use or access of computers, unlawful encryption, unlawful use of electronic mail or password disclosure. The act provides that computer child pornography and computer exploitation of a child in the first degree are sex offenses for purposes of sex and child offender registration under Arkansas Code 12-12-903.

CHILDREN

FAMILY PRESERVATION SERVICES PROGRAM ACT

Act 906 (SB303) - The act makes various changes to the Family Preservation Services Program Act.

FAMILY PROTECTION UNIT

CHANGE OF NAME

Act 441 (SB346) - The act changes the name of the Department of Arkansas State Police Family Protection Unit to the Crimes Against Children Division.

FINGERPRINTING AND PHOTOGRAPHING UPON ARREST

FELONIES AND CLASS A MISDEMEANORS

Act 177 (HB1027) - The act allows the fingerprinting and photographing of juveniles and other persons when they are arrested for felonies and Class A misdemeanors only.

FOSTER CARE

EXEMPT FROM PURCHASING LAW

Act 1568 (HB2555) - The act exempts foster care services from the Arkansas purchasing law and exempts certain professional services, provided the contracts and service companies comply with all applicable ethical standards.

KINSHIP FOSTER PARENT

Act 1435 (HB1693) - The act defines a kinship foster parent, sets standards and requirements for kinship foster parents, repeals Arkansas Code 9-28-504 regarding case plans and repeals Arkansas Code 9-28-505 regarding regulations.

FOUNDATION FOR EARLY CHILD CARE AND EDUCATION

Act 1271 (HB1801) - The act authorizes the Department of Human Services to promote and cooperate in the establishment of a nonprofit foundation to be used to enhance the quality, affordability, and availability of child care and early education for all children in the state.

GRANDPARENTS' RIGHTS

CUSTODY AND DEPENDENCY-NEGLECT PROCEEDINGS

Act 1497 (HB1047) - The act provides that grandparents who have had continuous custody of grandchildren shall receive notice and an opportunity to be heard in child custody proceedings and dependency-neglect proceedings regarding that child.

GUARDIANSHIP

JUVENILE CODE

Act 1029 (HB1824) - The act provides that if a juvenile is the subject matter of an open case filed under the Arkansas Juvenile Code, then adoption and guardianship petitions concerning that juvenile shall be filed under the same case.

HUMAN SERVICES, DEPARTMENT OF

DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION

Act 1213 (HB2214) - The act amends the organization of the Department of Human Services to include a Division of Child Care and Early Childhood Education.

JUVENILE AFTERCARE AND CUSTODY INFORMATION

DISSEMINATION TO CRIMINAL JUSTICE AGENCIES AND OFFICIALS

Act 1048 (SB360) - The act defines "juvenile aftercare and custody information" and allows its dissemination to criminal justice agencies and officials.

CHILDREN

JUVENILE CODE

AMENDMENT 80

Act 1582 (SB788) - The act provides for implementation of Amendment 80 of the Arkansas Constitution by amendment of various sections of the Arkansas Juvenile Code.

CONCURRENT JURISDICTION

Act 1262 (HB1543) - The act provides that juvenile courts shall have concurrent jurisdiction with municipal courts for juvenile curfew ordinance violations.

MIRANDA RIGHTS

Act 1610 (SB108) - The act requires law enforcement officers to attempt to notify the parents or guardians of juveniles taken into custody immediately after the juvenile is taken into custody; requires a waiver of right to counsel for a juvenile to be co-signed by the juvenile's custodial parent, guardian, or custodian; and requires law enforcement officers who take juveniles into custody for a delinquent or criminal offense to inform the juveniles of their Miranda rights.

TECHNICAL CORRECTIONS

Act 987 (HB1806) - The act makes numerous technical corrections and amends numerous sections of the Arkansas Juvenile Code.

JUVENILE DETENTION FACILITIES

FUNDING

Act 1468 (HB2255) - The act repeals Arkansas Code 12-41-805 which established a grant program and revolving loan program to provide secured facilities for juveniles as alternatives to placement of juveniles in adult detention facilities; provides that all loan balances accrued under the revolving loan fund account are abated; and provides that the Division of Youth Services has no obligation to utilize or fund detention centers or facilities.

HUMAN SERVICES, DEPARTMENT OF

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JUVENILE OFFENDERS

TRANSFER FROM DEPARTMENT OF CORRECTION TO DIVISION OF YOUTH SERVICES

Act 559 (SB186) - The act authorizes the court to sentence offenders under 18 years of age to the Department of Correction for a term of years, suspend the sentence, and commit the youth to the custody of the Division of Youth Services. The act also authorizes the Department of Correction to transfer any inmate under 18 years of age to the Division of Youth Services when the department and the division determine it to be suitable.

JUVENILE OMBUDSMAN DIVISION

REVISION OF DUTIES

Act 1797 (SB864) - The act revises the duties and the role of the Juvenile Ombudsman Division of the Arkansas Public Defender Commission which provides independent oversight of the Division of Youth Services facilities and programs.

LAW ENFORCEMENT CONTACT

PARENTAL NOTIFICATION BY SCHOOLS

Act 1217 (HB2275) - The act mandates parental, guardian or in loco parentis notification by schools of a student reported to, interviewed by or taken into custody by law enforcement personnel. Notification is not required where the report, complaint or interview is based on suspected child abuse or neglect.

CHILDREN

MALTREATMENT REGISTRY

REMOVAL

Act 1434 (HB1692) - The act prescribes the circumstances under which an offender may have his or her name removed from the Child Maltreatment Central Registry.

MENTAL HEALTH, DIVISION OF

ARKANSAS CHILD WELFARE PUBLIC ACCOUNTABILITY ACT

Act 1727 (HB2524) - The act provides that the Arkansas Child Welfare Public Accountability Act applies to the Division of Mental Health.

MENTALLY ILL

CHILD AND ADOLESCENT SERVICE SYSTEM PROGRAM

Act 1517 (HB2446) - The act amends the Child and Adolescent Service System Program extending coverage to age 21 and making parent surrogates and family members eligible to serve on the coordinating council. Council membership is amended significantly. The council's duties are expanded to include both the establishment of voting guidelines and procedures and the requirement that recommendations for corrective action plans be made by the council. Regional teams are changed to planning teams with new membership and duties. Coordinating Council staff will, in addition to making annual reports, conduct annual site reviews and program evaluations of regional teams.

MISSING CHILDREN INFORMATION CLEARINGHOUSE

NAME CHANGED

Act 80 (SB32) - The act renames the Missing Children Information Clearinghouse as the Missing Persons Information Clearinghouse and expands its duties.

MUNICIPAL COURT JURISDICTION

INCARCERATION OF JUVENILE DEFENDANTS

Act 1807 (HB1544) - The act places limitations on the incarceration of juvenile defendants by municipal courts.

MURDER OF A CHILD

DEATH PENALTY

Act 308 (HB1264) - The act provides that the murder of a child twelve (12) years or younger is an aggravating circumstance for purposes of imposing the death penalty

OFFENSES COMMITTED IN THE PRESENCE OF A CHILD

ENHANCED PENALTIES

Act 1707 (HB1588) - The act enhances penalties for offenses committed in the presence of a child.

PARENTS, REPRESENTATION OF INDIGENT

DEPENDENCY - NEGLECT CASES

Act 1267 (HB1550) - The act authorizes the director of the Administrative Office of the Courts to establish a program to represent indigent parents or guardians in dependency-neglect cases to be paid from funds appropriated for that purpose to the Administrative Office of the Courts.

PATERNITY

CHILD SUPPORT

Act 1736 (HB2377) - The act provides that an adjudicated father is entitled to one paternity test at any time during the period of his child support obligation, and if the test indicates he is not the father, his child support obligation shall cease.

POSSESSION OF FIREARMS

DEFENSE

Act 592 (SB492) - The act provides that it is a defense to prosecution for illegal possession of a handgun or firearm that the person is a minor engaged in lawful recreational shooting under the supervision of a person 21 years of age or older standing in loco parentis or the minor is traveling to or from that activity with an unloaded handgun or firearm and accompanied by a person 21 years of age or older standing in loco parentis.

CHILDREN

PRENATAL AND EARLY CHILDHOOD NURSE HOME VISITATION PROGRAM

LATE REPRESENTATIVE RITA ROWELL HALE

Act 237 (HB1130) - The act renames the Arkansas Prenatal and Early Childhood Nurse Home Visitation Program as the Rita Rowell Hale Prenatal and Early Childhood Nurse Home Visitation Program.

RELINQUISHMENT AND TERMINATION OF PARENT AND CHILD RELATIONSHIP

NOTICE TO NON-CUSTODIAL PARENT

Act 1779 (HB2654) - The act provides that the non-custodial parent receive notice and be given an opportunity to respond upon the filing of a petition for termination of parental rights based upon non-payment of child support and non-visitation of the child for a period of at least one year.

SAFE HAVEN

VOLUNTARY DELIVERY OF A CHILD

Act 236 (HB1070) - The act requires a medical provider or law enforcement agency to take possession of a child age thirty (30) days or younger if the child is left with or voluntarily delivered to the provider or agency by the child's parent who does not express an intent to return for the child. Voluntary delivery of a child is an affirmative defense to prosecution for endangering the welfare of a minor, but not to prosecution for abuse or neglect committed prior to the delivery of the child.

SEXUAL OFFENSES

SEXUAL INDECENCY WITH A CHILD

Act 1821 (HB2386) - The act renames the offense of "sexual solicitation of a child" with "sexual indecency with a child" and adds exposing of sex organs to a person less than fifteen (15) years of age, and removes that part of the offense from the offense of indecent exposure.

UNSAFE PRODUCTS

Act 1313 (SB524) - The act prohibits the use, sale, or resale of unsafe children's products by commercial users, specifically those products not in conformance with federal law and regulatory standards, those recalled, and those products the federal government has issued warnings about. The act provides standards and specifications for crib safety.

YOUTH SERVICES, DIVISION OF

EXEMPTION FROM PERMIT FOR APPROVAL

Act 1583 (SB847) - The act exempts any bed or facility used to provide care to delinquent juveniles committed into the care of the Division of Youth Services of the Department of Human Services from obtaining a permit from the Health Services Commission.

CITIES

ANNEXATION BY ELECTION

CITIES WITH FEWER THAN 1,000 PERSONS LIMITED

Act 1751 (HB2551) - The act limits a town or city with a population of less than one thousand (1,000) persons from annexing land into the city in one (1) year if the annexed land area would exceed ten percent (10%) of the total land area of the annexing municipality. This act applies to the annexation by election procedure for municipalities.

AUDITS

Act 1052 (SB794) - The act requires the governing body of a municipality being audited by an independent accountant to require the accountant to conduct the audit and present the annual financial report in conformity with the guidelines and format prescribed by the Governmental Accounting Standards Board, the American Institute of Certified Accountants, and the United States General Accounting Office, if applicable.

CITIES

BONDED INDEBTEDNESS

SCHOOL DISTRICTS

Act 1214 (HB2240) - The act provides that if the State Board of Education determines that a school district is unable to finance needed school facilities due to unexpected, unforeseen or extreme hardship, or unable due to student growth, or local assessment per student, the board may permit the district to increase its total indebtedness by no more than 35% (presently 30%) of the assessed value of property in the district.

BORDER GAS TAX RATE

Act 1498 (HB1059) - The act provides that the border tax gas rate applies to territories included within the limits of a city, incorporated town, or planned community on July 1, 2001, but not to territory added or annexed after that date.

CITATIONS

UNIFORM CITATION FORMS

Act 1484 (HB2532) - The act allows municipalities to promulgate uniform citation forms for use in enforcement of violations of its municipal code ordinances for offenses other than moving traffic violations.

CITIES IN TWO OR MORE COUNTIES

PLANNING AND DEVELOPMENT DISTRICT JURISDICTION

Act 754 (HB2025) - The act allows a city located in two (2) or more counties which are situated in different planning and development districts to be deemed attached to the planning and development district which has the county with the highest proportion of the city's population. Currently, the city is considered under the jurisdiction of both planning and development districts.

CITIES OF THE FIRST CLASS

NONUNIFORMED EMPLOYEES TO PREPARE ACCIDENT REPORTS

Act 250 (SB140) - The act authorizes cities of the first class to employ individuals who are not law enforcement officers to investigate and prepare accident reports and to issue traffic citations at accidents. Previously, the law allowed only cities with a population of over 100,000 to hire nonuniformed persons to perform these duties.

CITY ADMINISTRATION OF JUSTICE FUND

Act 1611 (SB93) - The act provides that the amount retained in each city and county administration of justice fund during calendar year 2002 and each calendar year thereafter shall be the amount retained during calendar year 2001.

CITY ATTORNEYS

COMPENSATION

Act 366 (SB335) - The act authorizes any city of the first or second class and any incorporated town to provide that compensation for the city attorney may include salary, hourly fees, cost, fees, or other like compensation as the city deems appropriate.

CITY COUNCIL MEETINGS

Act 365 (SB334) - The act authorizes the mayor or any three aldermen of any city with a mayor-council form of government to call special meetings of the council.

CITY COURTS

Act 1645 (SB771) - The act provides that any first class city which has a population of no more than seven thousand (currently 5,000) may provide for the establishment of a city court in lieu of a municipal court and that upon attaining a population in excess of seven thousand (currently 5,000), the governing body of the city shall adopt a resolution or ordinance providing for the creation of a municipal court and the election of the judge thereof at the general election next following the adoption of the resolution or ordinance providing for the establishment of the court.

CITIES

CITY MANAGER FORM OF GOVERNMENT

BOARD OF DIRECTORS NOMINATIONS

Act 552 (HB1784) - The act provides that petitions for nomination to the board of directors of a city with the city manager form of government must be filed with the city clerk or recorder not more than 80 days nor less than 60 days before the election.

CITY MANAGER TO APPOINT CITY ATTORNEY

Act 1472 (SB801) - The act amends the laws concerning the city manager form of government to allow the city manager in cities with a population of over 100,000 people to appoint the city attorney. The city manager must be granted this authority by an ordinance of the city's board of directors or as initiated by the people under Amendment 7.

MAYOR TO APPOINT CITY BOARDS AND COMMISSIONS

Act 1473 (SB803) - The act amends the laws concerning the city manager form of government to authorize the mayor in city manager cities with a population of over 100,000 people to appoint members of city boards and commissions. The mayor may appoint the members of city boards and commissions if authorized by an ordinance of the city's board of directors or as initiated by the people under Amendment 7.

MAYOR TO EMPLOY CITY MANAGER

Act 1790 (SB802) - The act amends the laws concerning the city manager form of government to allow the mayor in cities with a population of over one hundred thousand (100,000) people to employ and remove the city manager or acting city manager. The mayor must be granted this authority by an ordinance of the city's board of directors or by an ordinance initiated by the people under Amendment 7.

CITY OFFICIALS

CITY ATTORNEY NOT REQUIRED TO BE A CITY RESIDENT

Act 1833 (HB2572) - The act removes the office of city attorney from the list of municipal officials required to be a city resident.

SALARIES

Act 563 (HB1338) - The act provides that the salary of any city official may be decreased during the term of office if requested by the city official.

CITY ORDINANCES

EFFECTIVE DATES OF ORDINANCES PRESCRIBED

Act 1187 (SB736) - The act prescribes the effective dates for municipal ordinances. Generally, the effective dates for ordinances will be ninety-one (91) days after publication or posting of the ordinance as is otherwise required by law. An ordinance containing an emergency clause will go into effect immediately or at the time specified by the emergency clause

CIVIL SERVICE COMMISSION

HEARINGS FOR A SUSPENSION OR DISCHARGE

Act 1441 (HB1800) - The act clarifies the municipal police and fire civil service law. It specifies that a police officer or fire fighter who is suspended for more than fifteen (15) days or who is discharged or reduced in rank or pay is entitled to a hearing before the civil service commission.

SELECTION AND PROMOTION EXAMINATIONS

Act 1597 (HB2388) - The act provides for the adoption of rules by the Civil Service Commission to protect the confidentiality of selection and promotion examinations of municipal police and fire department personnel.

COMMUNITY REDEVELOPMENT

IMPLEMENTATION OF AMENDMENT 78

Act 1197 (HB2415) - The act implements Amendment 78 to the Arkansas Constitution by providing for the creation of redevelopment districts, establishing procedures for the approval of project plans within the redevelopment districts, providing procedures for the issuance of bonds to finance redevelopment district projects, providing procedures for dividing ad valorem taxes and pledging those taxes to secure the bonds.

CITIES

DETACHMENT AND ANNEXATION PROCEDURES

CERTAIN LANDS EXCLUDED FROM CHANGES IN 2001

Act 1522 (HB2523) - The act excludes lands and improvements which were part of any military reservation conveyed to a public trust from any changes in law made to Act 779 of 1999 during the 2001 legislative session.

TIME PERIODS EXTENDED AND COURT HEARINGS ALLOWED

Act 1525 (SB28) - The act revises the law on detachment and annexation of lands from one city to another city (Act 779 of 1999). The act increases from ninety (90) days to one hundred eighty (180) days the time period for a city to answer an owner's request for municipal services. The act also adds a new procedure for the circuit judge to hold hearings and decide issues of compliance or noncompliance in providing municipal services, and prohibits the division of a city into separate parts by a detachment action.

DISASTER EMERGENCIES

LOCAL REGULATIONS SUSPENDED

Act 568 (HB1533) - The act allows the mayor or county judge to suspend the enforcement of local regulatory ordinances or regulations for up to thirty (30) days after declaring a disaster emergency in the city or county. The mayor or county judge may suspend enforcement of zoning ordinances, subdivision regulations, building codes, fire codes, or historic district ordinances if they hinder the response to the emergency.

DISTRICT COURTS

COLLECTION OF FINE REVENUE

Act 1696 (HB2409) - The act implements a performance based budgeting option for the state, counties, and cities to utilize for those courts which choose to acquire the uniform computer system selected by the Supreme Court Committee on Automation for the state's district courts.

DRAINAGE DISTRICTS

PUBLIC WORKS PROJECTS

Act 200 (HB1164) - The act increases from \$10,000 to \$20,000 the level of public works projects which may be let without public advertisement.

ELECTRIC POWER

JOINT MUNICIPAL ELECTRIC POWER GENERATION ACT

Act 988 (HB1811) - The act amends various sections of the Joint Municipal Electric Power Generation Act.

ELECTRONIC COURT RECORDS

DESTRUCTION OF ORIGINAL

Act 311 (HB1413) - The act prohibits the destruction of original paper documents determined to be of historical value by the Arkansas History Commission. However, if a document is eligible for destruction, an electronically stored version of the document is deemed to be the "original" if proffered with the recorder's certification.

EMPLOYEES

DEFERRED COMPENSATION

Act 1596 (HB2367) - The act allows state and local employees to elect a variety of investment options under a deferred compensation plan.

FIRE DEPARTMENT SERVICE AGREEMENTS

Act 1725 (HB2414) - The act provides for fire department services agreements; allows the pledging of fire department services agreements as collateral for loans; provides for enforcement of payment of sums due under fire department services agreements; and provides for collection of sums from persons and entities requiring firefighting services who have not executed fire department services agreements.

CITIES

FIRE DEPARTMENTS

BUILD FIRE STATIONS OUTSIDE CITY LIMITS

Act 1464 (HB1589) - The act authorizes a city or town that is providing fire service outside its municipal boundaries to build or construct a fire station to house its fire fighting equipment. However, the fire station may only be constructed outside the city or town limits if the county quorum court grants its approval and if there is no existing provider of fire protection services in the area.

FIREFIGHTER TRAINING

EXPENSES

Act 66 (SB48) - The act provides that when any city or county pays the cost for training a firefighter at the Arkansas Firefighter Training Academy or other like program and another city, county, or state agency employs that firefighter within 18 months after completion of the training, the city, county, or state agency employing the firefighter shall reimburse the city or county for the expenses incurred by the city or county for training the firefighter.

FIRST CLASS CITIES

ELECTION OF ALDERMEN

Act 543 (HB1379) - The act authorized first class cities to refer to the voters the question of electing one alderman from each ward to four-year terms of office.

GENERAL EDUCATION

SCHOOL DISTRICT BOUNDARIES

Act 1037 (SB690) - The act establishes the procedure for changing the boundaries of a school district.

SCHOOL DISTRICT ZONING

Act 1716 (HB2238) - The act requires school districts currently operating under court ordered desegregation to comply with zoning requirements within one hundred and eighty (180) days after release from the court order.

SCHOOL DISTRICTS BY DETACHMENT

Act 1673 (HB1882) - The act provides a procedure for creating a new school district by detaching territory from an existing district. The new district shall not be made up of fewer than four thousand (4,000) students.

IN-LIEU-OF-TAX PAYMENTS

NEGOTIATION

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

INCORPORATION

NUMBER OF SIGNATURES INCREASED ON A PETITION FOR INCORPORATION

Act 1233 (HB1740) - The act amends the procedure for incorporating a city or town to require petitions for incorporation to be signed by the greater of either 200 residents or a majority of the qualified electors living in the area to be incorporated. Previously, a petition for incorporation required the signatures of only 75 residents of the incorporating area.

PETITIONS FOR INCORPORATION

Act 1831 (HB2558) - The act provides that when the area proposed to be incorporated is only accessible by a bridge or other man-made structure, then the area shall be considered inaccessible, and as a result, the requirement that a proposed incorporated town shall not lie within five miles from the corporate limits of an existing municipal corporation unless the governing body of the municipal corporation has, by written resolution, affirmatively consented to the incorporation, is not effective. Neither shall the five-mile limitation apply if the area proposed to be incorporated is land upon which a real estate development by a single developer, containing not less than 4,000 acres that has been or is being developed under a comprehensive plan for a community.

CITIES

INSURANCE

SELF-INSURED FIDELITY BOND PROGRAM

Act 208 (HB1289) - The act specifically authorizes cities, counties, public school districts and the state to participate in the self-insured fidelity bond program.

IRRIGATION DISTRICTS

IRRIGATION, DRAINAGE, AND WATERSHED IMPROVEMENT DISTRICT BOARDS

Act 460 (SB107) - The act provides that members of irrigation, drainage, and watershed improvements district boards shall receive compensation not to exceed \$50.00 per day plus expenses for attending board meetings.

LAW ENFORCEMENT OFFICERS, COUNTY AND MUNICIPAL

PURCHASE OF LAW ENFORCEMENT APPARATUS

Act 1408 (SB774) - The act allows certain fines collected by municipalities and counties when the arresting officer is a county law enforcement officer or a municipal law enforcement officer to be used for the purchase and maintenance of communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus.

LIBRARIES

BOARD OF DIRECTORS

Act 1515 (HB2316) - The act eliminates the authority of the mayor of a first class city to appoint a library board when the city decides to provide library services through participation in a library system.

LOCAL GOVERNMENT SHORT-TERM FINANCING OBLIGATIONS ACT OF 2001

Act 1808 (HB1985) - The act allows local legislation regarding the issuance of short-term financing obligations by municipalities and counties. The act also provides for refunding obligations, security of obligations by lien, tax exemptions, and protection from liability for the legislative body of the issuing municipality or county. Obligations issued under this act are negotiable instruments.

MAYOR'S RETIREMENT BENEFIT

CREDIT FOR SERVICE AS ELECTED CITY OFFICIAL OR CITY EMPLOYEE

Act 1615 (SB215) - The act authorizes a first class city, by ordinance, to provide that a mayor may receive credit toward a retirement benefit for service as an elected city official or as a city employee. A mayor with twenty (20) years of mayor's service may earn one (1) year of a mayor's retirement benefit for each two (2) years served as an elected official or, as an employee of that city, up to a maximum of three (3) additional years' credit towards a mayor's retirement benefit, and may retire if the person is at least fifty-two (52) years of age. The mayor with twenty (20) years of mayor's service may earn one (1) year of a mayor's retirement benefit for each two (2) years served as an elected official or, as an employee of that city, up to a maximum of four (4) additional years' credit towards a mayor's retirement benefit, and may retire if the person is at least fifty-four (54) years of age.

MAYOR-COUNCIL FORM OF GOVERNMENT

COUNCIL MEETING

Act 365 (SB334) - The act authorizes the mayor or any three aldermen of any city with a mayor-council form of government to call special meetings of the council.

TREASURERS' TERMS OF OFFICE

Act 364 (SB332) - The act provides a four-year term of office for city treasurers in first class cities with the mayor-council form of government and for treasurers of second class cities.

MAYORS OF FIRST CLASS CITIES

AGE OF RETIREMENT

Act 1700 (HB1278) - The act allows the governing body of a city of the first class to provide, by ordinance, that any person who has served as mayor for a period of not less than ten (10) years may retire upon reaching age fifty-five (55).

CITIES

MAYORS OF FIRST CLASS CITIES

VOTING AT CITY COUNCIL MEETINGS

Act 354 (SB47) - The act authorizes the mayor of first class cities to vote at a city council meeting when necessary to establish a quorum or pass a measure.

MILLAGE RATE

SCHOOL FUNDING

Act 1202 (SB604) - The act clarifies the process for defining "average daily membership" for school funding purposes.

MOTOR FUEL TAX

FIRE DEPARTMENTS

Act 419 (HB1444) - The act provides that any fire department that purchases motor fuel or distillate special fuel for use in fire trucks shall be entitled to a refund of the motor fuel tax or distillate special motor fuel tax paid. The act also provides for the procedures for reporting the tax and collecting the taxes paid.

MUNICIPAL ACCOUNTING LAW

Act 1062 (SB558) - The act amends various sections of the Arkansas Municipal Accounting Law.

MUNICIPAL COURTS

CITY COURT IN LIEU OF MUNICIPAL COURT

Act 1645 (SB771) - The act provides that any first class city which has a population of no more than seven thousand (currently 5,000) may provide for the establishment of a city court in lieu of a municipal court and that upon attaining a population in excess of seven thousand (currently 5,000), the governing body of the city shall adopt a resolution or ordinance providing for the creation of a municipal court and the election of the judge thereof at the general election next following the adoption of the resolution or ordinance providing for the establishment of the court.

DISTRICT COURT STATUS

Act 1693 (SB791) - The act clarifies and restates existing law regarding municipal courts and implements changes in municipal/district courts pursuant to Amendment 80 to the Arkansas Constitution and provides for a method for filling vacancies. All municipal courts now in existence shall be known as district courts and all judges of the former courts will be known as district judges. District courts shall have the jurisdiction vested in the presently established municipal courts. All fines, penalties and costs received by the district courts shall continue to be collected and distributed in the manner provided by current laws. All salaries, retirement benefits, programs, and monies of judges, clerks, and court employees of municipal courts will continue to be vested and paid to the judges, clerks, and court employees of district courts. Vacancies in district court judgeships shall be filled in the same manner and shall be subject to the same restrictions as for vacancies under Amendment 29 of the Arkansas Constitution.

SALARIES OF JUDGES AND OTHER PERSONNEL

Act 1714 (HB2223) - The act sets the salaries of municipal court judges and other municipal court personnel.

MUNICIPAL RETIREES

HEALTH INSURANCE COVERAGE FOR EARLY RETIREES

Act 241 (SB211) - The act clarifies that cities may include municipal retirees under age fifty-five (55) or with less than twenty (20) years of municipal service in the municipality's health insurance plan.

MUNICIPAL RIGHT-OF-WAY EMINENT DOMAIN

ELECTRIC TRANSMISSION SYSTEMS

Act 1795 (SB857) - The act authorizes municipal corporations to condemn property for lawful purposes, including the installation, extension, addition or improvement of electric transmission systems.

CITIES

MUNICIPAL SALES AND USE TAXES

CAPITAL IMPROVEMENTS

Act 1561 (HB2329) - The act limits the amount of taxes which may be collected for capital improvements as a result of a municipal sales or use tax levied, provides a method to compute the municipal use tax on property brought into the state, clarifies that each subchapter is supplemental, and provides enforcement of a municipal sales or use taxes.

PLANNING AND ZONING

COMPATIBLE LAND-USES IN BOUNDARY AREAS

Act 1198 (SB173) - The act regulates land-use in the boundary areas of cities that become adjacent and contiguous to one another through annexation. The boundary area is the area in each city that is within 1000 feet of the joint city boundaries. The act requires that zoned land-uses within the boundary areas of each city must be compatible with one another.

POLICE AND FIRE PENSION FUNDS

DISABILITY BENEFIT INCREASE EXTENDED RETROACTIVELY TO 1983

Act 1806 (HB1322) - The act provides that disabled fire fighters who are being paid by a municipal firemen's pension and relief fund and who are injured in the line of duty before January 1, 1987 but after January 1, 1983 may receive increased disability benefits (sixty-five percent (65%) of the final salary). It requires the board of trustees to adopt a resolution to extend the benefit retroactively back to those fire fighters and provides that the fund must remain actuarially sound.

GENERAL REVENUE PORTION OF PREMIUM TAXES REALLOCATED

Act 1701 (HB1319) - The act makes administrative corrections to the laws distributing insurance premium taxes to fund local police and fire pension and relief funds. The act changes the allocation of premium taxes that are sent to general revenues to first send a portion of them to the Arkansas Fire and Police Pension Guarantee Fund and to the Policemen's Pension Supplement Program Fund and then to general revenues.

POLICE AND FIRE RETIREMENT SYSTEM

TEMPORARY ANNUITIES FOR DISABLED MEMBERS RESTORED

Act 1703 (HB1341) - The act allows a disabled member of the Local Police and Fire Retirement System who lost a temporary annuity because of an award of disability payments from the federal Social Security Administration to have that temporary annuity restored on July 1, 2001.

POLICEMEN'S PENSION AND RETIREMENT FUND

CONCERNING PROCEEDS DERIVED FROM THE SALE OF CONFISCATED GOODS

Act 1832 (HB2564) - The act provides that in all cities and towns, until the pension and retirement fund is actuarially sound as determined by the actuary under contract with the Arkansas Fire and Police Pension Review Board, all monies confiscated by a police officer of the city, or by the sheriff or Arkansas State Police within the city, shall be deposited in the city's policemen's pension and retirement fund. However, at the time that the pension and retirement fund is actuarially sound, all monies derived from the sale of the confiscated goods shall be retained by the city.

PROPERTY TAX

ACT 9 BONDS

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

CITIES

PROPERTY, DISPOSITION OF

Act 589 (SB355) - The act provides that all state agencies, colleges, and universities are required to utilize and all counties, municipalities, and other tax supported institutions, are authorized to utilize the services of the marketing and redistribution section of the Office of State Procurement.

PUBLIC WORKS

BIDDING

Act 921 (HB1536) - The act allows counties, municipalities, school districts, and local taxing units to negotiate with an apparent responsible low bidder on public capital improvement contracts if the bid is within 25% of the amount appropriated and bidding on alternates was not required.

PUBLISHED NOTICES

Act 1051 (SB770) - The act provides that no public works contract by any state agency, county, municipality, school district, or other local taxing unit may be entered into with any contractor where all estimated cost of work exceeds \$20,000 (currently \$10,000 for counties and municipalities and \$50,000 for school districts), unless prior notice is published in a newspaper.

PURCHASES OF GOODS AND SERVICES

Act 508 (HB1601) - The act amends Arkansas Code 14-58-303 regarding purchase of goods and services by cities of the first and second class and incorporated towns.

RECORDS

Act 1630 (SB571) - The act allows counties and cities to maintain records by microcard, miniature photographic recording, optical disc, digital compact disc, electronic imaging, or other process which accurately reproduces or forms a durable medium for reproducing the original and provides that such reproduction, when satisfactorily identified, shall be admissible into evidence.

SALE OF MUNICIPAL PROPERTY

SPONSOR PROHIBITED FROM PROFIT

Act 1100 (HB1953) - The act prohibits profit from sponsorship of an initiative, referendum, or constitutional amendment proposing the sale of county or municipal property.

SALES AND USE TAX

CAPITAL IMPROVEMENT BONDS

Act 1168 (HB2320) - The act permits a municipality or county to levy multiple taxes by ordinance provided that the aggregate rate of the taxes does not exceed 1%.

REPORTS OF BUSINESSES REMITTING TAX TO STATE

Act 1040 (SB806) - The act requires the Department of Finance and Administration to provide reports listing all businesses remitting sales and use taxes within a city, town, or county upon the request of the mayor or county judge. The municipality or county may request the sales and use tax report no more than quarterly.

SALES TAX

TOURIST ATTRACTIONS

Act 1657 (SB930) - The act provides that any city of the first class having a population of less than 5,000 inhabitants, a portion of which has been designated as a historic district and is included on the National Register of Historic Places, may levy a tax not to exceed 2% upon the gross receipts or gross proceeds from the admission price to tourist attractions.

CITIES

SCHOOL DISTRICTS

CONSOLIDATION AND ANNEXATION

Act 1225 (SB896) - The act combines the existing laws regarding annexation and consolidation of public school districts.

PURCHASES OF COMMODITIES

Act 1687 (HB2621) - The act amends Arkansas Code 6-21-303 concerning school district purchases of commodities. Each school district is required to provide each pre-kindergarten through sixth grade teacher in each fiscal year at least ten dollars (\$10.00) per student or two hundred fifty dollars (\$250) per classroom to purchase related commodities for use by that teacher in his or her classroom or for class activities. The board of directors of each school district shall adopt reasonable procedures for teachers to draw from or be reimbursed from the discretionary fund. The act provides that the Department of Education has the authority to waive this requirement if a school district requests a waiver and is in fiscal distress.

SCHOOL FUNDING

BONDS, SECOND-LIEN

Act 1220 (SB603) - The act amends the school funding formula, modifying the method of calculating average daily membership for funding purposes, and authorizes school districts to issue second-lien bonds.

SELF-INSURED FIDELITY BOND PROGRAM

Act 1038 (SB778) - The act clarifies the type of financial examination reports required under the self-insured fidelity bond program for state and local government.

SOLID WASTE MANAGEMENT

ILLEGAL ACTIVITIES

Act 1069 (SB113) - The act declares it illegal for any person to violate any provision of a permit issued by the Department of Environmental Quality under the Arkansas Solid Waste Management Act.

LANDFILLS

Act 217 (SB114) - The act requires Class 1 and Class 3C landfills to install scales and commence weighing all solid waste received at the landfill.

RECYCLING GOALS

Act 94 (HB1055) - The act adds a new goal to the year 2000 recycling goals for the state of Arkansas, which is to recycle forty percent (40%) of the municipal solid waste by the end of 2005, and forty-five percent (45%) of the municipal solid waste by the end of 2010. The term "municipal solid waste" is defined.

STATUTORY LIEN AND FORECLOSURE PROCEDURE

DEFAULT

Act 1801 (SB911) - The act provides a statutory lien and foreclosure procedure to municipalities to recover funds expended upon default of contracts under the Targeted Neighborhood Enhancement Plan Act.

STORM WATER

Act 986 (HB1737) - The act expands the application of the municipal sewage law found in Arkansas Code 14-235-201 through 225 to include storm water management.

SUBSTITUTE COURT REPORTERS

RATE OF PAY

Act 510 (HB1611) - The act provides that substitute court reporters will be paid at the same daily rate as the person for whom they are substituting.

CITIES

SUBSTITUTE TRIAL COURT STAFF

RATE OF PAY

Act 509 (HB1610) - The act provides that the rate of pay for substitute trial court staff persons shall be the same daily rate as is paid to the person for whom they are substituting.

TELECOMMUNICATIONS

ARKANSAS WIRELESS INFORMATION NETWORK

Act 746 (HB1527) - The act creates the Arkansas Wireless Information Network Work Group to guide the development and implementation of a statewide wireless information network to be available for use by all municipal, county, and state entities.

TOURIST MEETING AND ENTERTAINMENT FACILITIES ASSISTANCE LAW

STATE ASSISTANCE PAYMENTS

Act 1073 (SB516) - The act amends the city-county tourist meeting and entertainment facilities assistance law to provide state assistance to eligible facilities including War Memorial Stadium, the Fayetteville Continuing Education Center, the Fort Smith Convention Center, the Texarkana Four States Fair, the Hot Springs Advertising and Promotion Commission, the City of Little Rock Convention and Visitors Bureau, the Arkansas Livestock Show, the Pine Bluff Civic Auditorium, and the Alltel Arena.

TREASURERS

TERM OF OFFICE

Act 364 (SB332) - The act provides a four-year term of office for city treasurers in first class cities with the mayor-council form of government and for treasurers of second class cities.

UNSIGHTLY PROPERTY

COSTS RECOVERY

Act 1538 (HB1293) - The act provides that municipalities may recover attorneys' fees and costs incurred in enforcing liens acquired by the municipality for work done on unsafe or unsightly property.

CIVIL LAW AND PROCEDURE

ACCEPTED-WORK DOCTRINE

Act 1119 (HB1383) - The act reinstates the accepted-work doctrine for publicly owned improvements to public property.

ACTIONS AGAINST THE STATE

VENUE

Act 806 (SB563) - The act provides venue in counties other than Pulaski County for actions against the state.

ADULT ABUSE

EMERGENCY CUSTODY

Act 1028 (HB1764) - The act revises various sections of the Adult Abuse Act. The act revises the definitions of "abuse" and "neglect," authorizes firefighters and emergency medical technicians to receive allegations of abuse, authorizes 72-hour emergency custody of victims of adult abuse and raises the standard for a finding of "founded" allegation of adult abuse from "some credible evidence" to "preponderance of the evidence."

ATTORNEYS' FEES

RECOVERY BY CITY

Act 1538 (HB1293) - The act provides that municipalities may recover attorneys' fees and costs incurred in enforcing liens acquired by the municipality for work done on unsafe or unsightly property.

CIVIL LAW AND PROCEDURE

BUSINESS CORPORATION ACT OF 1987

SERVICE OF PROCESS

Act 1815 (HB2272) - The act amends the Business Corporation Act of 1987 to increase the available methods of service on a corporation which has no registered agent.

CHILD SUPPORT

Act 1736 (HB2377) - The act provides that an adjudicated father is entitled to one paternity test at any time during the period of his child support obligation, and if the test indicates he is not the father, his child support obligation shall cease.

OMNIBUS REVISIONS

Act 1248 (SB249) - The act makes technical changes and amends numerous sections of the Arkansas Code regarding child support enforcement.

CONCURRENT JURISDICTION

JUVENILE CURFEW ORDINANCE VIOLATIONS

Act 1262 (HB1543) - The act provides that juvenile courts shall have concurrent jurisdiction with municipal courts for juvenile curfew ordinance violations.

COURT OF COMMON PLEAS

REPEAL

Act 915 (SB793) - The act repeals Title 16, Chapter 16 regarding the Court of Common Pleas.

COURTS

EXTRA-JUDICIAL ACTIVITIES

Act 914 (SB787) - The act provides that the restrictions on extra-judicial activities under Amendment 80 shall not preclude: serving in the Armed Forces reserves, serving in the National Guard, teaching, serving on boards or commissions relating to law for the administration of justice, or any capacity not prohibited by the Code of Judicial Conduct.

CROP AND RESEARCH FACILITIES PROTECTION ACT

DAMAGES

Act 1025 (SB799) - The act provides that any person who willfully and knowingly damages or destroys any field crop shall be liable for twice the value of the crop damaged or destroyed.

DRAINAGE DISTRICTS

DISTRICT'S PROPERTY NOT SUBJECT TO ADVERSE POSSESSION

Act 1312 (SB509) - The act provides that the real property or easements of drainage improvement districts are not subject to claims of adverse possession. The real property rights of a drainage district cannot be defeated by a claim of adverse possession commenced after the effective date of the act.

EVICITION

Act 1758 (HB2650) - The act provides that any tenant who uses or allows another person to use the tenant's leased premises as a common nuisance or for certain criminal offenses may be evicted by the prosecuting attorney of the county, the city attorney of the city, the premises owner, or an agent for the premises owner.

EVIDENCE

CITY AND COUNTY RECORDS

Act 1630 (SB571) - The act allows counties and cities to maintain records by microcard, miniature photographic recording, optical disc, digital compact disc, electronic imaging, or other process which accurately reproduces or forms a durable medium for reproducing the original and provides that such reproduction, when satisfactorily identified, shall be admissible into evidence.

CIVIL LAW AND PROCEDURE

EVIDENCE

ELECTRONICALLY STORED COURT RECORDS

Act 311 (HB1413) - The act prohibits the destruction of original paper documents determined to be of historical value by the Arkansas History Commission. However, if a document is eligible for destruction, an electronically stored version of the document is deemed to be the "original" if proffered with the recorder's certification.

FAIR HOUSING COMMISSION

CIVIL RIGHTS PROTECTION

Act 1785 (SB499) - The act creates the Arkansas Fair Housing Commission, in accordance with federal law. The act authorizes the commission to investigate housing discrimination complaints and, in cooperation with the state Attorney General, to punish violators.

FETUS, DECEASED VIABLE

PROBATE CODE

Act 1775 (HB2604) - The act provides that for purposes of the Probate Code, a deceased viable fetus is considered a person and decedent so that the probate division of circuit court may have jurisdiction for the administration, settlement and distribution of the deceased fetus' estate.

FORECLOSURE

NOTICE

Act 1196 (HB2317) - The act amends the Arkansas law regarding statutory foreclosure to authorize the mortgagee or trustee to publish the notice by employing a third party Internet foreclosure sale notice information service provider.

GUARDIAN CONSENT OR AUTHORIZATION

COURT APPROVAL REQUIRED

Act 1689 (SB433) - The act provides that guardians of incapacitated persons shall not consent on behalf of the incapacitated person to abortion, sterilization, psychosurgery, or removal of bodily organs except when necessary in a situation threatening the life of the incapacitated, nor shall guardians consent to withholding life-saving treatment, authorize experimental medical procedures, authorize termination of parental rights, authorize an incapacitated person to vote, prohibit the incapacitated person from obtaining a driver's license, or consent to a settlement or compromise of any claim by or against the incapacitated person or his estate, without filing a petition and receiving express court approval.

JUDGESHIPS

CIRCUIT COURT DIVISION DESIGNATIONS

Act 951 (SB785) - The act provides, for elections under Amendment 80 of the Arkansas Constitution, the new circuit court division designations of each circuit, chancery, and circuit-chancery judgeship in the state.

JURISDICTION

ADOPTION

Act 383 (HB1316) - The act amends the jurisdiction provisions of the Arkansas Revised Uniform Adoption Act to give the state jurisdiction of the adoption of a child who is a resident of the state. The act also defines residency for children under 6 months of age and over 6 months of age. The act defines the residency of a person seeking to adopt a child.

LIENS AND JUDGMENTS

PERSON AUTHORIZED TO RELEASE

Act 1125 (HB1185) - The act provides that any attachment, claim, encumbrance, financing statement, lien, mortgage or security agreement filed of record against any real or personal property, and any judgment filed of record against any person, firm or corporation, shall display the name, address, and telephone number of the claim holder, lien holder or the judgment creditor, together with the name and title of the person authorized to release the claim, lien or judgment, or the person's successor.

CIVIL LAW AND PROCEDURE

MODEL CIVIL JURY INSTRUCTIONS

PUBLICATION

Act 625 (HB1802) - The act authorizes the Arkansas Supreme Court to provide for the publishing of the Arkansas Model Civil Jury Instructions by a private publishing firm.

OSTEOPATHIC MEDICAL ASSOCIATION, ARKANSAS

LIABILITY LIMITED

Act 929 (HB1743) - The act limits the liability of the Arkansas Osteopathic Medical Association, addresses licensing requirements of osteopathic physicians, and makes examination requirements for medical licensure applicable to practitioners of osteopathic medicine.

PROBATE

DECEASED VIABLE FETUS

Act 1775 (HB2604) - The act provides that for purposes of the Probate Code, a deceased viable fetus is considered a person and decedent so that the probate division of circuit court may have jurisdiction for the administration, settlement and distribution of the deceased fetus' estate.

DISTRIBUTION WITHOUT ADMINISTRATION

Act 1229 (HB1580) - The act amends Arkansas Code 28-41-102(b)(2) to change the statute of limitation from 6 months to 3 months for notifying creditors in a proceeding for distribution without administration and thereby comports 28-41-102(b)(2) with 28-41-101 which currently has a 3 month statute of limitation.

NOTICE

Act 240 (SB147) - The act provides that notice in a probate proceeding must be signed by the clerk or the attorney for the party upon whom rests the burden of giving notice.

PROPERTY TAX, DELIQUENCY OF

PUBLICATION

Act 985 (HB1513) - The act amends the publishing requirements for notice of delinquent real and personal property taxes.

PROTECTION ORDERS

ENFORCEMENT

Act 1469 (HB2356) - The act provides that an order of protection issued by a court of competent jurisdiction in any county of this state is enforceable in every county of this state by any court or law enforcement officer.

ISSUANCE

Act 1437 (HB1887) - The act prohibits the issuance of mutual orders of protection to opposing parties and instead provides for separate orders of protection.

RECOVERY OF STATE MONEYS

COURT OVERSIGHT REPEALED

Act 927 (HB1731) - The act repeals a requirement for court oversight of Department of Human Services proceedings to recover costs from a deceased person's estate for nursing care paid for with state money.

TERMINATION OF PARENTAL RIGHTS

NOTICE TO NON-CUSTODIAL PARENT

Act 1779 (HB2654) - The act provides that the non-custodial parent receive notice and be given an opportunity to respond upon the filing of a petition for termination of parental rights based upon non-payment of child support and non-visitation of the child for a period of at least one year.

TOWING AND STORAGE OF ABANDONED VEHICLES

REMEDY

Act 1830 (HB2538) - The act amends various Arkansas Code sections concerning the towing and storage of unattended or abandoned vehicles and provides a remedy through the State Claims Commission when the towing and storage is at the direction of a state agency.

CIVIL LAW AND PROCEDURE

WRONGFUL DEATH

BENEFICIARIES

Act 1581 (SB58) - The act amends the Arkansas wrongful death statute to clarify the list of beneficiaries to include persons regardless of age to whom the deceased stood in loco parentis at any time during the life of the deceased.

DAMAGES

Act 1516 (HB2341) - The act provides that in wrongful death actions, in addition to all other elements of damages provided by law, the decedent's estate may recover for the decedent's loss of life as an independent element of damages.

VIABLE FETUS

Act 1265 (HB1132) - The act adds the death of a viable fetus caused by a wrongful act, neglect, or default for which a person may maintain an action to recover damages for wrongful death. The act provides an exception for the death of a fetus caused from a legal abortion from the fault of the pregnant woman carrying the fetus.

CLAIMS COMMISSION, ARKANSAS STATE

JURISDICTION

SOVEREIGN IMMUNITY

Act 1625 (SB469) - The act provides that the Arkansas State Claims Commission shall only have jurisdiction over those claims which are barred by the doctrine of sovereign immunity from being litigated in a court of general jurisdiction.

CODE REVISION COMMISSION

ARKANSAS CODE

TECHNICAL CORRECTIONS

Act 1553 (HB2199) - The act is the Code Revision Commission's technical corrections act.

POWERS

Act 327 (HB1331) - The act expands the authority of the Code Revision Commission.

COLLECTION AGENCIES, STATE BOARD OF

COMPOSITION

MEMBER TO REPRESENT THE CHECK-CASHING INDUSTRY

Act 1766 (SB983) - The act adds one (1) member to the State Board of Collection Agencies who shall represent the check-cashing industry.

COMMEMORATIVE COMMISSION, ARKANSAS

NAME CHANGED

Act 68 (SB116) - The act changes the name of the Arkansas Commemorative Commission to the Old State House Commission.

CONGRESSIONAL DISTRICTS

REDISTRICTING

Act 1840 (SB552) - This act establishes the four congressional districts in Arkansas.

CONSTITUTIONAL OFFICERS

HORSE RACING PASSES

Act 61 (SB62) - The act provides that horse racing passes provided to legislators and constitutional officers are not for their personal use but are for redistribution to constituents and therefore do not constitute gifts or compensation to legislators and constitutional officers for the purposes of any law of this State.

CONSUMER PROTECTION

ARKANSAS UNIVERSAL SERVICE ACT

GRANT PROGRAM FOR PRESERVATION AND PROMOTION OF UNIVERSAL SERVICE

Act 1771 (HB2570) - The act amends the Arkansas Universal Service Act by establishing a grant program to benefit eligible telecommunications carriers for extension of facilities to unserved citizens.

AUTOMOBILES

WARRANTY

Act 1134 (HB1771) - The act provides procedures for the consumer to receive replacement or a refund for vehicles not brought into conformity with the warranty during the motor vehicle quality assurance period. The act mandates informal dispute settlement prior to any legal action, sets forth notice and procedural requirements. It also provides a reasonable opportunity to repair. Motor homes are covered by this act.

CANCELLATION OF INSURANCE

NOTICE

Act 919 (HB1279) - The act provides that anyone holding the right to request cancellation of the named insured's insurance policy shall send to the insured and to the insured's agent or broker at least ten days' written notice of the intention to request cancellation or cancel the policy.

CEMETERY BOARD, ARKANSAS

PERPETUAL CARE CEMETERIES

Act 1242 (HB2228) - The act authorizes the Arkansas Cemetery Board to increase annual assessments, protect against encumbrances on and to require a permit renewal fee for perpetual care cemeteries to assure that all cemeteries will be properly maintained and will continue to be going concerns.

CHECK-CASHERS

POSTING OF BOND

Act 1400 (SB283) - The act provides that check-cashers must post bond with the State Board of Collection Agencies instead of the Department of Finance and Administration.

CONSUMER MOTOR VEHICLE LEASING ACT

Act 953 (HB1638) - The act repeals Arkansas Code 4-90-601 through 607 pertaining to leasing of motor vehicles and commonly referred to as the Consumer Motor Vehicle Leasing Act.

DENTISTS

PROHIBITED PRACTICES

Act 950 (SB521) - The act provides that a dentist may not allow any person other than a dentist licensed by the board to direct the dentist's practice, or direct, participate in, or affect the diagnosis or treatment of patients under the dentist's care.

ELECTRIC UTILITIES

DEREGULATION POSTPONED

Act 324 (SB236) - The act postpones implementation of the Electric Consumer Choice Act of 1999.

CONSUMER PROTECTION

GENETIC RESEARCH STUDIES

CONFIDENTIALITY

Act 1251 (SB764) - The act prohibits the disclosure of specific information collected in genetic research studies without informed written consent of the subject.

GENETIC TESTING

DISCLOSURE PROHIBITED

Act 1222 (SB765) - The act prevents the disclosure of genetic information in any judicial, legislative, or administrative proceeding.

HOME BUILDERS

REGISTRATION

Act 738 (HB1934) - The act repeals the Arkansas Homebuilders Registration Act.

INSURANCE

CONFIDENTIAL INFORMATION

Act 1619 (SB286) - The act provides that no person shall disclose any nonpublic personal information contrary to the provisions of Title V of the Gramm-Leach-Bliley Act of 1999 Public Law 106-102 and requires the State Insurance Commissioner to adopt regulations governing the treatment of consumer financial and protected health information by all licensed insurers, producers and other persons licensed or required to be licensed, authorized or required to be authorized, or registered or required to be registered by the Commissioner.

GENETIC NONDISCRIMINATION IN INSURANCE ACT

Act 1221 (SB763) - The act provides that no insurer shall, for the purpose of determining eligibility of any individual for any insurance coverage, establishing premiums, limiting coverage, renewing coverage, terminating coverage or any other underwriting decision in connection with the offer, sale or renewal or continuation of a policy, except to the extent and in the same fashion as an insurer limits coverage, or increases premiums for loss caused or contributed to by other medical conditions presenting an increased degree of risk, require or request, directly or indirectly, any individual or a member of the individual's family to obtain a genetic test, or condition the provision of the policy upon a requirement that an individual take a genetic test.

NOTICE REQUIREMENT, CHANGE IN PREMIUM PAYMENT MODE

Act 1177 (HB1961) - The act provides that notice be given by accident and health insurers prior to unilaterally changing premium payment modes on individual accident and health insurance policies.

OPTION TO PURCHASE PLANS WITHOUT STATE MANDATED BENEFITS

Act 924 (HB1632) - The act provides consumers the option to purchase health benefit plans or policies not subject to state mandated health benefits, so long as written disclosure is given to the proposed insured.

PROHIBITED PRACTICES

Act 1728 (HB2601) - The act amends certain "Miscellaneous Prohibited Practices" applied to the insurance industry, and amends the "Insurance Sales Consumer Protection Act."

INSURANCE COMMISSIONER

HEALTH INSURANCE POOL, ARKANSAS COMPREHENSIVE

Act 1246 (HB2399) - The act allows current or former representatives of insurance companies and health maintenance organizations to be appointed to the board of the Arkansas Comprehensive Health Insurance Pool, and gives the Insurance Commissioner the authority to act to recoup, by assessment, any deficit incurred by the pool when the board fails to act within a reasonable time.

MANUFACTURED HOME COMMISSION, ARKANSAS

INVESTIGATIONS AND SANCTIONS

Act 1067 (HB2226) - The act removes the definition of "dealer" from the Manufactured Homes Standards Act and includes definitions for "installer" and "retailer." The act authorizes the Arkansas Manufactured Home Commission to investigate disagreements among manufacturers, retailers, and installers of manufactured homes regarding responsibility for the correction or repair of construction or installation defects. The act authorizes the Arkansas Manufactured Home Commission to sue, collect fees from and fine manufacturers, retailers, and installers of manufactured homes who violate the Manufactured Homes Standards Act.

CONSUMER PROTECTION

MODULAR STRUCTURES

COMPLIANCE WITH CODES

Act 1182 (HB2230) - The act authorizes the Arkansas manufacturer of modular or factory built structures, other than manufactured housing governed by the United States Department of Housing and Urban Development, to contract with an individual third party compliance assurance or inspection agency for inspection of the modular or factory built structures destined for delivery within Arkansas for compliance with the Arkansas Fire Protection Code and applicable state and municipal electrical, plumbing, and mechanical codes. If the manufacturer contracts with the independent third party inspector no further inspection by state or local building officials may be required.

MOTOR HOMES

WARRANTY

Act 1134 (HB1771) - The act provides procedures for the consumer to receive replacement or a refund for vehicles not brought into conformity with the warranty during the motor vehicle quality assurance period. The act mandates informal dispute settlement prior to any legal action, sets forth notice and procedural requirements. It also provides a reasonable opportunity to repair. Motor homes are covered by this act.

OMNIBUS LONG-TERM CARE REFORM ACT

LAWSUIT RELIEF

Act 1763 (SB947) - The act provides relief to long-term care facilities against delayed decisions from appeal hearings and against the frivolous filing of appeals.

PRESCRIPTION DRUGS

INTERNET PHARMACIES

Act 1411 (SB828) - The act requires Internet pharmacies to be in compliance with federal and state laws, be properly regulated, and if a foreign entity, be registered with the Secretary of State. Internet pharmacies must disclose required information on web sites. Licensing requirements for pharmacists and physicians are amended to address issues with regard to prescribing and dispensing medication via the Internet. The act also provides that Internet pharmacies may not disclaim, limit, or waive liability.

PRIZE PROMOTION ACT

EXEMPTIONS

Act 1670 (HB1730) - The act amends the Arkansas Prize Promotion Act to exempt periodicals from the application of the act so long as they clearly and conspicuously set forth required disclosures, notify and take steps to deliver a prize within 30 days of the award, and if the prize is unavailable, provide the person with either another prize listed in the written prize notice that is available and of equal or greater value or the retail value of the prize, whichever the person chooses.

PRODUCT SAFETY

CHILDREN

Act 1313 (SB524) - The act prohibits the use, sale, or resale of unsafe children's products by commercial users, specifically those products not in conformance with federal law and regulatory standards, those recalled, and those products the federal government has issued warnings about. The act provides standards and specifications for crib safety.

PUBLIC HOUSING AGENCY

ACCESS TO INFORMATION ON RESIDENTS

Act 1477 (HB2027) - The act provides that all requests received by the director of the Arkansas Employment Security Department from a public housing agency regarding wage and unemployment compensation information on one of its residents shall be processed within three (3) business days.

CONSUMER PROTECTION

PUBLIC SERVICE COMMISSION

CALLING PLAN

Act 1769 (HB2426) - The act authorizes the Arkansas Public Service Commission to establish a calling plan in the state.

RURAL AND COMMUNITY LIAISON

Act 1586 (HB1578) - The act provides that the Rural and Community Liaison of the Arkansas Public Service Commission will serve as a two-way communication link between the Commission and utility customers, particularly those in rural areas; is responsible for providing information to communities and rural utility customers concerning utility matters within the jurisdiction of the Commission; and is also responsible for identifying questions and concerns that rural utility customers may have concerning utility issues and relaying those concerns to the Commissioners and the Commission Staff.

TEMPORARY OPERATION OF REAL ESTATE FIRMS

DEATH OF PRINCIPAL BROKER OR CLOSING OF REAL ESTATE FIRM

Act 1172 (HB1566) - The act allows the Arkansas Real Estate Commission to protect consumers by continuing the temporary operation of a real estate firm upon the death, resignation, termination, or incapacity of the principal broker, or the closing of a real estate firm.

TRADE PRACTICES

HEALTH CARRIERS

Act 1454 (HB2449) - The act provides penalties for late payment of claims by health insurance companies and health maintenance organizations.

UNINSURED MOTORISTS LIABILITY INSURANCE

REJECTION IN WRITING

Act 1276 (HB2003) - The act requires the rejection of uninsured motorists liability insurance coverage to be in writing by the insured.

CONTRACTORS

HOME BUILDERS

REGISTRATION

Act 738 (HB1934) - The act repeals the Arkansas Homebuilders Registration Act.

LICENSING

EXAMINATIONS - CERTIFICATION

Act 583 (HB1741) - The act exempts manufacturers who produce equipment to be installed in the State of Arkansas from having a contractor's license, if the installation is performed by a licensed contractor. Also, the act permits any person desiring to apply for a contractor's license to take an examination to determine the person's qualifications.

MODULAR STRUCTURES

COMPLIANCE WITH CODES

Act 1182 (HB2230) - The act authorizes the Arkansas manufacturer of modular or factory built structures, other than manufactured housing governed by the United States Department of Housing and Urban Development, to contract with an individual third party compliance assurance or inspection agency for inspection of the modular or factory built structures destined for delivery within Arkansas for compliance with the Arkansas Fire Protection Code and applicable state and municipal electrical, plumbing, and mechanical codes. If the manufacturer contracts with the independent third party inspector no further inspection by state or local building officials may be required.

CONTRACTORS

PUBLIC WORKS

PUBLISHED NOTICES

Act 1051 (SB770) - The act provides that no public works contract by any state agency, county, municipality, school district, or other local taxing unit may be entered into with any contractor where all estimated cost of work exceeds \$20,000 (currently \$10,000 for counties and municipalities and \$50,000 for school districts), unless prior notice is published in a newspaper.

SUBCONTRACTORS

Act 989 (HB1965) - The act adds ventilation and refrigeration subcontractors to the list of those who must be licensed by the Contractors Licensing Board when performing work for a prime contractor on a state project if the subcontractor's portion of the project is at least \$20,000.

CORRECTIONS

ADULT OFFENDER SUPERVISION, INTERSTATE COMPACT FOR

Act 253 (SB252) - The act adopts the Interstate Compact for Adult Offender Supervision Act which provides the framework for joint and cooperative efforts among states concerning the control and regulation of the interstate movement of adult offenders.

COMMUNITY CORRECTION, DEPARTMENT OF

ACCESS TO MEDICAL RECORDS OF INMATES

Act 161 (SB180) - The act allows the Department of Correction and the Department of Community Correction access to inmates' medical records generated prior to commitment or based on care received outside the departments.

COUNTY JAILS STUDY

Act 1672 (HB1865) - Section 37 of the act authorizes the Executive Chief Information Officer to monitor the integrated electronic offender management information system under development by the Department of Correction and the Department of Community Correction. Section 40 of the act requires the Department of Correction to conduct a study of the various costs involved in the operation of county jails, to be completed by June 30, 2002, and reported to the Legislative Council.

INFORMATION SYSTEM

Act 1672 (HB1865) - Section 37 of the act authorizes the Executive Chief Information Officer to monitor the integrated electronic offender management information system under development by the Department of Correction and the Department of Community Correction. Section 40 of the act requires the Department of Correction to conduct a study of the various costs involved in the operation of county jails, to be completed by June 30, 2002, and reported to the Legislative Council.

NAME CHANGE

Act 323 (SB81) - The act changes the name of the Department of Community Punishment to the Department of Community Correction.

REGISTRATION OF SEX OFFENDERS

Act 202 (HB1188) - The act places the responsibility on the Department of Correction and the Department of Community Correction to assure that sex offenders complete the sex offender registration form. The act also requires that any sex offenders required to register must provide a DNA sample to the Arkansas State Crime Laboratory.

COMMUNITY PUNISHMENT FACILITY

ELIGIBILITY FOR COMMITMENT AFTER PAROLE

Act 904 (SB158) - The act makes persons who have committed felony offenses and have been paroled to be committed to a community punishment facility upon violating their parole unless the parole violation constitutes a felony offense.

CORRECTIONS

COMMUNITY PUNISHMENT, DEPARTMENT OF

NAME CHANGE

Act 323 (SB81) - The act changes the name of the Department of Community Punishment to the Department of Community Correction.

CORRECTION AND COMMUNITY PUNISHMENT, BOARD OF

ADMINISTRATIVE HEADQUARTERS

Act 614 (SB187) - The act requires the Board of Correction and Community Punishment to locate the administrative headquarters of the Department of Correction and Department of Community Correction on sites chosen by the board.

CORRECTION, DEPARTMENT OF

ACCESS TO MEDICAL RECORDS OF INMATES

Act 161 (SB180) - The act allows the Department of Correction and the Department of Community Correction access to inmates' medical records generated prior to commitment or based on care received outside the departments.

COUNTY JAILS STUDY

Act 1672 (HB1865) - Section 37 of the act authorizes the Executive Chief Information Officer to monitor the integrated electronic offender management information system under development by the Department of Correction and the Department of Community Correction. Section 40 of the act requires the Department of Correction to conduct a study of the various costs involved in the operation of county jails, to be completed by June 30, 2002, and reported to the Legislative Council.

CRIMINAL DETENTION FACILITIES

Act 1185 (SB102) - The act repeals obsolete language in order to provide the Criminal Detention Facilities Review Coordinator the authority to establish minimum standards for detention facilities. The act defines "intermediate/long-term facility", "short-term facility", and "twenty-four (24) hour or overnight facility" and permits the Governor to establish a citizen advisory council composed of Arkansas citizens to advise the Criminal Detention Facilities Review Coordinator regarding jail standards.

FACILITIES

Act 613 (SB185) - The act requires the Department of Correction - to provide incarceration facilities for women, youthful offenders, and other adult offenders, and to provide education and other rehabilitation and treatment programs designed to prepare inmates for productive, law abiding lives upon release.

INFORMATION SYSTEM

Act 1672 (HB1865) - Section 37 of the act authorizes the Executive Chief Information Officer to monitor the integrated electronic offender management information system under development by the Department of Correction and the Department of Community Correction. Section 40 of the act requires the Department of Correction to conduct a study of the various costs involved in the operation of county jails, to be completed by June 30, 2002, and reported to the Legislative Council.

INMATES' WORKERS' COMPENSATION BENEFITS

Act 1651 (SB883) - The act provides that monies retained by the Department of Correction under Arkansas Code 12-30-406(a)(1) are excluded from the prohibition that Workers' Compensation benefits are not assignable and not subject to garnishment, attachment, levy, execution, or any other legal process.

RECORDS OF COMMITMENTS

Act 615 (SB188) - The act provides that records of commitments to the Department of Correction shall not be subject to inspection or disclosure except as authorized by administrative regulation or by court order.

REGISTRATION OF SEX OFFENDERS

Act 202 (HB1188) - The act places the responsibility on the Department of Correction and the Department of Community Correction to assure that sex offenders complete the sex offender registration form. The act also requires that any sex offenders required to register must provide a DNA sample to the Arkansas State Crime Laboratory.

CORRECTIONS

CORRECTION, DEPARTMENT OF

SUPERINTENDENTS OF INSTITUTIONS

Act 612 (SB184) - The act repeals Arkansas Code 25-17-212 pertaining to the appointment and powers of superintendents of Department of Correction institutions.

CORRECTIONS COOPERATIVE ENDEAVORS AND PRIVATE MANAGEMENT ACT

Act 616 (SB193) - The act amends the Corrections Cooperative Endeavors and Private Management Act to expand the definition of the terms "prison", "prison contractor", and "private correction facility".

CREDIT AGAINST SENTENCE

TIME SPENT IN CUSTODY AWAITING TRANSFER TO THE DEPARTMENT OF CORRECTION

Act 1034 (HB2259) - The act allows for the credit for time spent in custody, including time spent in a local jail facility awaiting transfer to the Department of Correction or the Department of Community Correction, against a defendant's sentence to imprisonment.

CRIMINAL DETENTION FACILITIES

CITIZEN ADVISORY COUNCIL

Act 1185 (SB102) - The act repeals obsolete language in order to provide the Criminal Detention Facilities Review Coordinator the authority to establish minimum standards for detention facilities. The act defines "intermediate/long-term facility", "short-term facility", and "twenty-four (24) hour or overnight facility" and permits the Governor to establish a citizen advisory council composed of Arkansas citizens to advise the Criminal Detention Facilities Review Coordinator regarding jail standards.

DENTISTS

EXEMPTIONS FROM ARKANSAS LICENSURE

Act 301 (HB1177) - The act exempts from Arkansas licensure any dentists or dental hygienists licensed outside Arkansas while they are working within the scope of their duties as employees of the Federal Bureau of Prisons.

ELIGIBILITY FOR PLACEMENT IN COMMUNITY PUNISHMENT

TARGET GROUP

Act 1255 (HB2181) - The act expands the definition of "target group" to include residential burglary and other unclassified nonviolent and nonsexual offenses for determining eligibility for placement in community punishment.

EMPLOYEES

SEXUAL ABUSE OF INMATE

Act 545 (SB175) - The act makes it a Class C felony for an employee of the Department of Correction, the Department of Community Correction, or any city or county jail, to engage in sexual contact with any person in custody.

FELONIES INVOLVING USE OF FIREARM

MINIMUM SENTENCE FOR SECOND OR SUBSEQUENT OFFENSE

Act 1783 (SB190) - The act provides for a minimum ten (10) year sentence for persons who plead guilty, nolo contendere to, or are found guilty of a second or subsequent felony offense involving the use of a firearm.

FURLOUGHS

NOTIFICATION OF SHERIFFS AND CHIEFS OF POLICE

Act 1371 (SB875) - The act provides that the Board of Correction and Community Punishment may promulgate rules and regulations to allow inmates to participate in a meritorious furlough program which shall include a requirement that the sheriff of the county and the chief of police of the city or town, if applicable, shall be notified if an inmate will be present within their jurisdiction while on furlough.

CORRECTIONS

INMATES' MEDICAL RECORDS

AGENCY ACCESS TO MEDICAL RECORDS OF INMATES

Act 161 (SB180) - The act allows the Department of Correction and the Department of Community Correction access to inmates' medical records generated prior to commitment or based on care received outside the departments.

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

Act 253 (SB252) - The act adopts the Interstate Compact for Adult Offender Supervision Act which provides the framework for joint and cooperative efforts among states concerning the control and regulation of the interstate movement of adult offenders.

PAROLE

Act 1805 (HB1258) - The act provides that any person who commits a violent felony offense or any felony sex offense, and who has previously pled guilty or nolo contendere, or been found guilty of any violent felony offense, or any felony sex offense, shall not be eligible for release on parole.

PHYSICIANS

LICENSURE EXEMPTION

Act 579 (HB1176) - The act exempts persons practicing medicine as employees of the federal bureau of prisons from licensure requirements under the Arkansas Medical Practices Act.

PRERELEASE AND WORK-RELEASE PROGRAMS

HOUSING PARTICIPANTS

Act 1402 (SB547) - The act provides that the Arkansas Health Center shall not house in excess of two hundred twenty-five (225) persons on prerelease and work-release programs.

TIME SPENT IN CUSTODY AWAITING TRANSFER TO DEPARTMENT OF CORRECTION

CREDIT AGAINST SENTENCE

Act 1034 (HB2259) - The act allows for the credit for time spent in custody, including time spent in a local jail facility awaiting transfer to the Department of Correction or the Department of Community Correction, against a defendant's sentence to imprisonment.

TREATMENT AND REHABILITATION OF DRUG USERS

EXPUNGEMENT

Act 1778 (HB2644) - The act allows a court, in its own discretion, to offer treatment and rehabilitation to drug users convicted of a felony for possession of a controlled substance and expungement of the offender's record if the person successfully completes a drug treatment program approved by the court, remains drug free until successful completion of probation, and successfully completes the terms and conditions of the probation.

COUNTIES

ADJACENT CITIES

COMPATIBLE LAND-USES IN BOUNDARY AREAS

Act 1198 (SB173) - The act regulates land-use in the boundary areas of cities that become adjacent and contiguous to one another through annexation. The boundary area is the area in each city that is within 1000 feet of the joint city boundaries. The act requires that zoned land-uses within the boundary areas of each city must be compatible with one another.

COUNTIES

ADVERTISING AND PROMOTIONS TAX

Act 1647 (SB821) - The act provides that any county in which there is located a city that levies a 2% gross receipts tax on hotels, motels, and restaurants as authorized in Arkansas Code 26-75-701 -- 26-75-705 may, by ordinance of the county quorum court, levy a like tax at the same rate as the levying city or at a lesser rate upon the furnishing of hotel and motel accommodations, the admission price to tourist attractions as defined in § 26-52-1001, the gross receipts of gift shops referred to in § 26-75-701, and restaurants and similar establishments located within any township in the county outside the boundaries of the levying municipality.

ASSESSORS

PROFESSIONAL DEVELOPMENT RECOGNITION

Act 1393 (HB2566) - The act provides that county assessors and their employees designated as Senior (Level 4) Appraiser Managers by the Assessment Coordination Department may receive a professional development recognition payment in an amount not to exceed \$750. The act also provides that a Senior (Level 4) Appraiser with four (4) years of appraisal experience may serve as an appraisal or reappraisal manager in a county if the appraiser complies with the standards established by the Assessment Coordination Department.

BALLOTS

CANDIDATE NAMES AND TITLES

Act 799 (HB2012) - The act provides that the names and titles of candidates to be used on the political practice pledge shall be reviewed by the State Board of Election Commissioners and the county board of election commissioners no later than 1 business day after filing deadline.

IDENTIFICATION OF ELECTOR

Act 795 (HB2008) - The act makes it no longer an offense to place any mark or device on any ballot for the purpose, or with the effect of, identifying the ballot with the elector.

BOARDS OF EDUCATION

DUTIES

Act 1036 (SB192) - The act establishes the rights and duties of the county boards of education, the county school supervisors, and the county board of education designees.

BOARDS OF ELECTION

VACANCY ON COUNTY BOARD OF ELECTION COMMISSION

Act 794 (HB2007) - The act eliminates the requirement that the Chairman of the State Board of Election Commissioners, upon notification of a vacancy on a County Board of Election Commission, immediately call a meeting of the state board to fill the vacancy.

BONDED INDEBTEDNESS

SCHOOL DISTRICTS

Act 1214 (HB2240) - The act provides that if the State Board of Education determines that a school district is unable to finance needed school facilities due to unexpected, unforeseen or extreme hardship, or unable due to student growth, or local assessment per student, the board may permit the district to increase its total indebtedness by no more than 35% (presently 30%) of the assessed value of property in the district.

CAMPAIGN FINANCE

CARRYOVER FUNDS

Act 954 (HB1678) - The act provides that local candidates file expenditure reports of carryover campaign funds with the county clerk or the Secretary of State, depending upon whether it is a local, state, or district office sought.

COUNTIES

CAPITAL IMPROVEMENTS TAXES

COUNTY SALES AND USE TAXES

Act 1560 (HB2328) - The act limits the amount of taxes which may be collected for capital improvements as a result of a county sales or use tax, provides a method to compute the county use tax on property brought into the state, clarifies that each subchapter is supplemental, and provides enforcement of county sales or use taxes.

CIRCUIT CLERKS

EXTEND CREDIT TO STATE LAND COMMISSIONER

Act 854 (HB1967) - The act allows circuit clerks, sheriffs, and other elected county officials to extend credit for the payment of recording fees to the Commissioner of State Lands.

CITIES IN TWO OR MORE COUNTIES

PLANNING AND DEVELOPMENT DISTRICT JURISDICTION

Act 754 (HB2025) - The act allows a city located in two (2) or more counties which are situated in different planning and development districts to be deemed attached to the planning and development district which has the county with the highest proportion of the city's population. Currently, the city is considered under the jurisdiction of both planning and development districts.

COMMUNITY COLLEGE BOARD

ELECTIONS

Act 1366 (SB754) - The act allows community colleges to hold district wide elections for local board members when division into voting zones would not create a voting zone with twenty percent (20%) or greater population in any one (1) racial minority.

COMMUNITY REDEVELOPMENT

IMPLEMENTATION OF AMENDMENT 78

Act 1197 (HB2415) - The act implements Amendment 78 to the Arkansas Constitution by providing for the creation of redevelopment districts, establishing procedures for the approval of project plans within the redevelopment districts, providing procedures for the issuance of bonds to finance redevelopment district projects, providing procedures for dividing ad valorem taxes and pledging those taxes to secure the bonds.

COUNTY ADMINISTRATION OF JUSTICE FUND

Act 1611 (SB93) - The act provides that the amount retained in each city and county administration of justice fund during calendar year 2002 and each calendar year thereafter shall be the amount retained during calendar year 2001.

COUNTY BANK ACCOUNTS

CHECKS

Act 469 (SB446) - The act repeals Arkansas Code 14-21-108 which authorized financial institutions to provide county government customers with photographic images of their checks in lieu of their original checks.

COUNTY BOARD OF EQUALIZATION

ASSESSMENTS

Act 1567 (HB2413) - This act provides for documentation by the Board of Equalization for the increase or decrease in the valuation of real property. The act also provides the procedures for requesting from the Board of Equalization an adjustment of the county assessor's assessment.

COUNTY CLERK

HEIRLOOM MARRIAGE CERTIFICATES

Act 968 (HB1781) - The act provides that the State Child Abuse and Neglect Prevention Board shall distribute to each county clerk heirloom marriage certificates which shall be offered to all marriage license applicants. The additional revenues from the sale of heirloom marriage certificates shall be deposited in the Children's Trust Fund.

COUNTIES

COUNTY CLERK

MARRIAGE LICENSES

Act 751 (HB1842) - The act dictates the procedure for the correction of clerical or scriveners' errors on marriage licenses.

COUNTY COLLECTORS

AUTOMATED ACCOUNTING SYSTEMS

Act 1215 (HB2249) - The act provides for the funding of automated accounting systems for county collectors.

COUNTY JAILS

FINANCING OF COUNTY JAILS UNDER AMENDMENT 17 REPEALED

Act 1223 (SB796) - The act repeals a procedure concerning the financing of county jail facilities. The procedure was based on the financing scheme under Amendment 17 of the Arkansas Constitution, which was repealed by Amendment 62 in 1984.

COUNTY OFFICIALS' SALARIES

SALARY LEVELS INCREASED

Act 1170 (HB2611) - The act increased the minimum and maximum salaries authorized for county elected officials. Generally, the minimum salary level for each elected county official was raised \$1,000 and the maximum salary level was raised \$5,000. The per diem rate for quorum court members was also increased.

COUNTY RECORDER

RECORDING FEES INCREASED

Act 1144 (SB767) - The act increases the recording fees for certain written instruments by county recorders. The recording fees for deeds, mortgages, powers of attorney, and other recordable instruments was raised to eight dollars (\$8.00) from six dollars (\$6.00) for the first page, and to three dollars (\$3.00) for each additional page from the previous two dollars (\$2.00).

COUNTY SHERIFF

SHERIFF'S FEES INCREASED

Act 1427 (HB2457) - The act increases the fees charged by the county sheriff's office for certain services. Generally, the act doubles all the sheriff's fees. For example, the fee for serving a summons, writ of garnishment or attachment, or subpoena increased from fifteen dollars (\$15.00) to thirty dollars (\$30.00).

COUNTY TREASURER

UNREDEEMED COUNTY WARRANTS CREDITED TO COUNTY FUNDS

Act 1261 (HB1352) - The act authorizes the county treasurer to credit the county funds with monies if a county warrant is unredeemed. If county warrants are unclaimed, the county treasurer must forward them to the Auditor of State as unclaimed property. After three (3) years, fifty percent (50%) of the unclaimed county warrants will be returned to the county reporting those funds to the Auditor.

DALLAS COUNTY

OUACHITA RIVER COMMISSION MEMBERSHIP

Act 314 (HB1493) - The act includes Hot Spring and Dallas Counties in the scope of the Ouachita River Commission's powers and duties. This act increases the commission membership to nine, one of whom must be a resident and elector of Hot Spring County and one of whom must be a resident and elector of Dallas County.

DISASTER EMERGENCIES

LOCAL REGULATIONS SUSPENDED

Act 568 (HB1533) - The act allows the mayor or county judge to suspend the enforcement of local regulatory ordinances or regulations for up to thirty (30) days after declaring a disaster emergency in the city or county. The mayor or county judge may suspend enforcement of zoning ordinances, subdivision regulations, building codes, fire codes, or historic district ordinances if they hinder the response to the emergency.

COUNTIES

DISTRICT COURTS

COLLECTION OF FINE REVENUE

Act 1696 (HB2409) - The act implements a performance based budgeting option for the state, counties, and cities to utilize for those courts which choose to acquire the uniform computer system selected by the Supreme Court Committee on Automation for the state's district courts.

DRAINAGE DISTRICTS

PUBLIC WORKS PROJECTS

Act 200 (HB1164) - The act increases from \$10,000 to \$20,000 the level of public works projects which may be let without public advertisement.

ELECTION COMMISSIONERS

QUALIFICATIONS

Act 796 (HB2009) - The act provides that no person may serve as an election official who is married to or related within the second degree of consanguinity to any candidate if objection is made to the county board within 10 days of posting the list of election officials.

ELECTION COMMISSIONERS, COUNTY BOARD OF

PUBLIC NOTICE OF ELECTION

Act 474 (HB1689) - The act requires that the county board of election commissioners shall, at least 20 days before each preferential primary and general election, and 10 days before the holding of each general primary, general runoff, or special election, give public notice in a newspaper of general circulation in the county of the time and polling sites for holding the elections and the candidates and offices to be elected at that time.

ELECTION LAWS

ABSENTEE VOTING

Act 1767 (HB1663) - The act amends Arkansas Code 7-5-411 regarding methods of absentee voting. Absentee ballots of uniformed services personnel, serving on active status, shall be counted if received by the county clerk no later than 5:00 p.m. ten (10) calendar days after the date of the election and the absentee ballot was executed no later than the date of the election. Absentee ballots in any bulk mailing not otherwise permitted in this subsection shall not be counted.

ABSENTEE VOTING MATERIALS

Act 1379 (HB1662) - The act requires the absentee voter be provided a sealable return envelope, a blank voter statement in proper form, and instructions for voting and returning the ballot to the county clerk.

CERTIFICATION OF RESULTS AND RECOUNTS

Act 1475 (HB1685) - The act provides that certification of the results of an election to the Secretary of State shall be done no earlier than 48 hours after the election and no later than the tenth calendar day after the election. The county board shall declare preliminary and unofficial results immediately after the vote is complete. Recounts shall be done upon petition of the candidate. Testing results on voting machines shall be permitted.

DEADLINES FOR FILING BY INDEPENDENT CANDIDATES.

Act 472 (HB1684) - The act requires the county clerk to determine within 10 days of filing whether a petition to be included on the ballot as an independent candidate contains a sufficient number of qualified electors and to promptly notify the candidate of the result. The act also requires independent candidates for municipal office to file their petitions of nomination with the county clerk by 12:00 P.M., at least 60, but no more than 80 days, before the election.

DELIVERY OF ELECTION SUPPLIES

Act 1178 (HB2006) - The act provides that the person designated to deliver election supplies shall not be an elected official, the elected official's deputy, or candidate for office.

COUNTIES

ELECTION LAWS

DELIVERY OF RETURNS

Act 798 (HB2011) - The act requires that election returns be delivered by the election officials immediately after the polls close.

PROCESSING AND DELIVERY

Act 797 (HB2010) - The act requires that during processing of returns to be delivered, election officials shall separate voted ballots from unused ballots. All election materials and returns are to be immediately delivered after the polls close.

QUALIFICATIONS OF COUNTY COMMISSIONERS AND OTHER ELECTION OFFICIALS

Act 1822 (HB2389) - The act amends election laws concerning the qualifications of state and county commissioners and other election officials to require those officials to attend election training coordinated by the State Board of Election Commissioners.

RESULTS, DISCLOSURE OF

Act 926 (HB1677) - The act provides that an election official, poll watcher, or any other person in or out of this state in any primary, general, or special election in this state who divulges election results after the closing of the polls on the day of the election has committed a misdemeanor offense.

REVIEW OF VOTES

Act 1396 (HB2648) - The act establishes procedures for reviewing under, over, and disqualified votes and establishes deadlines for review of all votes.

WRITE-IN CANDIDATE VOTES

Act 955 (HB1679) - The act provides that write-in candidate votes will not be counted unless the candidate or an agent notifies election commissioners and either the Secretary of State or the county clerk, of the intention to be a write-in candidate no later than 60 days before the election, and the ballot name is the same listed on the write-in candidate's political practice pledge. Abbreviations, misspelling, or minor variation in the form of the name of the candidate shall be disregarded if the intention of the voter may be ascertained.

ELECTRONIC COURT RECORDS

DESTRUCTION OF ORIGINAL

Act 311 (HB1413) - The act prohibits the destruction of original paper documents determined to be of historical value by the Arkansas History Commission. However, if a document is eligible for destruction, an electronically stored version of the document is deemed to be the "original" if proffered with the recorder's certification.

EMPLOYEES

DEFERRED COMPENSATION

Act 1596 (HB2367) - The act allows state and local employees to elect a variety of investment options under a deferred compensation plan.

FIRE DEPARTMENT SERVICE AGREEMENTS

Act 1725 (HB2414) - The act provides for fire department services agreements; allows the pledging of fire department services agreements as collateral for loans; provides for enforcement of payment of sums due under fire department services agreements; and provides for collection of sums from persons and entities requiring firefighting services who have not executed fire department services agreements.

FIRE DEPARTMENTS

BUILDING FIRE STATIONS OUTSIDE CITY LIMITS

Act 1464 (HB1589) - The act authorizes a city or town that is providing fire service outside its municipal boundaries to build or construct a fire station to house its fire fighting equipment. However, the fire station may only be constructed outside the city or town limits if the county quorum court grants its approval and if there is no existing provider of fire protection services in the area.

COUNTIES

FIRE PROTECTION DISTRICTS

PETITION NEEDED TO CREATE A DISTRICT BY ORDINANCE

Act 1205 (SB829) - The act amends the law to create a fire protection district by ordinance (Act 35 of 1979). The act requires ten percent (10%) of the qualified electors sign a petition for establishing a district before a quorum court adopts an ordinance and requires a public hearing to be held within the district.

FIREFIGHTERS

TRAINING EXPENSES

Act 66 (SB48) - The act provides that when any city or county pays the costs for training a firefighter at the Arkansas Firefighter Training Academy or other like program and another city, county, or state agency employs that firefighter within 18 months after completion of the training, the city, county, or state agency employing the firefighter shall reimburse the city or county for the expenses incurred by the city or county for training the firefighter.

GENERAL EDUCATION

SCHOOL DISTRICT BOUNDARIES

Act 1037 (SB690) - The act establishes the procedure for changing the boundaries of a school district.

SCHOOL DISTRICT ZONING

Act 1716 (HB2238) - The act requires school districts currently operating under court ordered desegregation to comply with zoning requirements within one hundred and eighty (180) days after release from the court order.

SCHOOL DISTRICTS BY DETACHMENT

Act 1673 (HB1882) - The act provides a procedure for creating a new school district by detaching territory from an existing district. The new district shall not be made up of fewer than four thousand (4,000) students.

HOT SPRING COUNTY

OUACHITA RIVER COMMISSION MEMBERSHIP

Act 314 (HB1493) - The act includes Hot Spring and Dallas Counties in the scope of the Ouachita River Commission's powers and duties. This act increases the commission membership to nine, one of whom must be a resident and elector of Hot Spring County and one of whom must be a resident and elector of Dallas County.

IN-LIEU-OF-TAX PAYMENTS

NEGOTIATION OF CONTRACT FOR SALE OR LEASE OF PROPERTY TO PRIVATE FOR PROFIT ENTITIES

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

INSURANCE

SELF-INSURED FIDELITY BOND PROGRAM

Act 208 (HB1289) - The act specifically authorizes cities, counties, public school districts and the state to participate in the self-insured fidelity bond program.

INTERGOVERNMENTAL COOPERATION COUNCILS

ANNUAL REPORTS REPEALED

Act 916 (SB816) - The act repeals Arkansas Code 14-27-105 which requires County Intergovernmental Cooperation Councils to file annual reports.

MEETINGS

Act 784 (HB1506) - The act provides that each county intergovernmental cooperation council shall meet at least one time annually instead of a minimum of four times annually.

COUNTIES

IRRIGATION DISTRICTS

IRRIGATION, DRAINAGE, AND WATERSHED IMPROVEMENT DISTRICT BOARDS

Act 460 (SB107) - The act provides that members of irrigation, drainage, and watershed improvements district boards shall receive compensation not to exceed \$50.00 per day plus expenses for attending board meetings.

JOINT SOLID WASTE DISPOSAL AUTHORITIES

MEMBERSHIP

Act 611 (HB1770) - The act provides that a county quorum court may appoint one additional director to the Joint Solid Waste Disposal Authority upon recommendation of the County Industrial Development Corporation.

LAW ENFORCEMENT OFFICERS, COUNTY AND MUNICIPAL

PURCHASE OF LAW ENFORCEMENT APPARATUS

Act 1408 (SB774) - The act allows certain fines collected by municipalities and counties when the arresting officer is a county law enforcement officer or a municipal law enforcement officer to be used for the purchase and maintenance of communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus.

LIQUEFIED PETROLEUM GAS BOARD

MULTIPLE COUNTY PERMITTING

Act 1219 (SB567) - The act authorizes holders of class 1 permits for liquefied petroleum gas businesses to operate in 3 adjoining counties.

LOCAL GOVERNMENT SHORT-TERM FINANCING OBLIGATIONS ACT OF 2001

Act 1808 (HB1985) - The act allows local legislation regarding the issuance of short-term financing obligations by municipalities and counties. The act also provides for refunding obligations, security of obligations by lien, tax exemptions, and protection from liability for the legislative body of the issuing municipality or county. Obligations issued under this act are negotiable instruments.

MILLAGE RATE

SCHOOL FUNDING

Act 1202 (SB604) - The act clarifies the process for defining "average daily membership" for school funding purposes.

MOTOR FUEL TAX

FIRE DEPARTMENTS

Act 419 (HB1444) - The act provides that any fire department that purchases motor fuel or distillate special fuel for use in fire trucks shall be entitled to a refund of the motor fuel tax or distillate special motor fuel tax paid. The act also provides for the procedures for reporting the tax and collecting the taxes paid.

NONPARTISAN JUDICIAL ELECTIONS

GUIDELINES AND PROCEDURES

Act 1789 (SB789) - The act provides for nonpartisan judicial elections, filing guidelines, and other election procedures.

NOTICE

POLLING PLACE SIGNS

Act 562 (HB1175) - The act requires that on the day of an election, the county board of election commissioners post signs near driveway entrances of polling sites. The signs should say "VOTE HERE", with an arrow pointing to the polling site, be visible, and as close as possible to the public street.

COUNTIES

OUACHITA RIVER COMMISSION

HOT SPRING COUNTY MEMBERSHIP

Act 7 (SB88) - The act includes Hot Spring County in the scope of the Ouachita River Commission's powers and duties. This act increases the commission members to eight, one of whom must be a resident and elector of Hot Spring County.

POLICE AND FIRE PENSION FUNDS

DISABILITY BENEFIT INCREASE EXTENDED RETROACTIVELY TO 1983

Act 1806 (HB1322) - The act provides that disabled fire fighters who are being paid by a municipal firemen's pension and relief fund and who are injured in the line of duty before January 1, 1987 but after January 1, 1983 may receive increased disability benefits (sixty-five percent (65%) of the final salary). It requires the board of trustees to adopt a resolution to extend the benefit retroactively back to those fire fighters and provides that the fund must remain actuarially sound.

GENERAL REVENUE PORTION OF PREMIUM TAXES REALLOCATED

Act 1701 (HB1319) - The act makes administrative corrections to the laws distributing insurance premium taxes to fund local police and fire pension and relief funds. The act changes the allocation of premium taxes that are sent to general revenues to first send a portion of them to the Arkansas Fire and Police Pension Guarantee Fund and to the Policemen's Pension Supplement Program Fund and then to general revenues.

POLICE AND FIRE RETIREMENT SYSTEM

TEMPORARY ANNUITIES FOR DISABLED MEMBERS RESTORED

Act 1703 (HB1341) - The act allows a disabled member of the Local Police and Fire Retirement System who lost a temporary annuity because of an award of disability payments from the federal Social Security Administration to have that temporary annuity restored on July 1, 2001.

POLICEMEN'S PENSION AND RETIREMENT FUND

CONCERNING PROCEEDS DERIVED FROM THE SALE OF CONFISCATED GOODS

Act 1832 (HB2564) - The act provides that in all cities and towns, until the pension and retirement fund is actuarially sound as determined by the actuary under contract with the Arkansas Fire and Police Pension Review Board, all monies confiscated by a police officer of the city, or by the sheriff or Arkansas State Police within the city, shall be deposited in the city's policemen's pension and retirement fund. However, at the time that the pension and retirement fund is actuarially sound, all monies derived from the sale of the confiscated goods shall be retained by the city.

PRIMARY ELECTIONS

REIMBURSEMENT WITHHELD

Act 1175 (HB1702) - The act provides that the State Board of Election Commissioners may withhold reimbursement of funds to counties in state funded elections for failure to comply with administration of elections or state election laws until the requirements are met to the satisfaction of the board.

PROPERTY SALE

SPONSOR PROHIBITED FROM PROFIT

Act 1100 (HB1953) - The act prohibits profit from sponsorship of an initiative, referendum, or constitutional amendment proposing the sale of county or municipal property.

PROPERTY TAXES

ACT 9 BONDS

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

COUNTIES

PROPERTY TAXES

CLERICAL ERRORS

Act 901 (HB2202) - The act provides that if a county court determines that the levy of taxes by the quorum court is incorrect due to clerical errors, scrivener's errors, or failure of a taxing entity to report the correct millage rate to the quorum court, the county court shall issue an order directing the county clerk to correct the error in order to correct the millage levy.

COUNTY COLLECTORS

Act 1275 (HB1971) - The act provides that county collectors may receive a commission of up to 4% of the amount of real property tax reduction certified to the state.

COUNTY EQUALIZATION BOARDS

Act 505 (HB1554) - The act modifies the membership of county equalization boards.

REAPPRAISALS

Act 204 (HB1222) - The act provides that countywide reappraisals of property shall be deemed to have been completed on the date the tax collector's books are open for collection on the newly appraised values.

Act 1058 (HB1053) - The act provides for the frequency of real property reappraisals. Specifically, counties shall reappraise property under a five-year cycle. If the new market value real estate assessment is greater than 15% from the previous market value real estate assessment in the county, the county shall be required to complete its next reappraisal at a minimum of once every 3 years. An exception to the three-year reappraisal cycle exists if the increased market value real estate assessment is a result of a single property improvement.

PROPERTY, DISPOSITION OF

Act 589 (SB355) - The act provides that all state agencies, colleges, and universities are required to utilize and all counties, municipalities, and other tax supported institutions are authorized to utilize the services of the marketing and redistribution section of the Office of State Procurement.

PUBLIC WORKS

BIDDING

Act 921 (HB1536) - The act allows counties, municipalities, school districts, and local taxing units to negotiate with an apparent responsible low bidder on public capital improvement contracts if the bid is within 25% of the amount appropriated and bidding on alternates was not required.

PUBLISHED NOTICES

Act 1051 (SB770) - The act provides that no public works contract by any state agency, county, municipality, school district, or other local taxing unit may be entered into with any contractor where all estimated cost of work exceeds \$20,000 (currently \$10,000 for counties and municipalities and \$50,000 for school districts), unless prior notice is published in a newspaper.

PURCHASING PROCEDURES

USED MOTOR VEHICLE OR EQUIPMENT REDEFINED

Act 219 (HB1434) - The act changes the definition of "used motor vehicles and equipment" under the county government purchasing procedures law to include vehicles that are over two (2) years old or which were driven 10,000 or more miles. Previously, used vehicles had to have over 18,000 miles. Used motor vehicles or equipment are exempt from competitive bidding requirements unless they were previously leased by the county.

RECORDS

Act 1630 (SB571) - The act allows counties and cities to maintain records by microcard, miniature photographic recording, optical disc, digital compact disc, electronic imaging, or other process which accurately reproduces or forms a durable medium for reproducing the original and provides that such reproduction, when satisfactorily identified, shall be admissible into evidence.

COUNTIES

REFERENDUMS

FILING DEADLINES

Act 981 (HB2423) - The act requires referendum petitions against measures pertaining to short-term financing obligations incurred by counties under Amendment 78 to be filed with the county clerk within 30 days after the adoption of the measure.

REGIONAL WATER DISTRIBUTION DISTRICT ACT

NONPROFIT REGIONAL DISTRICTS

Act 618 (SB459) - The act provides that water districts in existence on January 1, 2001 and functioning for the purpose of handling sewage and liquid waste, excluding those subject to assessment, may be organized and have the same powers as nonprofit regional water distribution districts.

ROAD IMPROVEMENT DISTRICT

PROPERTY TAX

Act 79 (SB21) - The act provides that when any owner of realty located in a road improvement district notifies any member of the district board that the property owner has transferred ownership of the property, the board shall, within 30 days, instruct the county official in possession of the tax books of the county as to the change of ownership and if the property was divided the amount of assessment of benefits levied against each resulting portion of the property.

SALE OF COUNTY PROPERTY

MINIMUM INCREASED

Act 1050 (SB656) - The act amends the procedures for the sale of county property. It increases from five hundred dollars (\$500) to one thousand dollars (\$1,000) the minimum appraised value under which the property is not required to be sold by sealed bids.

SALES AND USE TAX

Act 1796 (SB863) - The act authorizes certain counties to levy a sales and use tax to provide for capital improvements to or maintenance and operation of a community college that will be merged into a four-year institution and establishes an alternative method for dissolution of a community college district.

CAPITAL IMPROVEMENT BONDS

Act 1168 (HB2320) - The act permits a municipality or county to levy multiple taxes by ordinance provided that the aggregate rate of the taxes does not exceed 1%.

COMMUNITY COLLEGE IMPROVEMENTS

Act 1796 (SB863) - The act authorizes certain counties to levy a sales and use tax to provide for capital improvements to or maintenance and operation of a community college that will be merged into a four-year institution and establishes an alternative method for dissolution of a community college district.

REPORTS OF BUSINESSES REMITTING TAX TO STATE

Act 1040 (SB806) - The act requires the Department of Finance and Administration to provide reports listing all businesses remitting sales and use taxes within a city, town, or county upon the request of the mayor or county judge. The municipality or county may request the sales and use tax report no more than quarterly.

SCHOOL DISTRICTS

CONSOLIDATION AND ANNEXATION

Act 1225 (SB896) - The act combines the existing laws regarding annexation and consolidation of public school districts.

COUNTIES

SCHOOL DISTRICTS

PURCHASE OF COMMODITIES

Act 1687 (HB2621) - The act amends Arkansas Code 6-21-303 concerning school district purchases of commodities. Each school district is required to provide each pre-kindergarten through sixth grade teacher in each fiscal year at least ten dollars (\$10.00) per student or two hundred fifty dollars (\$250) per classroom to purchase related commodities for use by that teacher in his or her classroom or for class activities. The board of directors of each school district shall adopt reasonable procedures for teachers to draw from or be reimbursed from the discretionary fund. The act provides that the Department of Education has the authority to waive this requirement if a school district requests a waiver and is in fiscal distress.

SCHOOL FUNDING

BONDS, SECOND-LIEN

Act 1220 (SB603) - The act amends the school funding formula, modifying the method of calculating average daily membership for funding purposes, and authorizes school districts to issue second-lien bonds.

SELF-INSURED FIDELITY BOND PROGRAM

Act 1038 (SB778) - The act clarifies the type of financial examination reports required under the self-insured fidelity bond program for the state.

SHERIFF AND COLLECTOR

CHICOT COUNTY

Act 531 (HB1280) - The act separates the office of county sheriff-collector for Chicot County into 2 distinct elective offices for sheriff and collector. The act is effective with the 2002 general election and affects terms of office for the new officials beginning on January 1, 2003.

DALLAS COUNTY

Act 1719 (HB2261) - The act separates the office of county sheriff-collector for Dallas County into 2 distinct elective offices of county sheriff and county collector. The act is effective with the 2002 general election and affects terms of office for the new officials beginning on January 1, 2003.

SOLID WASTE MANAGEMENT

ILLEGAL ACTIVITIES

Act 1069 (SB113) - The act declares it illegal for any person to violate any provision of a permit issued by the Department of Environmental Quality under the Arkansas Solid Waste Management Act.

LANDFILLS

Act 217 (SB114) - The act requires Class 1 and Class 3C landfills to install scales and commence weighing all solid waste received at the landfill.

POWERS OF ILLEGAL DUMP CONTROL OFFICERS

Act 1686 (HB2511) - The act amends the law on illegal dump control officers to remove the prohibition on issuing citations for violations of illegal dumping occurring on an individual's own property. The act reaffirms that officers may issue citations for violations of the Arkansas Solid Waste Management Act prohibiting illegal dumping, subject to exemptions for individuals disposing of household wastes on their own land and agricultural exemptions.

SPECIAL ELECTION

COUNTY LIBRARY TAX

Act 1377 (HB1073) - The act provides that when a petition is filed as authorized in Amendment 38 to the Arkansas Constitution as amended, asking that the question of the levy, increase, decrease or repeal of a county library tax be submitted to the electors and the petition or the sponsor of the petition requests that the question be submitted at a special election, the county quorum court may require the sponsor of the petition to pay a fee not to exceed \$2,000 which shall be used to offset a portion of the cost of calling and conducting a special election.

COUNTIES

SUBSTITUTE COURT REPORTERS

RATE OF PAY

Act 510 (HB1611) - The act provides that substitute court reporters will be paid at the same daily rate as the person for whom they are substituting.

SUBSTITUTE TRIAL COURT STAFF

RATE OF PAY

Act 509 (HB1610) - The act provides that the rate of pay for substitute trial court staff persons shall be the same daily rate as is paid to the person for whom they are substituting.

TAX COLLECTORS

CIRCUIT BREAKER NOTICES

Act 979 (HB2206) - The act repeals Arkansas Code 26-51-609 which required county tax collectors to notify property owners of the availability of a property tax refund under the circuit breaker law.

FEEES

Act 1816 (HB2278) - The act authorizes tax collectors to retain a collection fee for prepayments of certain improvement district assessments.

TELECOMMUNICATIONS

ARKANSAS WIRELESS INFORMATION NETWORK

Act 746 (HB1527) - The act creates the Arkansas Wireless Information Network Work Group to guide the development and implementation of a statewide wireless information network to be available for use by all municipal, county, and state entities.

TOURIST MEETING AND ENTERTAINMENT FACILITIES

STATE ASSISTANCE PAYMENTS

Act 1073 (SB516) - The act amends the city-county tourist meeting and entertainment facilities assistance law to provide state assistance to eligible facilities including War Memorial Stadium, the Fayetteville Continuing Education Center, the Fort Smith Convention Center, the Texarkana Four States Fair, the Hot Springs Advertising and Promotion Commission, the City of Little Rock Convention and Visitors Bureau, the Arkansas Livestock Show, the Pine Bluff Civic Auditorium, and the Alltel Arena.

VOLUNTEER FIRE DEPARTMENTS

DUES

Act 984 (HB1477) - The act provides that when a county quorum court receives a request, in the form required by the act, for the levy of volunteer fire department dues, the quorum court shall call an election on the issue of the levy of the voluntary dues. If the voters approve the levy the dues shall be listed annually on the personal property tax statements and collected at the same time and in the same manner as personal property taxes. The act also eliminated language from Arkansas Code 14-20-108 which allowed quorum courts to direct that property owners pay dues to a volunteer fire department and which provided that the dues would become a lien upon their property.

COURTS

ACTIONS AGAINST THE STATE

VENUE

Act 806 (SB563) - The act provides venue in counties other than Pulaski County for actions against the state.

ADMINISTRATIVE OFFICE OF THE COURTS

CERTIFIED FOREIGN LANGUAGE INTERPRETERS

Act 424 (HB1514) - The act provides a method for judges to certify the services of a certified foreign language interpreter for payment from funds appropriated to the Administrative Office of the Courts for that purpose.

COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

EDUCATIONAL PROGRAMS

Act 1314 (SB532) - The act authorizes the Administrative Office of the Courts to assess and collect fees for tuition and registration for educational programs it offers.

REPRESENTATION OF INDIGENT PARENTS

Act 1267 (HB1550) - The act authorizes the director of the Administrative Office of the Courts to establish a program to represent indigent parents or guardians in dependency-neglect cases to be paid from funds appropriated for that purpose to the Administrative Office of the Courts.

ADULT OFFENDER SUPERVISION, INTERSTATE COMPACT FOR

Act 253 (SB252) - The act adopts the Interstate Compact for Adult Offender Supervision Act which provides the framework for joint and cooperative efforts among states concerning the control and regulation of the interstate movement of adult offenders.

ANIMAL CRUELTY

PSYCHOLOGICAL EXAMINATIONS

Act 1826 (HB2443) - The act authorizes the court to order any person found guilty of cruelty to animals to receive a psychiatric or psychological evaluation, and if determined appropriate, psychiatric or psychological counseling or treatment.

APPOINTED ATTORNEYS AND PUBLIC DEFENDERS

COMPENSATION

Act 1799 (SB878) - The act amends various sections of the Arkansas Code concerning the Arkansas Public Defender Commission, the appointment of attorneys for indigent defendants, determination of compensation for those attorneys, and the selection of public defenders, their assignments and duties.

ARKANSAS INTEGRATED JUSTICE INFORMATION SYSTEM

COORDINATING COUNCIL

Act 1272 (HB1875) - The act establishes the Arkansas Integrated Justice Information Systems Coordinating Council for the 2002-2003 biennium.

ATTORNEY FEES

COURT APPOINTED PUBLIC DEFENDER

Act 1343 (SB707) - The act provides for the setting and paying of compensation for court appointed attorneys by the Arkansas Public Defender Commission based upon guidelines developed by the commission provided sufficient funds are available.

CERTIFIED FOREIGN LANGUAGE INTERPRETERS

CERTIFICATION AND PAYMENT

Act 424 (HB1514) - The act provides a method for judges to certify the services of a certified foreign language interpreter for payment from funds appropriated to the Administrative Office of the Courts for that purpose.

CHILD ABUSE

CUSTODY AND REUNIFICATION

Act 1503 (HB1766) - The act makes substantive changes in the definitions of "abuse" and "dependent juveniles" and other terms relevant to child abuse. The act makes substantive changes in the relations between the courts and the Department of Human Services, particularly concerning foster care and reunification services.

CITIES - DETACHMENT AND ANNEXATION PROCEDURES

TIME PERIODS EXTENDED AND COURT HEARINGS ALLOWED

Act 1525 (SB28) - The act revises the law on detachment and annexation of lands from one city to another city (Act 779 of 1999). The act increases from ninety (90) days to one hundred eighty (180) days the time period for a city to answer an owner's request for municipal services. The act also adds a new procedure for the circuit judge to hold hearings and decide issues of compliance or noncompliance in providing municipal services, and prohibits the division of a city into separate parts by a detachment action.

COURTS

CITY COURTS

Act 1645 (SB771) - The act provides that any first class city which has a population of no more than seven thousand (currently 5,000) may provide for the establishment of a city court in lieu of a municipal court and that upon attaining a population in excess of seven thousand (currently 5,000), the governing body of the city shall adopt a resolution or ordinance providing for the creation of a municipal court and the election of the judge thereof at the general election next following the adoption of the resolution or ordinance providing for the establishment of the court.

CONTROLLED SUBSTANCES

GAMMA-HYDROXYBUTYRATE

Act 320 (HB1155) - The act requires the Director of the Department of Health to schedule gamma-hydroxybutyrate and its known precursors and analogs in a manner consistent with the procedures outlined in the Uniform Controlled Substances Act.

CORPORATIONS

SERVICE OF PROCESS

Act 749 (HB1778) - The act provides that service of process on a corporation is perfected on the earliest of: (1) the date the corporation receives the mail, (2) the date shown on the return receipt, or (3) five days after its deposit in the U.S. mail.

COURT COSTS

INCREASED

Act 1045 (HB1955) - The act increases the uniform filing fees and court costs.

MUNICIPAL, CITY AND POLICE COURTS

Act 1632 (SB592) - The act increases the court costs for misdemeanors and violations in municipal court from \$75.00 to \$100 and in city and police courts from \$50.00 to \$75.00 to provide funding for legal counsel for indigent parents and for children in dependency-neglect proceedings in juvenile cases.

COURT COSTS, FILING FEES AND OTHER FEES

COLLECTION AND DISTRIBUTION

Act 1809 (HB2051) - The act defines "fine" and "fines" as all monetary penalties imposed by the courts of this state, which include fines, court costs, restitution, probation fees, and public service work supervisory fees, and amends various sections of the Arkansas Code regarding their collection and distribution.

COURT OF COMMON PLEAS

REPEAL

Act 915 (SB793) - The act repeals Title 16, Chapter 16 regarding the Court of Common Pleas.

COURT REPORTERS AND CASE COORDINATORS

SALARIES

Act 1295 (SB960) - The act requires the annual salaries of court reporters and case coordinators to be paid in twenty-four (24) equal semi-monthly installments.

CRIME INFORMATION CENTER, ARKANSAS

APPROVAL AND RATIFICATION - NATIONAL CRIME PREVENTION AND PRIVACY COMPACT

Act 329 (HB1433) - The act approves and ratifies the National Crime Prevention and Privacy Compact to be administered and implemented by the Arkansas Crime Information Center.

CRIME LABORATORY, STATE

RECORD RETENTION - CAPITAL OFFENSES

Act 211 (SB94) - The act provides for the State Crime Laboratory to preserve and retain, until the defendant is executed, records pertaining to a capital offense committed by a defendant who is subsequently sentenced to death.

COURTS

DEATH PENALTY

MURDER OF A CHILD

Act 308 (HB1264) - The act provides that the murder of a child twelve (12) years or younger is an aggravating circumstance for purposes of imposing the death penalty.

DEPUTY PROSECUTING ATTORNEYS

16TH JUDICIAL DISTRICT

Act 761 (HB1815) - The act provides that retroactive to July 1, 2000, the 16th Judicial Deputy Prosecuting Attorney serving two counties shall be entitled to compensation for services performed in each county.

DISTRICT COURTS

COLLECTION OF FINE REVENUE

Act 1696 (HB2409) - The act implements a performance based budgeting option for the state, counties, and cities to utilize for those courts which choose to acquire the uniform computer system selected by the Supreme Court Committee on Automation for the state's district courts.

DIVORCE

EXPERT WITNESS FEES

Act 207 (HB1260) - The act allows the court to award expert witness fees during the pendency and in the final decree of a divorce action.

PARENTING, CUSTODY AND VISITATION MEDIATION

Act 198 (HB1148) - The act authorizes a court to require parties, subsequent to a divorce, to submit to mediation in regard to parenting, custody, and visitation issues.

DRIVER'S LICENSES

PENALTIES

Act 1802 (SB934) - The act limits imprisonment for violations of the Uniform Motor Vehicle Driver's License Act to not more than 90 days.

SUSPENDED LICENSE FINE

Act 1715 (HB2234) - The act authorizes the courts to assess, in addition to jail time, a fine of not more than \$1,000 for driving on a license suspended for driving while intoxicated.

EIGHTEENTH JUDICIAL DISTRICT- EAST

BAILIFFS

Act 1529 (SB575) - The act provides bailiffs for the judges of the Eighteenth Judicial District, prescribes their duties, and provides for the determination of their compensation by the Garland County Quorum Court.

ELECTION LAWS

CIRCUIT COURT DIVISION DESIGNATIONS

Act 951 (SB785) - The act provides, for elections under Amendment 80 of the Arkansas Constitution, the new circuit court division designations of each circuit, chancery, and circuit-chancery judgeship in the state.

JUDGES

Act 1835 (SB971) - The act provides that a person may only use the prefix, "Judge," Justice," or "Chief Justice" in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

ELECTRONIC COURT RECORDS

DESTRUCTION OF ORIGINAL

Act 311 (HB1413) - The act prohibits the destruction of original paper documents determined to be of historical value by the Arkansas History Commission. However, if a document is eligible for destruction, an electronically stored version of the document is deemed to be the "original" if proffered with the recorder's certification.

COURTS

ETHICS

GIFTS

Act 239 (SB33) - The act allows the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Commissioner of State Lands, Attorney General, President Pro Tempore of the Senate, Speaker of the House, and the Chief Justice of the Supreme Court to accept gifts, grants, and donations on behalf of the state for any lawful public purpose. These gifts, grants, and donations shall become government property and shall be disclosed quarterly to the Ethics Commission.

EVIDENCE

VIDEOTAPED DEPOSITIONS

Act 1234 (HB1843) - The act allows the admissibility of videotaped depositions of State Crime Laboratory analysts in trials of defendants charged under the Uniform Controlled Substances Act.

EXCLUSION OF ACCOMPLICE TESTIMONY

EXTENDED TO JUVENILE CASES

Act 903 (SB145) - The act extends to juveniles the exclusion of accomplice testimony to convict a defendant. Currently, juveniles could be adjudicated delinquent upon the uncorroborated testimony of an accomplice. The act changes that to now require other evidence to connect the juvenile defendant to the crime.

EXTRA-JUDICIAL ACTIVITIES

Act 914 (SB787) - The act provides that the restrictions on extra-judicial activities under Amendment 80 shall not preclude: serving in the Armed Forces reserves, serving in the National Guard, teaching, serving on boards or commissions relating to law for the administration of justice, or any capacity not prohibited by the Code of Judicial Conduct.

FIFTEENTH JUDICIAL DISTRICT

DIVISION B

Act 203 (HB1193) - The act redesignates the Fifteenth Judicial District as a Division B Judicial District in need of only a Class B prosecutor.

PROSECUTOR

Act 203 (HB1193) - The act redesignates the Fifteenth Judicial District as a Division B Judicial District in need of only a Class B prosecutor.

FILING FEES

INCREASED

Act 1045 (HB1955) - The act increases the uniform filing fees and court costs.

FOURTEENTH JUDICIAL DISTRICT

NEW JUDGESHIP

Act 300 (HB1171) - The act creates a new circuit-chancery judgeship, effective immediately, in the Fourteenth Judicial District.

HABEAS CORPUS

Act 1780 (SB4) - The act provides that a prosecution is commenced if an indictment or information is filed against an unknown person and the indictment contains the genetic information of the unknown person. The act authorizes the granting of a writ of habeas corpus for a person who has alleged actual innocence of the offense or offenses for which the person was convicted. The act sets out procedures for appeals based on new scientific evidence and new scientific examination procedures.

COURTS

JUDGES

DISQUALIFICATION

Act 5 (SB68) - The act provides that any judge removed from office cannot be appointed or elected thereafter to serve as a judge.

JUDGES OR JUSTICES

ELECTED OR APPOINTED AFTER RETIREMENT

Act 626 (SB98) - The act provides that retired judges under the age of seventy (70) receiving retirement benefits who are elected or appointed to state judicial office may resume receiving previous retirement benefits upon termination of the subsequent service. A judge's or justice's survivors are entitled to the benefits should the retired judge or justice elected or appointed to state judicial office terminate service by reason of death.

JUDGESHIPS - ELECTIONS

CIRCUIT COURT DIVISION DESIGNATIONS

Act 951 (SB785) - The act provides, for elections under Amendment 80 of the Arkansas Constitution, the new circuit court division designations of each circuit, chancery, and circuit-chancery judgeship in the state.

JUDICIAL RETIREMENT SYSTEM

ANNUITY BENEFITS INCREASED

Act 763 (SB166) - The act increases benefits for the Judicial Retirement System. Tier I benefits for judges are increased from 50% to 60% of final pay. The Tier II annuity multiplier is increased from 3% to 3.2% of final salary, and the maximum benefit is increased from 75% to 80% of final salary of the judge. The act also reduces the state's contributions to the retirement system.

JURISDICTION

JUVENILE CURFEW ORDINANCE VIOLATIONS

Act 1262 (HB1543) - The act provides that juvenile courts shall have concurrent jurisdiction with municipal courts for juvenile curfew ordinance violations.

JURORS

INFORMATION REGARDING DEFENDANTS FOUND NOT GUILTY BY REASON OF MENTAL DEFECT

Act 248 (SB5) - The act allows jurors to be instructed regarding the disposition of defendants acquitted on the grounds of mental disease or defect.

PROTECTION OF JUROR INFORMATION

Act 210 (SB13) - The act prohibits courts which utilize prospective juror questionnaires from requesting prospective juror's mailing or residential address or phone number, and precludes attorneys from asking for the information during voir dire.

MARRIAGES

FORMER MUNICIPAL COURT JUDGES

Act 1068 (HB2235) - The act provides that former municipal court judges who have served at least 4 years may solemnize marriages.

MODEL CIVIL JURY INSTRUCTIONS

PUBLICATION

Act 625 (HB1802) - The act authorizes the Arkansas Supreme Court to provide for the publishing of the Arkansas Model Civil Jury Instructions by a private publishing firm.

MUNICIPAL COURT JURISDICTION

INCARCERATION OF JUVENILE DEFENDANTS

Act 1807 (HB1544) - The act places limitations on the incarceration of juvenile defendants by municipal courts.

COURTS

MUNICIPAL COURTS

Act 1645 (SB771) - The act provides that any first class city which has a population of no more than seven thousand (currently 5,000) may provide for the establishment of a city court in lieu of a municipal court and that upon attaining a population in excess of seven thousand (currently 5,000), the governing body of the city shall adopt a resolution or ordinance providing for the creation of a municipal court and the election of the judge thereof at the general election next following the adoption of the resolution or ordinance providing for the establishment of the court.

COSTS

Act 1632 (SB592) - The act increases the court costs for misdemeanors and violations in municipal court from \$75.00 to \$100 and in city and police courts from \$50.00 to \$75.00 to provide funding for legal counsel for indigent parents and for children in dependency-neglect proceedings in juvenile cases.

DISTRICT COURT STATUS

Act 1693 (SB791) - The act clarifies and restates existing law regarding municipal courts and implements changes in municipal/district courts pursuant to Amendment 80 to the Arkansas Constitution and provides for a method for filling vacancies. All municipal courts now in existence shall be known as district courts and all judges of the former courts will be known as district judges. District courts shall have the jurisdiction vested in the presently established municipal courts. All fines, penalties and costs received by the district courts shall continue to be collected and distributed in the manner provided by current laws. All salaries, retirement benefits, programs, and monies of judges, clerks, and court employees of municipal courts will continue to be vested and paid to the judges, clerks, and court employees of district courts. Vacancies in district court judgeships shall be filled in the same manner and shall be subject to the same restrictions as for vacancies under Amendment 29 of the Arkansas Constitution.

FAILURE TO APPEAR

Act 1243 (HB2233) - The act authorizes municipal court judges to suspend the license of a driver who fails to appear for any criminal offense, traffic violation, or misdemeanor charge.

SALARIES OF JUDGES AND OTHER PERSONNEL

Act 1714 (HB2223) - The act sets the salaries of municipal court judges and other municipal court personnel.

MUNICIPAL JUDGES' RETIREMENT SYSTEMS

BENEFITS, SURVIVOR BENEFITS FOR CLERKS, AND A TRANSITION GROUP FOR AMENDMENT 80

Act 1613 (SB144) - The act authorizes a retirement benefit for a municipal judge who is age fifty (50) and who has twenty (20) years service, with at least ten (10) years service as municipal judge and at least ten (10) years service as a juvenile referee. The act also provides that the governing body of the municipality or the county may, by ordinance, continue retirement benefits for a surviving spouse of a clerk after the death of the municipal court clerk. The act also creates the Municipal Court Retirement Transition Group to review the transition of municipal courts to district courts under Amendment 80 and to study the impact this transition will have on those retirement benefit plans run by cities and counties.

NONPARTISAN JUDICIAL ELECTIONS

GUIDELINES AND PROCEDURES

Act 1789 (SB789) - The act provides for nonpartisan judicial elections, filing guidelines, and other election procedures.

OUTDOOR ADVERTISING SIGNS

JUDICIAL REVIEW HEARINGS DE NOVO

Act 800 (SB522) - The act allows any person who has been injured by a final adverse decision of the State Highway Commission regarding the erection and maintenance of an outdoor advertising sign shall be entitled to a judicial hearing de novo in the circuit court of any county in which the person resides or does business, or in the Pulaski County Circuit Court, if the interests affected by the decision of the State Highway Commission are constitutionally or statutorily preserved, or preserved by private agreement, so that their enforcement is a matter of right.

COURTS

PAROLE

Act 1805 (HB1258) - The act provides that any person who commits a violent felony offense or any felony sex offense, and who has previously pled guilty or nolo contendere, or been found guilty of any violent felony offense, or any felony sex offense, shall not be eligible for release on parole.

POWERS OF CHANCERY COURTS

TERMINATION OF PARENTAL RIGHTS

Act 1153 (HB1804) - The act repeals Arkansas Code 16-13-304(d) which gives the chancery courts the power to terminate parental rights.

PROBATE

NOTICE

Act 240 (SB147) - The act provides that notice in a probate proceeding must be signed by the clerk or the attorney for the party upon whom rests the burden of giving notice.

PROBATE DIVISION OF CIRCUIT COURT

CLERK

Act 997 (HB2225) - The act provides that the county clerk may be the ex officio clerk of the probate division of circuit court, if a probate division exists.

PROSECUTING ATTORNEYS

ACCESS TO MEDICAL RECORDS

Act 1709 (HB1783) - The act grants prosecuting attorneys access to medical records of persons charged with having committed a sex crime, and allows the prosecuting attorney to alert the victim of possible health risks resulting from the crime.

PROTECTION ORDERS

ENFORCEMENT

Act 1469 (HB2356) - The act provides that an order of protection issued by a court of competent jurisdiction in any county of this state is enforceable in every county of this state by any court or law enforcement officer.

ISSUANCE - MUTUAL ORDERS PROHIBITED

Act 1437 (HB1887) - The act prohibits the issuance of mutual orders of protection to opposing parties and instead provides for separate orders of protection.

PUBLIC DEFENDERS

COMPENSATION FROM APPELLATE COURTS

Act 1370 (SB874) - The act allows part-time public defenders to receive compensation from the appellate court for appellate work, and full-time public defenders who are not provided a state funded secretary to receive compensation from the appellate court for appellate work.

RAPE

NO CONTACT ORDERS

Act 299 (HB1110) - The act allows the court to issue permanent "no contact" orders preventing a defendant from contact with the victim when a defendant is convicted of rape.

REBUTTABLE PRESUMPTION

ABUSIVE PARENT

Act 1235 (HB2173) - The act provides for a rebuttable presumption that it is not in the best interest of a child to be placed in the custody of an abusive parent.

COURTS

RESIDENTIAL OR COMMERCIAL BURGLARY

DNA SAMPLE

Act 218 (HB1376) - The act adds residential and commercial burglary to the offenses for which an offender shall have a deoxyribonucleic acid (DNA) sample drawn.

RETIRED JUDGES APPOINTED TO TEMPORARY SERVICE

COMPENSATION RATE

Act 1071 (SB243) - The act sets the compensation rate of retired judges appointed to temporary service at one-half (½) the rate as fixed by law for regularly elected circuit and chancery judges in addition to retirement benefits.

SCIENTIFIC EVIDENCE

APPEALS PROCEDURES

Act 1780 (SB4) - The act provides that a prosecution is commenced if an indictment or information is filed against an unknown person and the indictment contains the genetic information of the unknown person. The act authorizes the granting of a writ of habeas corpus for a person who has alleged actual innocence of the offense or offenses for which the person was convicted. The act sets out procedures for appeals based on new scientific evidence and new scientific examination procedures.

SECOND JUDICIAL DISTRICT

NEW JUDGESHIP

Act 1186 (SB157) - The act creates, effective July 1, 2001, a new circuit judgeship in the Second Judicial District.

SENTENCING

JURY

Act 1644 (SB756) - The act allows juries to make a non-binding recommendation to the court that the defendant's sentences run consecutively rather than concurrently.

NON-VIOLENT CRIMES

Act 1755 (HB2615) - The act creates the Task Force on the Disparity in Sentencing for Persons Convicted of Non-violent Crimes.

PROBATION REVOCATION PROCEEDINGS

Act 1179 (HB2180) - The act clarifies the fact that the sentencing guidelines developed by the Arkansas Sentencing Commission do not apply to probation revocation proceedings.

SIXTEENTH JUDICIAL DISTRICT

NEW JUDGESHIP

Act 816 (HB1416) - The act creates a new circuit judgeship, effective July 1, 2001, in the Sixteenth Judicial District.

PROSECUTING ATTORNEY

Act 249 (SB43) - The act makes the Sixteenth Judicial District Prosecuting Attorney full-time.

STATUTORY LIEN AND FORECLOSURE PROCEDURE

DEFAULT

Act 1801 (SB911) - The act provides a statutory lien and foreclosure procedure to municipalities to recover funds expended upon default of contracts under the Targeted Neighborhood Enhancement Plan Act.

SUBSTITUTE COURT REPORTERS

RATE OF PAY

Act 510 (HB1611) - The act provides that substitute court reporters will be paid at the same daily rate as the person for whom they are substituting.

COURTS

SUBSTITUTE TRIAL COURT STAFF

RATE OF PAY

Act 509 (HB1610) - The act provides that the rate of pay for substitute trial court staff persons shall be the same daily rate as is paid to the person for whom they are substituting.

THIRD JUDICIAL DISTRICT

NEW JUDGESHIP

Act 114 (HB1219) - The act creates a new circuit-chancery judgeship, effective immediately, in the Third Judicial District.

TREATMENT AND REHABILITATION OF DRUG USERS

EXPUNGEMENT

Act 1185 (SB102) - The act repeals obsolete language in order to provide the Criminal Detention Facilities Review Coordinator the authority to establish minimum standards for detention facilities. The act defines "intermediate/long-term facility", "short-term facility", and "twenty-four (24) hour or overnight facility" and permits the Governor to establish a citizen advisory council composed of Arkansas citizens to advise the Criminal Detention Facilities Review Coordinator regarding jail standards.

Act 1778 (HB2644) - The act allows a court, in its own discretion, to offer treatment and rehabilitation to drug users convicted of a felony for possession of a controlled substance and expungement of the offender's record if the person successfully completes a drug treatment program approved by the court, remains drug free until successful completion of probation, and successfully completes the terms and conditions of the probation.

TWENTY-THIRD JUDICIAL DISTRICT

PROSECUTING ATTORNEY

Act 199 (HB1151) - The act makes the Twenty-third Judicial District Prosecuting Attorney full-time.

UNATTENDED OR ABANDONED VEHICLES

PROCEEDS IN EXCESS OF COST

Act 1820 (HB2383) - The act provides that should the nonjudicial sale of an unattended or abandoned vehicle produce more funds than the sum of all charges, the excess shall be paid as follows: If the vehicle was removed to a government-owned impound lot, the excess shall be maintained for a period of three (3) years by the governmental entity that operates the impound lot; If the excess is not claimed during this period by the person legally entitled thereto, the monies shall be paid into the general fund of the governmental entity operating the impound lot; or if the vehicle was removed to a private impound lot, the excess shall be paid to the county clerk to the account of the person legally entitled thereto. The Unclaimed Property Act applies to any unclaimed funds or excess monies derived from the nonjudicial sale of a vehicle impounded at a private impound.

VENUE FOR SEXUAL OFFENSES

KATIE'S LAW

Act 582 (HB1607) - The act sets the venue for prosecuting a person committing a sexual offense against any person traveling within the state when law enforcement is unable to determine the county in which the sexual offense was committed.

WRONGFUL DEATH

VIABLE FETUS

Act 1265 (HB1132) - The act adds the death of a viable fetus caused by a wrongful act, neglect, or default for which a person may maintain an action to recover damages for wrongful death. The act provides an exception for the death of a fetus caused from a legal abortion from the fault of the pregnant woman carrying the fetus.

CRIME LABORATORY, STATE

RECORD RETENTION

CAPITAL OFFENSES

Act 211 (SB94) - The act provides for the State Crime Laboratory to preserve and retain, until the defendant is executed, records pertaining to a capital offense committed by a defendant who is subsequently sentenced to death.

RELEASE OF INFORMATION

PUBLIC DEFENDERS

Act 917 (SB873) - The act allows the public defender appointed or assigned to the case to authorize the release of records, files, or information kept, obtained, or retained by the State Crime Laboratory.

VIDEOTAPED DEPOSITIONS OF ANALYSTS

DEFENDANTS CHARGED UNDER THE UNIFORM CONTROLLED SUBSTANCES ACT

Act 1234 (HB1843) - The act allows the admissibility of videotaped depositions of State Crime Laboratory analysts in trials of defendants charged under the Uniform Controlled Substances Act.

CRIMINAL LAW AND PROCEDURE

ADOPTION

JUVENILE CODE

Act 1029 (HB1824) - The act provides that if a juvenile is the subject matter of an open case filed under the Arkansas Juvenile Code, then adoption and guardianship petitions concerning that juvenile shall be filed under the same case.

ADULT OFFENDER SUPERVISION, INTERSTATE COMPACT FOR

Act 253 (SB252) - The act adopts the Interstate Compact for Adult Offender Supervision Act which provides the framework for joint and cooperative efforts among states concerning the control and regulation of the interstate movement of adult offenders.

ASSESSMENTS

PROPERTY

Act 1369 (SB862) - The act makes it unlawful for any person to knowingly place the assessment of property under the name of another person in order to avoid the payment of fees associated with the property. A violation of this act is a Class B misdemeanor.

ATTORNEY FEES

COURT APPOINTED PUBLIC DEFENDER

Act 1343 (SB707) - The act provides for the setting and paying of compensation for court appointed attorneys by the Arkansas Public Defender Commission based upon guidelines developed by the commission provided sufficient funds are available.

BOATING WHILE INTOXICATED

BLOOD ALCOHOL LIMIT

Act 561 (HB1141) - The act reduces the presumptive intoxication level of blood alcohol concentration in a person's breath, blood, and urine from 0.10% to 0.08. The reduction applies to negligent homicide, driving while intoxicated, seizure, suspension, and revocation of license, fees for reinstating driving privileges suspended or revoked because of operating or controlling a motor vehicle while intoxicated, underage operators, implied consent to chemical testing to determine blood alcohol level if driving and arrested or involved in an accident, and operators of motorboats. The blood alcohol concentration giving rise to the presumption that a person was not under the influence of alcohol is lowered from 0.05% to 0.04 with respect to both automobile and motorboat offenses. Blood alcohol concentrations between 0.04 and 0.08 do not give rise to a presumption that the accused was or was not under the influence, but is still considered in determining guilt or innocence of an automobile or motorboat offense. With respect to operators of aircraft, breathalyzer tests are added to measure blood alcohol concentration.

CRIMINAL LAW AND PROCEDURE

BODY PIERCING AND TATTOOING REGULATED

PARENTAL CONSENT REQUIRED

Act 414 (HB1256) - The act requires parental consent for the body piercing, branding, or tattooing of any person under eighteen (18) years of age. Previously, only tattooing of minors required parental consent. It also requires licensing and inspection of Arkansas businesses performing body piercing, branding, and tattooing by the Arkansas Department of Health and by local governments, if they enact local ordinances.

CHILD ABUSE

ENFORCEMENT AND REPORTING

Act 1210 (HB1765) - The act clarifies the definition of "abuse" in child abuse cases, adds definitions of "deviant sexual activity," "indecent exposure," "pornography" and "sexual contact." The act makes various changes in procedures for reporting child abuse and in the operations of the child abuse hotline.

PERMITTING ABUSE OF A CHILD

Act 1374 (SB964) - The act provides for increased felony penalties for persons in a position of trust or in authority over a minor, including parents, guardians, teachers, school or school district staff, caregivers or other persons, for permitting child abuse or engaging in sexual activity with a child .

CHILD MALTREATMENT REGISTRY

REMOVAL

Act 1434 (HB1692) - The act prescribes the circumstances under which an offender may have his or her name removed from the Child Maltreatment Central Registry.

CHILD SUPPORT

OMNIBUS REVISIONS

Act 1248 (SB249) - The act makes technical changes and amends numerous sections of the Arkansas Code regarding child support enforcement.

CITIES OF THE FIRST CLASS

NONUNIFORMED EMPLOYEES TO PREPARE ACCIDENT REPORTS

Act 250 (SB140) - The act authorizes cities of the first class to employ individuals who are not law enforcement officers to investigate and prepare accident reports and to issue traffic citations at accidents. Previously, the law allowed only cities with a population of over 100,000 to hire nonuniformed persons to perform these duties.

CITIZEN BAND RADIOS

REGULATIONS

Act 1432 (HB2599) - The act prohibits, in accordance with federal law, the use of citizen band radio equipment which violates regulations of the Federal Communications Commission.

COMMUNITY PUNISHMENT FACILITY

ELIGIBILITY FOR COMMITMENT AFTER PAROLE

Act 904 (SB158) - The act makes persons who have committed felony offenses and have been paroled to be committed to a community punishment facility upon violating their parole unless the parole violation constitutes a felony offense.

COMPUTER CRIMES

UNLAWFUL ACTS

Act 1496 (SB975) - The act provides criminal penalties for persons committing computer crimes including distributing, possessing, or viewing matter depicting sexually explicit conduct involving a child, persons committing computer child pornography, persons failing to report computer child pornography and persons committing computer exploitation of a child. The act adds an additional subchapter to Arkansas Code Title 5, Chapter 41, entitled Unlawful Computer Crimes, which includes specified unlawful acts regarding computers, unlawful interference with access to computers, unlawful use or access of computers, unlawful encryption, unlawful use of electronic mail or password disclosure. The act provides that computer child pornography and computer exploitation of a child in the first degree are sex offenses for purposes of sex and child offender registration under Arkansas Code 12-12-903.

CRIMINAL LAW AND PROCEDURE

CONCEALING BIRTH

INCREASED PENALTIES

Act 205 (HB1232) - The act increases the penalty for concealing birth from a Class A misdemeanor to a Class D felony.

CONTROLLED SUBSTANCES

DRUG PARAPHERNALIA

Act 1451 (HB2313) - The act prescribes misdemeanor penalties for drug paraphernalia violations.

ENHANCED PENALTY FOR MAKING METH IN THE PRESENCE OF MINORS

Act 1141 (SB67) - The act adds an additional enhancement of the criminal penalty for persons convicted of manufacturing methamphetamine in the presence of minor children. A criminal defendant can be sentenced to an extra ten (10) years in prison if convicted of manufacturing methamphetamine in the presence of minors.

GAMMA-HYDROXYBUTYRATE

Act 320 (HB1155) - The act requires the Director of the Department of Health to schedule gamma-hydroxybutyrate and its known precursors and analogs in a manner consistent with the procedures outlined in the Uniform Controlled Substances Act.

LIABILITY FOR SITE CLEAN UP

Act 753 (HB1959) - The act provides that persons who manufacture, deliver, or possess controlled substances with intent to manufacture or deliver shall be liable for the cost of cleaning up the manufacturing site.

POSSESSION OF PSEUDOEPHEDRINE OR PHENYLPROPANOLAMINE

Act 1782 (SB66) - The act makes it unlawful for a person to possess more than nine (9) grams of pseudoephedrine or phenylpropanolamine. It makes the possession of more than nine (9) grams of pseudoephedrine or phenylpropanolamine a Class D felony.

CONVICTED FELONS

ELIGIBILITY TO VOTE

Act 560 (HB1086) - The act amends the Constitution of the State of Arkansas to provide a procedure for convicted felons to register to vote after they have discharged their sentence.

CREDIT AGAINST SENTENCE

TIME SPENT IN CUSTODY AWAITING TRANSFER TO THE DEPARTMENT OF CORRECTION

Act 1034 (HB2259) - The act allows for the credit for time spent in custody, including time spent in a local jail facility awaiting transfer to the Department of Correction or the Department of Community Punishment, against a defendant's sentence to imprisonment.

CRIME INFORMATION CENTER, ARKANSAS

APPROVAL AND RATIFICATION - NATIONAL CRIME PREVENTION AND PRIVACY COMPACT

Act 329 (HB1433) - The act approves and ratifies the National Crime Prevention and Privacy Compact to be administered and implemented by the Arkansas Crime Information Center.

CRIME LABORATORY, STATE

DNA - SEX OFFENDERS

Act 202 (HB1188) - The act places the responsibility on the Department of Correction and the Department of Community Punishment to assure that sex offenders complete the sex offender registration form. The act also requires that any sex offenders required to register must provide a DNA sample to the Arkansas State Crime Laboratory.

BALLISTIC TESTING

Act 788 (HB1686) - The act provides that within three days after completion of ballistics testing, the State Crime Laboratory shall send to the law enforcement agency from which it received the weapon, notice that the testing has been completed and the law enforcement agency must immediately notify the owner.

CRIMINAL LAW AND PROCEDURE

CRIME LABORATORY, STATE

RECORD RETENTION - CAPITAL OFFENSES

Act 211 (SB94) - The act provides for the State Crime Laboratory to preserve and retain, until the defendant is executed, records pertaining to a capital offense committed by a defendant who is subsequently sentenced to death.

USE OF CRIME LAB EQUIPMENT FUND

Act 1066 (SB968) - The act authorizes the Crime Lab Equipment Fund to be used by the State Crime Laboratory for operating expenses as well as for the purchase of equipment.

VIDEOTAPED DEPOSITIONS

Act 1234 (HB1843) - The act allows the admissibility of videotaped depositions of State Crime Laboratory analysts in trials of defendants charged under the Uniform Controlled Substances Act.

CRIME REPORTING AND INVESTIGATIONS

SEX OFFENDER ASSESSMENTS

Act 1740 (HB2408) - The act amends various sections of the Arkansas Code concerning the Sex Offender Assessment Committee, and substitutes Sex Offender Screening and Risk Assessment for the Department of Correction for the assessing of the public risk posed by sex offenders.

SEX OFFENDER REGISTRATION

Act 1743 (HB2459) - The act amends various sections of the Arkansas Code and makes numerous technical corrections to the Sex Offender Registration Act of 1997.

VIDEOTAPING BY HOSPITALS AND CLINICS

Act 532 (HB1465) - The act excepts videotaping by hospitals and clinics for the purpose of documenting the existence or extent of child maltreatment from the crime of video voyeurism.

CRIME VICTIMS

FEDERAL FUNDS

Act 1786 (SB612) - The act establishes guidelines governing the administration and disbursement of federal funds received under the Victims of Crime Act of 1984, the Stop Violence Against Women Act, and the Family Violence Prevention and Services Act.

REPARATIONS

Act 548 (HB1516) - The act expands the definition of victim under the Arkansas Crime Victims Reparations Act to include a child.

CRIME VICTIMS REPARATIONS BOARD

RESTITUTION

Act 1059 (SB9) - The act provides that if a court declines to order restitution or orders only partial restitution to a victim, it shall state its reasons, on the record and in detail. If restitution is ordered in a case involving bodily injury, the defendant may be required to pay medical and related professional services, including rehabilitation and victim's lost income. The maximum amount recoverable is fifty thousand dollars (\$50,000). If the victim has died, the defendant may be ordered to pay funeral and related expenses. The listed items will be paid to the victim by the Crime Victims Reparations Board and will be reimbursed by the defendant. Expungement of records will not be permitted until restitution is paid.

CRIMINAL RECORDS CHECKS

ADULT ABUSE CAREGIVERS

Act 1710 (HB1805) - The act amends various sections of the criminal records check for persons caring for the elderly and disabled.

CRIMINAL LAW AND PROCEDURE

DEATH PENALTY

MURDER OF A CHILD

Act 308 (HB1264) - The act provides that the murder of a child twelve (12) years or younger is an aggravating circumstance for purposes of imposing the death penalty.

DEPUTY PROSECUTING ATTORNEYS

16TH JUDICIAL DISTRICT

Act 761 (HB1815) - The act provides that retroactive to July 1, 2000, the 16th Judicial Deputy Prosecuting Attorney serving two counties shall be entitled to compensation for services performed in each county.

DIRECTED SURETYSHIP

CLASS A MISDEMEANOR

Act 771 (SB244) - The act makes it a Class A misdemeanor for a contracting body to require a bidder or contractor to obtain any surety bond from any particular insurance or surety company, agent, or broker, or to include surety bonds in an owner-controlled insurance program.

DNA TESTING

PERIOD OF LIMITATIONS

Act 920 (HB1423) - The act extends the period of limitations for rape to fifteen (15) years during which extended time a prosecution for rape may be commenced if based upon forensic DNA testing or other tests which may become available through advances in technology.

DOMESTIC ABUSE

CHILDREN AND PERSONS HAVING CHILDREN IN COMMON PROTECTED

Act 1678 (HB2174) - The act extends further protection for victims of domestic abuse by providing protection for any child residing in the household, and adding protection for persons who have or have had a child in common. The act amends the petition form for protection orders to reflect that protection.

PETITION FORM

Act 1678 (HB2174) - The act extends further protection for victims of domestic abuse by providing protection for any child residing in the household, and adding protection for persons who have or have had a child in common. The act amends the petition form for protection orders to reflect that protection.

REPORTING ABUSE OR NEGLECT OF CHILDREN

Act 1582 (HB2326) - The act requires domestic abuse advocates to report suspected abuse or neglect of children to the child abuse hotline.

DRIVER'S LICENSE VIOLATIONS

PENALTIES

Act 1802 (SB934) - The act limits imprisonment for violations of the Uniform Motor Vehicle Driver's License Act to not more than 90 days.

DRIVING WHILE INTOXICATED

.08

Act 1501 (HB1717) - The act lowers the DWI threshold from .10% to .08 and modifies the penalties for DWI.

BLOOD ALCOHOL CONCENTRATION

Act 561 (HB1141) - The act reduces the presumptive intoxication level of blood alcohol concentration in a person's breath, blood, and urine from 0.10% to 0.08. The reduction applies to negligent homicide, driving while intoxicated, seizure, suspension, and revocation of license, fees for reinstating driving privileges suspended or revoked because of operating or controlling a motor vehicle while intoxicated, underage operators, implied consent to chemical testing to determine blood alcohol level if driving and arrested or involved in an accident, and operators of motorboats. The blood alcohol concentration giving rise to the presumption that a person was not under the influence of alcohol is lowered from 0.05% to 0.04 with respect to both automobile and motorboat offenses. Blood alcohol concentrations between 0.04 and 0.08 do not give rise to a presumption that the accused was or was not under the influence, but is still considered in determining guilt or innocence of an automobile or motorboat offense. With respect to operators of aircraft, breathalyzer tests are added to measure blood alcohol concentration.

CRIMINAL LAW AND PROCEDURE

DRIVING WHILE INTOXICATED

DRIVING ON SUSPENDED LICENSE

Act 1715 (HB2234) - The act authorizes the courts to assess, in addition to jail time, a fine of not more than \$1,000 for driving on a license suspended for driving while intoxicated.

INCREASED PENALTIES

Act 1206 (SB856) - The act provides increased criminal penalties for repeat driving while intoxicated offenses. Any person who pleads guilty or nolo contendere to or is found guilty of driving while intoxicated or any other equivalent penal law of another state or foreign jurisdiction shall be imprisoned or shall be ordered to perform public service in lieu of jail for at least two (2) years, but no more than ten (10) years, for the fifth or subsequent offense, occurring within five (5) years of the first offense or not less than two (2) years of community service and shall be guilty of a felony. The court may, for a first or second offense, order the person to operate only a motor vehicle which is equipped with a functioning ignition interlock device, and this restriction may continue for a period of up to 1 year.

ELECTION RESULTS

DISCLOSURE

Act 926 (HB1677) - The act provides that an election official, poll watcher, or any other person in or out of this state in any primary, general, or special election in this state who divulges election results after the closing of the polls on the day of the election has committed a misdemeanor offense.

ENDANGERING WELFARE OF MINOR - FIRST DEGREE

AFFIRMATIVE DEFENSE

Act 236 (HB1070) - The act requires a medical provider or law enforcement agency to take possession of a child age thirty (30) days or younger if the child is left with or voluntarily delivered to the provider or agency by the child's parent who does not express an intent to return for the child. Voluntary delivery of a child is an affirmative defense to prosecution for endangering the welfare of a minor, but not to prosecution for abuse or neglect committed prior to the delivery of the child.

EPHEDRINE AND PSEUDOEPHEDRINE

RESTRICTIONS ON THE SALE AND POSSESSION

Act 1209 (HB1417) - The act restricts the amount of ephedrine, pseudoephedrine or phenylpropanolamine which may be possessed by any person, or which may be sold in a single transaction to any person. It makes it unlawful to sell products containing ephedrine, pseudoephedrine or phenylpropanolamine to persons under 18, and requires the person making the sale to obtain "proof of age". It also makes it unlawful to distribute ephedrine, pseudoephedrine or phenylpropanolamine with reckless disregard as to how the product will be used and requires manufacturers, wholesaler and retailers to submit suspicious order reports to the State Board of Pharmacy.

EVICTION

Act 1758 (HB2650) - The act provides that any tenant who uses or allows another person to use the tenant's leased premises as a common nuisance or for certain criminal offenses may be evicted by the prosecuting attorney of the county, the city attorney of the city, the premises owner, or an agent for the premises owner.

EVIDENCE

ELECTRONICALLY STORED COURT RECORDS

Act 311 (HB1413) - The act prohibits the destruction of original paper documents determined to be of historical value by the Arkansas History Commission. However, if a document is eligible for destruction, an electronically stored version of the document is deemed to be the "original" if proffered with the recorder's certification.

CRIMINAL LAW AND PROCEDURE

EXCLUSION OF ACCOMPLICE TESTIMONY

EXTENDED TO JUVENILE CASES

Act 903 (SB145) - The act extends to juveniles the exclusion of accomplice testimony to convict a defendant. Currently, juveniles could be adjudicated delinquent upon the uncorroborated testimony of an accomplice. The act changes that to now require other evidence to connect the juvenile defendant to the crime.

EXECUTIVE CLEMENCY

FOUR-YEAR WAITING PERIOD

Act 201 (HB1172) - The act exempts non-violent Class A felony offenses under the Uniform Controlled Substances Act from the four (4) year waiting period required before reapplying for executive clemency.

FALSE ALARM - BOMBING

SCHOOLS

Act 567 (HB1504) - The act makes communicating a false alarm of a present or impending bombing to an educational institution a Class D felony.

FELONIES INVOLVING USE OF FIREARM

MINIMUM SENTENCE FOR SECOND OR SUBSEQUENT OFFENSE

Act 1783 (SB190) - The act provides for a minimum ten (10) year sentence for persons who plead guilty, nolo contendere to, or are found guilty of a second or subsequent felony offense involving the use of a firearm.

FINGERPRINTING AND PHOTOGRAPHING

FELONIES AND CLASS A MISDEMEANORS

Act 177 (HB1027) - The act allows the fingerprinting and photographing of juveniles and other persons when they are arrested for felonies and Class A misdemeanors only.

Act 1712 (HB2128) - The act provides that juveniles arrested for a felony or a Class A misdemeanor if violence or the use of a weapon was involved may be fingerprinted and photographed, and also provides that adults may be fingerprinted and photographed when arrested for a felony or a Class A misdemeanor.

FORFEITURE AND SALE OF PROPERTY

ACCOUNTING OF EXPENSES REQUIRED

Act 1690 (SB533) - The Prosecuting Attorney shall mail a copy of the complaint resulting in forfeiture to the Arkansas Drug Director within 5 calendar days after filing the complaint. An itemized accounting shall be prepared for forfeitures in excess of \$250,000, from which expenses have been paid for the proceedings for forfeiture and sale. Moneys received as a result of forfeiture shall be distributed by the Arkansas Alcohol and Drug Abuse Coordinating Council for law enforcement and prosecutorial purposes related to drug interdiction and eradication efforts. The Arkansas Drug Director shall, in cooperation with the Department of Finance and Administration, perform financial monitoring of each drug task force of the state to ensure that grant funds are being expended according to law, and to ensure that the drug task force's financial record system provides clear, timely and accurate accounting of all asset forfeitures, revenues and expenditures.

FRAUDULENT PRACTICES

TRANSMISSION OF ACCOUNT INFORMATION

Act 1466 (HB2194) - The act provides that certain electronic commerce transactions shall be covered by the Arkansas hot check law. The act also increases the service charge that can be levied upon hot checks to \$25.00 dollars plus fees charged against the holder of the check as a result of a check not being honored.

FRAUDULENT USE OF A DEBIT CARD

PENALTIES

Act 1142 (SB755) - The act expands the criminal offense of "Fraudulent use of a credit card", Arkansas Code 5-37-207, to include the fraudulent use of a debit card.

CRIMINAL LAW AND PROCEDURE

GUARDIAN

JUVENILE CODE

Act 1029 (HB1824) - The act provides that if a juvenile is the subject matter of an open case filed under the Arkansas Juvenile Code, then adoption and guardianship petitions concerning that juvenile shall be filed under the same case.

HABEAS CORPUS

Act 1780 (SB4) - The act provides that a prosecution is commenced if an indictment or information is filed against an unknown person and the indictment contains the genetic information of the unknown person. The act authorizes the granting of a writ of habeas corpus for a person who has alleged actual innocence of the offense or offenses for which the person was convicted. The act sets out procedures for appeals based on new scientific evidence and new scientific examination procedures.

INDECENT EXPOSURE

INCREASED PENALTIES FOR SECOND AND SUBSEQUENT OFFENSES

Act 1665 (HB1330) - The act provides that if indecent exposure is committed against a person under the age of 15, but older than 11, a second or subsequent offense shall be a Class D felony.

INSANITY DEFENSE

Act 1551 (HB1973) - The act amends various provisions of the Arkansas Code regarding the insanity defense.

INTERCEPTION AND RECORDING COMMUNICATIONS

WIRE OR LANDLINE TELEPHONES INCLUDED

Act 1773 (HB2594) - The act amends the criminal offense of intercepting and recording communications. It makes it unlawful for a person to intercept a wire, oral, or telephonic communication utilizing the wire, cable, or landline telephone facilities or telecommunications networks. Previously, the criminal law applied only to the interception and recording of wireless or cellular telephone communications.

WIRELESS COMMUNICATIONS

Act 1823 (HB2397) - The act adds wireless communications to those communications for which it is unlawful to intercept and record without prior consent.

IRRIGATION WATERS

PROHIBITED ON HIGHWAYS

Act 1753 (HB2568) - The act prohibits any person from intentionally permitting or causing any center pivot irrigation water to be discharged on the traveled portion of any interstate or state highway.

JURISDICTION

JUVENILE CURFEW ORDINANCE VIOLATIONS

Act 1262 (HB1543) - The act provides that juvenile courts shall have concurrent jurisdiction with municipal courts for juvenile curfew ordinance violations.

JURORS

INFORMATION REGARDING DEFENDANTS FOUND NOT GUILTY BY REASON OF MENTAL DEFECT

Act 248 (SB5) - The act allows jurors to be instructed regarding the disposition of defendants acquitted on the grounds of mental disease or defect.

JUVENILE ARREST

STUDENT - NOTIFICATION OF ARREST

Act 1268 (HB1583) - The act requires arresting agencies to notify the school district when a student is arrested for unlawful possession of a firearm, for an offense involving a deadly weapon, or for battery in the first degree.

CRIMINAL LAW AND PROCEDURE

JUVENILE CODE

AMENDMENT 80

Act 1582 (SB788) - The act provides for implementation of Amendment 80 of the Arkansas Constitution by amendment of various sections of the Arkansas Juvenile Code.

TECHNICAL CORRECTIONS

Act 987 (HB1806) - The act makes numerous technical corrections and amends numerous sections of the Arkansas Juvenile Code.

JUVENILE DETENTION FACILITIES

FUNDING

Act 1468 (HB2255) - The act repeals Arkansas Code 12-41-805 which established a grant program and revolving loan program to provide secured facilities for juveniles as alternatives to placement of juveniles in adult detention facilities; provides that all loan balances accrued under the revolving loan fund account are abated; and provides that the Division of Youth Services has no obligation to utilize or fund detention centers or facilities.

LANDLORDS

RENTAL DEPOSIT DURING PENDENCY OF PROCEEDINGS

Act 1733 (HB2291) - The act requires a tenant charged with refusal to vacate upon notice who enters a plea of not guilty, and who continues to inhabit the premises, to deposit into the registry of the court a sum equal to the amount of rent due on the premises. The act requires that the rental payments shall continue to be paid into the registry of the court during the pendency of the proceedings in accordance with the rental agreement.

LITTER CONTROL ACT

FINES LOWERED

Act 145 (HB1056) - The act amends the Litter Control Act to lower the fine for littering from \$1,000 to \$100.00 for a first offense violation and also requires eight (8) hours of community service for the first offense. It dedicates the fine money for anti-littering programs by the Keep Arkansas Beautiful Commission and by city and county governments.

MENTAL DISEASE

Act 1554 (HB2236) - The act amends various sections of the Criminal Code pertaining to mental disease or defect.

METHAMPHETAMINE

RESTRICTIONS ON EPHEDRINE AND PSEUDOEPHEDRINE

Act 1209 (HB1417) - The act restricts the amount of ephedrine, pseudoephedrine or phenylpropanolamine which may be possessed by any person, or which may be sold in a single transaction to any person. It makes it unlawful to sell products containing ephedrine, pseudoephedrine or phenylpropanolamine to persons under 18, and requires the person making the sale to obtain "proof of age". It also makes it unlawful to distribute ephedrine, pseudoephedrine or phenylpropanolamine with reckless disregard as to how the product will be used and requires manufacturers, wholesaler and retailers to submit suspicious order reports to the State Board of Pharmacy.

TASK FORCE

Act 1684 (HB2390) - The act creates the Task Force on Methamphetamine.

MINORS

SENTENCED OR TRANSFERRED TO DIVISION OF YOUTH SERVICES FACILITIES

Act 559 (SB186) - The act authorizes the court to sentence offenders under 18 years of age to the Department of Correction for a term of years, suspend the sentence, and commit the youth to the custody of the Division of Youth Services. The act also authorizes the Department of Correction to transfer any inmate under 18 years of age to the Division of Youth Services when the department and the division determine it to be suitable.

CRIMINAL LAW AND PROCEDURE

MOVING TRAFFIC VIOLATIONS

DOUBLED FINES IN HIGHWAY WORK ZONES

Act 1120 (HB1494) - The act provides for the doubling of the fines for all moving traffic violations committed in a highway work zone.

MUNICIPAL COURT JURISDICTION

INCARCERATION OF JUVENILE DEFENDANTS

Act 1807 (HB1544) - The act places limitations on the incarceration of juvenile defendants by municipal courts.

MUNICIPAL COURTS

FAILURE TO APPEAR

Act 1243 (HB2233) - The act authorizes municipal court judges to suspend the license of a driver who fails to appear for any criminal offense, traffic violation, or misdemeanor charge.

OFFENSES COMMITTED IN THE PRESENCE OF A CHILD

ENHANCED PENALTIES

Act 1707 (HB1588) - The act enhances penalties for offenses committed in the presence of a child.

OPERATION OF AIRCRAFT WHILE INTOXICATED

BREATHALYZER

Act 561 (HB1141) - The act reduces the presumptive intoxication level of blood alcohol concentration in a person's breath, blood, and urine from 0.10% to 0.08. The reduction applies to negligent homicide, driving while intoxicated, seizure, suspension, and revocation of license, fees for reinstating driving privileges suspended or revoked because of operating or controlling a motor vehicle while intoxicated, underage operators, implied consent to chemical testing to determine blood alcohol level if driving and arrested or involved in an accident, and operators of motorboats. The blood alcohol concentration giving rise to the presumption that a person was not under the influence of alcohol is lowered from 0.05% to 0.04 with respect to both automobile and motorboat offenses. Blood alcohol concentrations between 0.04 and 0.08 do not give rise to a presumption that the accused was or was not under the influence, but is still considered in determining guilt or innocence of an automobile or motorboat offense. With respect to operators of aircraft, breathalyzer tests are added to measure blood alcohol concentration.

PAROLE

Act 1805 (HB1258) - The act provides that any person who commits a violent felony offense or any felony sex offense, and who has previously pled guilty or nolo contendere, or been found guilty of any violent felony offense, or any felony sex offense, shall not be eligible for release on parole.

POSSESSION OF FIREARMS BY CERTAIN PERSONS

INCREASED PENALTIES

Act 1429 (HB2507) - The act makes it a Class B felony for a person to possess a firearm if the person has a prior violent felony conviction; if the current possession involves the commission of another crime; or if the person has previously been convicted of illegally possessing a firearm or a similar provision in another jurisdiction.

PRISONER'S RIGHTS

CALLS TO LOCAL BONDSPERSON

Act 1682 (HB2365) - The act provides that prisoners have the right to place calls to a local bondsperson.

PROSECUTING ATTORNEYS

ACCESS TO MEDICAL RECORDS

Act 1709 (HB1783) - The act grants prosecuting attorneys access to medical records of persons charged with having committed a sex crime, and allows the prosecuting attorney to alert the victim of possible health risks resulting from the crime.

CRIMINAL LAW AND PROCEDURE

PROTECTION ORDERS

ISSUANCE

Act 1437 (HB1887) - The act prohibits the issuance of mutual orders of protection to opposing parties and instead provides for separate orders of protection.

PUBLIC DEFENDERS

COMPENSATION FROM APPELLATE COURTS

Act 1370 (SB874) - The act allows part-time public defenders to receive compensation from the appellate court for appellate work, and full-time public defenders who are not provided a state funded secretary to receive compensation from the appellate court for appellate work.

RAPE

NO CONTACT ORDERS

Act 299 (HB1110) - The act allows the court to issue permanent "no contact" orders preventing a defendant from contact with the victim when a defendant is convicted of rape.

PERIOD OF LIMITATIONS

Act 920 (HB1423) - The act extends the period of limitations for rape to fifteen (15) years during which extended time a prosecution for rape may be commenced if based upon forensic DNA testing or other tests which may become available through advances in technology.

RECYCLING PROGRAMS

THEFT OF RECYCLABLES

Act 1720 (HB2265) - The act makes it unlawful to divert, for personal use or for commercial purposes, any recyclable materials placed in recycling containers of another person or entity. For a first offense of recycling theft for personal use a warning citation shall be issued. A second offense is a Class C misdemeanor. Recycling theft for commercial purposes is a Class A misdemeanor. Cities and counties may pass ordinances making it illegal to steal recyclables from their recycling programs.

REFUSAL TO VACATE UPON NOTICE

RENTAL DEPOSIT DURING PENDENCY OF PROCEEDINGS

Act 1733 (HB2291) - The act requires a tenant charged with refusal to vacate upon notice who enters a plea of not guilty, and who continues to inhabit the premises, to deposit into the registry of the court a sum equal to the amount of rent due on the premises. The act requires that the rental payments shall continue to be paid into the registry of the court during the pendency of the proceedings in accordance with the rental agreement.

REGISTRATION OF SEX OFFENDERS

CORRECTION AND COMMUNITY PUNISHMENT, DEPARTMENTS OF

Act 202 (HB1188) - The act places the responsibility on the Department of Correction and the Department of Community Punishment to assure that sex offenders complete the sex offender registration form. The act also requires that any sex offenders required to register must provide a DNA sample to the Arkansas State Crime Laboratory.

DEPARTMENTS OF COMMUNITY PUNISHMENT AND CORRECTION

Act 202 (HB1188) - The act places the responsibility on the Department of Correction and the Department of Community Punishment to assure that sex offenders complete the sex offender registration form. The act also requires that any sex offenders required to register must provide a DNA sample to the Arkansas State Crime Laboratory.

RELEASE OF CRIME LAB INFORMATION

PUBLIC DEFENDERS

Act 917 (SB873) - The act allows the public defender appointed or assigned to the case to authorize the release of records, files, or information kept, obtained, or retained by the State Crime Laboratory.

CRIMINAL LAW AND PROCEDURE

RESIDENTIAL OR COMMERCIAL BURGLARY

DNA SAMPLE

Act 218 (HB1376) - The act adds residential and commercial burglary to the offenses for which an offender shall have a deoxyribonucleic acid (DNA) sample drawn.

SAFE HAVEN

VOLUNTARY DELIVERY OF A CHILD

Act 236 (HB1070) - The act requires a medical provider or law enforcement agency to take possession of a child age thirty (30) days or younger if the child is left with or voluntarily delivered to the provider or agency by the child's parent who does not express an intent to return for the child. Voluntary delivery of a child is an affirmative defense to prosecution for endangering the welfare of a minor, but not to prosecution for abuse or neglect committed prior to the delivery of the child.

SCHOOL PROPERTY

ELECTRONIC PAGING DEVICES AND BEEPERS

Act 252 (SB218) - The act repeals the Arkansas Code section which made it unlawful for students to possess electronic paging devices and beepers while on school property.

SCIENTIFIC EVIDENCE

APPEALS PROCEDURES

Act 1780 (SB4) - The act provides that a prosecution is commenced if an indictment or information is filed against an unknown person and the indictment contains the genetic information of the unknown person. The act authorizes the granting of a writ of habeas corpus for a person who has alleged actual innocence of the offense or offenses for which the person was convicted. The act sets out procedures for appeals based on new scientific evidence and new scientific examination procedures.

SENTENCING

JURY

Act 1644 (SB756) - The act allows juries to make a non-binding recommendation to the court that the defendant's sentences run consecutively rather than concurrently.

NON-VIOLENT CRIMES

Act 1755 (HB2615) - The act creates the Task Force on the Disparity in Sentencing for Persons Convicted of Non-violent Crimes.

PROBATION REVOCATION PROCEEDINGS

Act 1179 (HB2180) - The act clarifies the fact that the sentencing guidelines developed by the Arkansas Sentencing Commission do not apply to probation revocation proceedings.

SEX OFFENDER REGISTRY

NAME CHANGE

Act 1089 (HB1695) - The act prohibits sex offenders required to register from changing their name unless it is incident to a change in marital status or a religious necessity. A name change is required to be reported to the Director of the Arkansas Crime Information Center within 30 days of change.

SEXUAL ABUSE

CORRECTIONAL OFFICER

Act 545 (SB175) - The act makes it a Class C felony for an employee of the Department of Correction, the Department of Community Punishment, or any city or county jail, to engage in sexual contact with any person in custody.

CRIMINAL LAW AND PROCEDURE

SEXUAL ASSAULT

MEDICAL-LEGAL EXAMINATIONS

Act 993 (HB1587) - The act provides procedures for conducting medical-legal examinations of sexual assault victims and mandates that all emergency departments provide the examination. Providers are to be reimbursed for costs. The act also repeals Arkansas Code 20-9-303 concerning medical treatment of sexual assault victims.

SEXUAL OFFENSES

MENTAL CAPACITY

Act 1724 (HB2385) - The act further defines "mentally defective", "mentally incapacitated" and "physically helpless" to include being unaware the sexual act is occurring concerning sexual offenses under the Arkansas Criminal Code.

REVISIONS

Act 1738 (HB2384) - The act repeals the sexual offenses of carnal abuse, sexual abuse, and violation of a minor, and incorporates those offenses into the new sexual offenses of sexual assault in the first, second, third and fourth degrees. The act also makes technical changes to the criminal offense of rape regarding the mental capacity of the victim.

SEXUAL INDECENCY WITH A CHILD

Act 1821 (HB2386) - The act renames the offense of "sexual solicitation of a child" with "sexual indecency with a child" and adds exposing of sex organs to a person less than fifteen (15) years of age, and removes that part of the offense from the offense of indecent exposure.

SPEED TRAP LAW

APPLICATION

Act 1425 (HB2292) - The act makes the Arkansas Speed Trap Law applicable to traffic offenses which are misdemeanors or a violation of state law or local ordinance.

TENANTS

RENTAL DEPOSIT DURING PENDENCY OF PROCEEDINGS

Act 1733 (HB2291) - The act requires a tenant charged with refusal to vacate upon notice who enters a plea of not guilty, and who continues to inhabit the premises, to deposit into the registry of the court a sum equal to the amount of rent due on the premises. The act requires that the rental payments shall continue to be paid into the registry of the court during the pendency of the proceedings in accordance with the rental agreement.

THEFT DETECTION SHIELDING DEVICES AND DEVICE REMOVERS

UNLAWFUL USE OR POSSESSION

Act 1194 (HB2184) - The act creates the criminal offenses of unlawful use of a theft detection shielding device, unlawful possession of a theft detection shielding device, unlawful possession of a theft detection device remover, and unlawful removal of a theft detection device.

THEFT OF MOTOR FUEL

CLASS A MISDEMEANOR

Act 745 (HB1468) - The act creates the offense of Theft of Motor Fuel, makes it a Class A misdemeanor, and allows an additional penalty of suspension of a person's driver's license for up to one (1) year. The act also requires motor fuel retailers to display a sign on each product dispenser advising customers of the penalties.

THEFT OF PROPERTY

CRIMINAL EPISODE

Act 1195 (HB2185) - The act makes theft of property a Class D felony if the value of the property is five hundred dollars (\$500) or less and was unlawfully obtained during a "criminal episode", a series of thefts committed by the same person on three (3) or more occasions within three (3) days.

CRIMINAL LAW AND PROCEDURE

THEFT OF PROPERTY

GENERATORS

Act 157 (SB89) - The act provides enhanced penalties for theft of generators from particularly vulnerable, public, or communication related facilities during times declared to be an emergency.

PENALTY ENHANCEMENT - TIME OF EMERGENCY

Act 157 (SB89) - The act provides enhanced penalties for theft of generators from particularly vulnerable, public, or communication related facilities during times declared to be an emergency.

THREAT TO SCHOOL EMPLOYEE OR STUDENT, DEATH

CLASS D FELONY

Act 1046 (SB11) - The act provides that communicating a death threat concerning a school employee or student is a Class D felony.

TIMBER THEFT

Act 1247 (SB23) - The act creates the offense of timber theft.

TIME SPENT IN CUSTODY AWAITING TRANSFER TO THE DEPARTMENT OF CORRECTION

CREDIT AGAINST SENTENCE

Act 1034 (HB2259) - The act allows for the credit for time spent in custody, including time spent in a local jail facility awaiting transfer to the Department of Correction or the Department of Community Punishment, against a defendant's sentence to imprisonment.

TRAFFIC LAWS

CENTER LEFT-TURN LANES AUTHORIZED

Act 553 (HB1791) - The act authorizes drivers to use the center lanes of multi-laned streets and roads for left-turns to enter traffic from a lateral street or driveway. Currently, these center lanes are controlled traffic lanes intended as turn-only lanes and not for entering traffic.

DISABLED PERSON PARKING PENALTIES AND LICENSE PLATES

Act 609 (HB1196) - The act places an additional penalty of suspending the driver's license for 6 months for persons convicted of parking in disabled person parking spaces. It also reduces from 5 years to 2 years the period of time for which disabled person parking placards can be issued, and requires the placards and license plates be returned after the death of the person to whom the placards and plates were issued.

VENUE FOR SEXUAL OFFENSES

KATIE'S LAW

Act 582 (HB1607) - The act sets the venue for prosecuting a person committing a sexual offense against any person traveling within the state when law enforcement is unable to determine the county in which the sexual offense was committed.

VIOLENT FELONY CONVICTION

POSSESSION AND USE OF WEAPONS

Act 1430 (HB2543) - The act defines "violent felony conviction" for purposes of the possession and use of weapons under the Arkansas Criminal Code.

VULGAR OR ABUSIVE LANGUAGE

SCHOOL EMPLOYEE

Act 1565 (HB2394) - The act makes it unlawful for any person to use profane, violent, vulgar, abusive or insulting language toward any public school employee during the course of his or her duties. Violation of this act is a misdemeanor.

CRIMINAL LAW AND PROCEDURE

WARRANTLESS ARRESTS

DOMESTIC ABUSE INVOLVING PHYSICAL INJURY

Act 1421 (HB1716) - The act increases to 12 the number of hours during which a law enforcement officer may make a warrantless arrest on probable cause for cases of domestic abuse involving physical injury.

WIRETAPPING

Act 1190 (SB855) - The act broadens the scope of Arkansas Code 5-60-120 concerning illegal wiretapping.

WOLVES AND WOLF-DOG HYBRIDS

Act 1768 (HB2207) - The act provides for regulating ownership, breeding, and care of wolves and wolf-dog hybrids, prescribes minimum housing and feeding requirements and provides for penalties for noncompliance.

WORKPLACE VIOLENCE

PROHIBITING FURTHER UNLAWFUL ACTS AT THE WORKSITE

Act 1084 (SB846) - The act allows an employer, instead of having criminal charges filed, to seek a temporary restraining order, a preliminary injunction, or an injunction under Rule 65 of the Arkansas Rules of Civil Procedure prohibiting further unlawful acts by an individual at the worksite.

WORTHLESS CHECKS

INCREASE IN COLLECTION FEES

Act 996 (HB1794) - The act increases the collection fee that a holder of a worthless check may charge the person who issues the check to twenty-five dollars (\$25.00), plus the amount of any fees charged to the holder of the check by any financial institution as a result of the check not being honored.

DECEDENT'S ESTATES

DISTRIBUTION WITHOUT ADMINISTRATION

Act 1229 (HB1580) - The act amends Arkansas Code 28-41-102(b)(2) to change the statute of limitation from 6 months to 3 months for notifying creditors in a proceeding for distribution without administration and thereby comports 28-41-102(b)(2) with 28-41-101 which currently has a 3 month statute of limitation.

HUMAN SERVICES, DEPARTMENT OF

RECOVERY OF NURSING CARE COSTS

Act 927 (HB1731) - The act repeals a requirement for court oversight of Department of Human Services proceedings to recover costs from a deceased person's estate for nursing care paid for with state money.

LONG-TERM CARE FACILITIES

DECEASED RESIDENTS' FUNDS

Act 928 (HB1733) - The act prohibits licensees, owners, administrators, employees, and representatives of long-term care facilities from being named as a beneficiary to a deceased resident's funds.

RIGHTS OF SURVIVING FAMILY MEMBERS

HOMESTEAD

Act 952 (SB786) - The act repeals Arkansas Code 28-39-206 concerning appeals from a court having probate jurisdiction over homestead rights as they relate to the surviving spouse or children claiming the homestead.

WELFARE REFORM

RECOVERY OF BENEFITS FROM RECIPIENTS' ESTATES

Act 1480 (HB2248) - The act clarifies which estate assets are subject to recovery.

DELTA CULTURAL CENTER POLICY ADVISORY BOARD

MEMBERSHIP

MAIN STREET HELENA

Act 1260 (SB926) - The act adds 2 members as representatives of Main Street Helena to the Delta Cultural Center Policy Advisory Board.

DEVELOPMENT FINANCE AUTHORITY, ARKANSAS

PRIVATE ACTIVITY BOND ACT

REVISED TO CONFORM TO FEDERAL TAX LAW

Act 1044 (HB1952) - The act amends the Private Activity Bond Act to set rules for the allocation of the state volume cap to conform it to recent changes in federal tax law. It prescribes new duties and responsibilities for the Arkansas Development Finance Authority for private activity bonds and repeals the Arkansas Private Activity Bond Act of 1985.

DISABLED PERSONS

ACCESS SIGNS

INTERNATIONAL SYMBOL DISPLAYED

Act 992 (SB565) - The act requires that state agencies which require the displaying of signs for the disabled shall require display of only the blue and white international symbol of access.

BACKGROUND CHECKS

HEALTH CARE WORKERS

Act 995 (HB1703) - The act requires background checks for persons who work with or apply to work with mentally ill or developmentally disabled persons. The act disqualifies persons who are listed in the central registry as having abused a child or adult from working with mentally ill or developmentally disabled persons.

CRIMINAL RECORDS CHECKS

CAREGIVERS

Act 1710 (HB1805) - The act amends various sections of the criminal records check for persons caring for the elderly and disabled.

DEVELOPMENTALLY DISABLED

PROVIDER BACKGROUND CHECKS

Act 1548 (HB1912) - The act provides that all qualified entities responsible for direct care services to developmentally disabled persons shall require and keep records of criminal background checks on all employees and applicants. The act disqualifies from employment involving the developmentally disabled anyone who has been found guilty of or has pleaded guilty or nolo contendere to any of a prescribed list of criminal acts. The act exempts various licensed health care professionals.

GUARDIAN'S AUTHORITY

COURT APPROVAL REQUIRED

Act 1689 (SB433) - The act provides that guardians of incapacitated persons shall not consent on behalf of the incapacitated person to abortion, sterilization, psychosurgery, or removal of bodily organs except when necessary in a situation threatening the life of the incapacitated, nor shall guardians consent to withholding life-saving treatment, authorize experimental medical procedures, authorize termination of parental rights, authorize an incapacitated person to vote, prohibit the incapacitated person from obtaining a driver's license, or consent to a settlement or compromise of any claim by or against the incapacitated person or his estate, without filing a petition and receiving express court approval.

HIGHER EDUCATION INSTITUTIONS

INSTRUCTIONAL MATERIALS

Act 758 (SB537) - The act provides that instructional material used by institutions of higher education must be made available to disabled students in a format that is compatible with commonly used Braille translation and speech synthesis software.

DISABLED PERSONS

HUMAN SERVICES, DEPARTMENT OF

DEVELOPMENTAL DISABILITY REIMBURSEMENTS

Act 1792 (SB815) - The act requires the Department of Human Services, subject to state and federal funding restrictions, to establish a reimbursement rate structure for contracting with community programs licensed by Developmental Disabilities Services that will cover costs of all federal and state mandates for which they are held responsible by the Department of Human Services and for any additionally required processes the Department of Human Services may elect to implement for cost containment-management purposes over and above the established reimbursement rates for costs of treatment services.

NON-PROFIT COMMUNITY PROGRAMS

GRANTS

Act 1639 (SB673) - Section 10 of the act authorizes existing non-profit community programs licensed by the Division of Developmental Disabilities Services to make application to expand their service base to unserved or underserved areas or to make application to offer new services in the state if such programs become available.

PUBLIC SERVICE ANNOUNCEMENTS

CAPTIONING

Act 813 (HB1292) - The act requires all state agencies which make televised public service announcements to ensure that those announcements are either closed or open captioned.

TELECOMMUNICATIONS DEVICES

DISABLED PERSONS

Act 530 (SB396) - The act amends various laws regarding telecommunications devices for disabled persons.

TRAFFIC LAWS

DISABLED PERSON PARKING PENALTIES AND LICENSE PLATES

Act 609 (HB1196) - The act places an additional penalty of suspending the driver's license for 6 months for persons convicted of parking in disabled person parking spaces. It also reduces from 5 years to 2 years the period of time for which disabled person parking placards can be issued, and requires the placards and license plates be returned after the death of the person to whom the placards and plates were issued.

DOMESTIC RELATIONS

CHILD SUPPORT

OMNIBUS REVISIONS

Act 1248 (SB249) - The act makes technical changes and amends numerous sections of the Arkansas Code regarding child support enforcement.

COVENANT MARRIAGE

AUTHORIZED AND PRESCRIBED

Act 1486 (HB2039) - The act authorizes voluntary covenant marriages, which require pre-marital counseling, pre-dissolution counseling and the filing of specified documents affirming the parties' understanding of the provisions of the act and their intent to enter into a covenant marriage.

DEPENDENCY-NEGLECT CASES

PARENTS, REPRESENTATION OF INDIGENT

Act 1267 (HB1550) - The act authorizes the director of the Administrative Office of the Courts to establish a program to represent indigent parents or guardians in dependency-neglect cases to be paid from funds appropriated for that purpose to the Administrative Office of the Courts.

DIVORCE

EXPERT WITNESS FEES

Act 207 (HB1260) - The act allows the court to award expert witness fees during the pendency and in the final decree of a divorce action.

DOMESTIC RELATIONS

DIVORCE

MARITAL PROPERTY

Act 1671 (HB1803) - The act exempts from the definition of marital property life insurance proceeds, payments made under a deferred compensation plan or an individual retirement account, and property acquired by right of survivorship, by a trust distribution, by bequest or inheritance or by a payable on death or a transfer on death arrangement.

PARENTING, CUSTODY AND VISITATION MEDIATION

Act 198 (HB1148) - The act authorizes a court to require parties, subsequent to a divorce, to submit to mediation in regard to parenting, custody, and visitation issues.

DIVORCE, PROCEEDINGS SUBSEQUENT TO

CHANGE OF VENUE

Act 1231 (HB1636) - The act allows either party in a proceeding subsequent to a divorce to petition the court for a change of venue when both parties no longer live in the county where the final decree of divorce was rendered.

DOMESTIC ABUSE

CHILDREN AND PERSONS WITH CHILDREN IN COMMON

Act 1678 (HB2174) - The act extends further protection for victims of domestic abuse by providing protection for any child residing in the household, and adding protection for persons who have or have had a child in common. The act amends the petition form for protection orders to reflect that protection.

FEDERAL FUNDS

Act 1786 (SB612) - The act establishes guidelines governing the administration and disbursement of federal funds received under the Victims of Crime Act of 1984, the Stop Violence Against Women Act, and the Family Violence Prevention and Services Act.

LAW ENFORCEMENT TRAINING

Act 1452 (HB2315) - The act requires all new law enforcement officers to complete at least 20 hours of training concerning domestic violence and 20 hours of training concerning child abuse.

GRANDPARENTS' RIGHTS

CUSTODY AND DEPENDENCY-NEGLECT PROCEEDINGS

Act 1497 (HB1047) - The act provides that grandparents who have had continuous custody of grandchildren shall receive notice and an opportunity to be heard in child custody proceedings and dependency-neglect proceedings regarding that child.

HUMAN SERVICES, DEPARTMENT OF

FAMILY PRESERVATION SERVICES PROGRAM ACT

Act 906 (SB303) - The act makes various changes to the Family Preservation Services Program Act.

MARRIAGE LICENSES

PROCEDURE FOR CORRECTION OF ERRORS

Act 751 (HB1842) - The act dictates the procedure for the correction of clerical and scriveners' errors on marriage licenses.

MARRIAGES

OFFICIALS

Act 1068 (HB2235) - The act provides that former municipal court judges who have served at least 4 years may solemnize marriages.

SOLEMNIZERS

Act 1068 (HB2235) - The act provides that former municipal court judges who have served at least 4 years may solemnize marriages.

DOMESTIC RELATIONS

PATERNITY

CHILD SUPPORT

Act 1736 (HB2377) - The act provides that an adjudicated father is entitled to one paternity test at any time during the period of his child support obligation, and if the test indicates he is not the father, his child support obligation shall cease.

PROTECTION ORDERS

ENFORCEMENT

Act 1469 (HB2356) - The act provides that an order of protection issued by a court of competent jurisdiction in any county of this state is enforceable in every county of this state by any court or law enforcement officer.

ISSUANCE - MUTUAL ORDERS PROHIBITED

Act 1437 (HB1887) - The act prohibits the issuance of mutual orders of protection to opposing parties and instead provides for separate orders of protection.

RELINQUISHMENT AND TERMINATION OF PARENT AND CHILD RELATIONSHIP

NOTICE TO NON-CUSTODIAL PARENT

Act 1779 (HB2654) - The act provides that the non-custodial parent receive notice and be given an opportunity to respond upon the filing of a petition for termination of parental rights based upon non-payment of child support and non-visitation of the child for a period of at least one year.

DUTCH OVEN

OFFICIAL STATE HISTORIC COOKING VESSEL

Act 476 (SB402) - The act designates the Dutch oven as the official state historic cooking vessel.

ECONOMIC DEVELOPMENT

ABANDONED SITE CLEANUP

IMPLEMENTING AGREEMENTS

Act 164 (SB139) - The act requires the Department of Environmental Quality and the prospective purchaser of a contaminated abandoned site to enter into an implementing agreement establishing cleanup-liabilities and obligations.

BIOTECHNOLOGY

INCENTIVES

Act 900 (HB2189) - The act makes various changes in the law granting tax incentives to biotechnology companies.

COAL MINING

TAXES

Act 1065 (SB776) - The act includes coal mining operations under the Enterprise Zone Act and the Economic Investment Tax Credit Act.

DELTA DEVELOPMENT COMMISSION

CREATION AND DUTIES

Act 1601 (HB1466) - The act creates the Arkansas Delta Development Commission to act as the chief advisory and oversight body in conjunction with the Department of Rural Services regarding representation of the state to the Delta Regional Authority. The act requires the commission to develop various programs to assist with economic development in and cost share responsibilities of areas defined by the act as the "Delta region."

ECONOMIC DEVELOPMENT

DEVELOPMENT FINANCE AUTHORITY, ARKANSAS

INDUSTRIAL REVENUE BOND GUARANTY LAW

Act 1032 (HB2190) - The act amends the Industrial Revenue Bond Guaranty Law to redefine the term "ADFA bonds" to include direct loans by the Arkansas Development Finance Authority and provides that no one issue or series of Act No. 9 bonds or ADFA bonds guaranteed shall exceed \$5,000,000 (currently \$4,000,000).

VENTURE CAPITAL INVESTMENT ACT OF 2001

Act 1791 (SB808) - The act increases the availability of equity and near-equity capital for emerging, expanding, relocating, and restructuring enterprises in the state, strengthening the state's economic base, and creating jobs.

ECONOMIC DEVELOPMENT ACT OF 1995, ARKANSAS

CLARIFICATION

Act 1401 (SB304) - The act provides that expenditures for replacements of items previously purchased as part of a project and routine operating expenditures are not eligible for benefits under the Arkansas Enterprise Zone Act of 1993 or the Arkansas Economic Development Act of 1995.

TAX CREDIT

Act 975 (HB2057) - The act amends the Arkansas Economic Development Act to redefine terms and to make various changes in the tax credit provisions of the act.

ECONOMIC DEVELOPMENT INCENTIVE ACT, ARKANSAS

Act 1054 (SB797) - The act amends the Arkansas Economic Development Incentive Act to redefine several terms and change requirements for out-of-state sales.

ECONOMIC DEVELOPMENT OF ARKANSAS FUND COMMISSION

ABOLISHED

Act 1681 (HB2354) - The act abolishes the Economic Development of Arkansas Fund Commission and transfers all remaining funds and prospective funds generated by estate taxes to the General Improvement Fund.

ECONOMIC DEVELOPMENT, DEPARTMENT OF

ANNUAL REPORTS

Act 1282 (SB65) - The act requires the Director of the Department of Economic Development to report to the Legislative Council on the department's work during the previous calendar year.

SMALL BUSINESS LOANS

Act 913 (SB760) - The act requires the Arkansas Department of Economic Development to institute a program to make participation loans which are originated by approved community lenders for small businesses in this state. The act sets out parameters for the loans and outlines the goals the department is to meet in making the loans.

ECONOMIC INVESTMENT TAX CREDIT ACT

INCOME TAX CREDIT

Act 737 (SB528) - The act includes defense industry projects in the Economic Investment Tax Credit Act. As a result, defense industry projects are eligible for an income tax credit equal to 100% of the sales and use tax liability for the reporting period. The act also amends the definition of distribution center in the Economic Investment Tax Credit Act to include a facility for the reception, storage, or shipping of products if 75% of the sales revenue is from out-of-state-customers.

ENTERPRISE ZONE ACT OF 1993, ARKANSAS

Act 807 (SB646) - The act makes various changes to the Arkansas Enterprise Zone Act.

CLARIFICATION

Act 1401 (SB304) - The act provides that expenditures for replacements of items previously purchased as part of a project and routine operating expenditures are not eligible for benefits under the Arkansas Enterprise Zone Act of 1993 or the Arkansas Economic Development Act of 1995.

ECONOMIC DEVELOPMENT

INDUSTRIAL DEVELOPMENT ACT, ARKANSAS

EXPANSION

Act 620 (SB484) - The act amends various sections of the Arkansas Code pertaining to industrial development corporations to expand their application to economic development as well as industrial development.

INDUSTRIAL REVENUE BOND GUARANTY LAW

Act 1032 (HB2190) - The act amends the Industrial Revenue Bond Guaranty Law to redefine the term "ADFA bonds" to include direct loans by the Arkansas Development Finance Authority and provides that no one issue or series of Act No. 9 bonds or ADFA bonds guaranteed shall exceed \$5,000,000 (currently \$4,000,000).

NANOTECHNOLOGY

Act 1284 (HB2237) - The act renames the Arkansas Emerging Energy Technology Development Act of 1999 as the Arkansas Emerging Technology Development Act of 1999 and expands its applications to nanotechnology, microturbines, and Stirling engines and expands the carryover of any tax credit from 6 years to 14 years.

RENEWABLE RESOURCES

THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001

Act 1781 (HB2325) - The act establishes the Arkansas Renewable Energy Development Act of 2001 which promotes net energy metering, use of renewable resources and renewable energy technologies, the manufacture of new technologies, and the attraction of energy technology manufacturers to Arkansas.

SMALL BUSINESSES

LOAN PROGRAM

Act 913 (SB760) - The act requires the Arkansas Department of Economic Development to institute a program to make participation loans which are originated by approved community lenders for small businesses in this state. The act sets out parameters for the loans and outlines the goals the department is to meet in making the loans.

EDUCATION

BETTER CHANCE PROGRAM

BEER TAX

Act 1841 (SB576) - This act levies a special alcoholic beverage excise tax of three percent (3%) upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund with twenty percent (20%) of the funds to be used for subsidized child care for low-income families and eighty percent (80%) of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education. The excise tax on beer shall expire on June 30, 2003.

BLIND, ARKANSAS SCHOOL FOR THE

ADDITIONAL SUPERINTENDENT BENEFITS

Act 1143 (SB761) - The act provides that the Board of Trustees of the Arkansas School for the Blind and the Arkansas School for the Deaf may require the superintendent or other school official to reside on campus. The Board of Trustees is also authorized to provide other benefits to the superintendent from operation funds.

BOARD OF TRUSTEES

Act 726 (SB375) - The act provides that the Board of Trustees of the Arkansas School for the Blind and the Arkansas School for the Deaf shall receive a \$75.00 stipend for attending board meetings.

EDUCATION

BONDED INDEBTEDNESS

Act 1214 (HB2240) - The act provides that if the State Board of Education determines that a school district is unable to finance needed school facilities due to unexpected, unforeseen or extreme hardship, or unable due to student growth, or local assessment per student, the board may permit the district to increase its total indebtedness by no more than 35% (presently 30%) of the assessed value of property in the district.

BUS DRIVERS

INSURANCE

Act 1253 (SB833) - The act makes certain school bus drivers eligible to participate in public school employee insurance. Drivers who qualify are those who contract with a public school district to operate a school bus and are designated as full-time drivers.

CHARTER SCHOOLS

Act 1311 (SB478) - The act amends the charter school law to change the facility description, funding method, notice requirements for charter schools and creates a procedure for establishing a limited charter school for instituting alternative staffing practices.

ADMISSION PROCEDURES

Act 463 (SB322) - The act allows for a weighted lottery in charter school admission procedures.

COMMUNITY COLLEGES

INTERCOLLEGIATE ATHLETIC PROGRAMS

Act 1649 (SB849) - The act allows community colleges to participate in intercollegiate football programs if no state funds or funds derived from property taxes or students fees are used to support the program.

COMPENSATION FOR ADMINISTRATORS

Act 1224 (SB819) - The act requires the State Board of Education to promulgate regulations regarding the disposition of public property owned by public educational entities. The act prohibits public educational entities from retroactively raising the salary, granting stipends, or providing other compensation for an administrator beyond the current fiscal year.

COMPUTERS

USE POLICY

Act 1533 (HB1003) - The act provides that each public school that provides a public access computer shall, unless the school board votes otherwise, equip the computer with technology that seeks to prevent minors from gaining access to material that is harmful to minors or from obtaining internet connectivity from an internet service provider that provides filter services to limit access to material that is harmful to minors. The act also provides that each public library with one or more public access computers shall develop, adopt and implement a written policy that establishes and maintains a system to prevent minors from gaining computer access to materials harmful to minors, and provides for suspending the privilege of a minor from using the public access computers for violation of the policy and revoking such privilege for repeat offenders.

DEAF, ARKANSAS SCHOOL FOR THE

BOARD OF TRUSTEES

Act 726 (SB375) - The act provides that the Board of Trustees of the Arkansas School for the Blind and the Arkansas School for the Deaf shall receive a \$75.00 stipend for attending board meetings.

BOARDING AND LODGING

Act 1143 (SB761) - The act provides that the Board of Trustees of the Arkansas School for the Blind and the Arkansas School for the Deaf may require the superintendent or other school official to reside on campus. The Board of Trustees is also authorized to provide other benefits to the superintendent from operation funds.

EDUCATION

DRUG ABUSE AND VIOLENCE PREVENTION TASK FORCE

FUNCTIONS AND DUTIES

Act 1655 (SB904) - The act establishes the Drug Abuse and Violence Prevention Task Force. The task force shall develop a model coordinated, comprehensive and cumulative curriculum for teaching drug abuse prevention and violence prevention in grades K-12 in the public schools. The task force shall report its findings and recommendations to the Governor and the Legislative Council on or before March 1, 2002, and shall cease to exist on that date.

EDUCATION, STATE BOARD OF

FINANCING STUDY

Act 1386 (HB2169) - The act directs the State Board of Education to conduct a study of public education, its structure, present financial needs, and finances needed for improvement.

ELECTRONIC COMMUNICATIONS DEVICES

STUDENT POSSESSION

Act 447 (SB10) - The act permits school policy exemptions allowing students to possess electronic communication devices, on a school campus, after normal school hours for extracurricular activities.

EQUITY ASSISTANCE CENTER

Act 1033 (HB2198) - The act names the equity assistance center at the Department of Education and allows the Department of Education to withhold state funds to school districts that fail to file required reports.

FALSE ALARM - BOMBING

SCHOOLS

Act 567 (HB1504) - The act makes communicating a false alarm of a present or impending bombing to an educational institution a Class D felony.

FIRE TRAINING ACADEMY

TRANSFER

Act 178 (HB1083) - The act provides that the Arkansas Fire Training Academy shall be under the control of Southern Arkansas University.

FOUNDATION FOR EARLY CHILD CARE AND EDUCATION

Act 1271 (HB1801) - The act authorizes the Department of Human Services to promote and cooperate in the establishment of a nonprofit foundation to be used to enhance the quality, affordability, and availability of child care and early education for all children in the state.

GENERAL EDUCATION

ACCOUNTABILITY - STANDARDIZED TESTING

Act 1660 (SB942) - The act requires the Department of Education to develop specific criteria for evaluating the association of high school grade point averages and standardized test scores for all students participating in the American College Test and the Arkansas Comprehensive Testing Assessment and Accountability Program's end-of-course algebra, geometry and literacy exams.

ACCOUNTABILITY - UNIFORM GRADING SCALE

Act 1121 (HB1826) - The act requires the State Board of Education to adopt a uniform grading scale for concurrent enrollment courses.

ACCOUNTABILITY- AMERICAN COLLEGE TEST

Act 1093 (HB1827) - The act continues the American College Test Assessment Assistance Pilot Program.

EDUCATION

GENERAL EDUCATION

ACCOUNTABILITY- SCHOOL PERFORMANCE REPORT

Act 775 (SB443) - The act repeals the school report card requirements and changes the deadline for the school performance report to March 15th each year.

ADULT EDUCATION PROGRAMS

Act 1514 (HB2300) - The act allows school districts to contract with adult education programs to provide educational services to sixteen (16) and seventeen (17) year old adults.

Act 1659 (SB940) - The act sets forth the requirements for sixteen (16) and seventeen (17) years olds attending private, parochial or home schools to enroll in adult education programs.

ART AND MUSIC

Act 1506 (HB1883) - The act requires every public elementary school to provide instruction in visual art or music each week beginning on June 1, 2002 and, beginning on June 1, 2005, to provide instruction by licensed certified teachers in both visual art and music.

AVERAGE DAILY MEMBERSHIP

Act 1202 (SB604) - The act clarifies the process for defining "average daily membership" for school funding purposes.

BETTER CHANCE PROGRAM

Act 1183 (HB2241) - The act allows both sectarian and nonsectarian programs to apply for funding under the Arkansas Better Chance Program.

BLUE RIBBON COMMISSION ON PUBLIC EDUCATION

Act 1398 (SB907) - The act creates the Arkansas Blue Ribbon Commission on Public Education to review the system of public education in the state and to propose legislation to the 2003 regular session of the General Assembly.

BONDS, SECOND-LIEN

Act 1220 (SB603) - The act amends the school funding formula, modifying the method of calculating average daily membership for funding purposes, and authorizes school districts to issue second-lien bonds.

CHARTER SCHOOLS

Act 463 (SB322) - The act allows for a weighted lottery in charter school admission procedures.

Act 1311 (SB478) - The act amends the charter school law to change the facility description, funding method, notice requirements for charter schools and creates a procedure for establishing a limited charter school for instituting alternative staffing practices.

COMMUNICATING A FALSE ALARM

Act 567 (HB1504) - The act makes communicating a false alarm of a present or impending bombing to an educational institution a Class D felony.

COMMUNITY-BASED EDUCATION CENTERS

Act 1290 (HB2454) - The act designates community based education centers as local education agencies for federal funding purposes.

COMPUTER USE BY STUDENTS

Act 912 (SB717) - The act requires each school district and each public library to adopt a written policy to prevent computer users from accessing material harmful to minors.

CONSOLIDATION AND ANNEXATION

Act 1225 (SB896) - The act combines the existing laws regarding annexation and consolidation of public school districts.

COUNTY BOARDS OF EDUCATION

Act 1036 (SB192) - The act establishes the rights and duties of the county boards of education, the county school supervisors, and the county board of education designees.

EDUCATION

GENERAL EDUCATION

CURRICULUM CONSISTENCY

Act 1559 (HB2301) - The act requires that the Department of Education develop a comprehensive plan for consistency and rigor in course work offered by local school districts.

DATA PUBLISHED ON WEB

Act 1747 (HB2503) - The act requires each school district to publish on the district's web page, if the district has a web page, (1) minutes of regular and special meetings of the school board, (2) the budget for the ensuing year; (3) the financial breakdown of monthly expenses of the district; (4) the salary schedule for all employees; (5) the school district's yearly audit; and (6) the Annual Statistical Report. If a district does not have a web page, then on or before July 1, 2003, the district's educational cooperative shall develop a web page for the district, or the cooperative shall enter into an agreement with a local city, county, or other local governmental agency to have the district's information published on an existing local city, county, or other local governmental agency's web page.

DEATH THREAT TO SCHOOL EMPLOYEE OR STUDENT

Act 1046 (SB11) - The act provides that communicating a death threat concerning a school employee or student is a Class D felony.

EDUCATION SERVICE COOPERATIVES

Act 1055 (SB836) - The act designates education services cooperatives as local education agencies for state and federal funding purposes.

EMPLOYEE MISCONDUCT

Act 1732 (HB2191) - The act provides that any public school district employee who commits a sexual offense against a minor shall, upon conviction, be dismissed from employment and shall not thereafter be eligible for employment by any school in this state.

ENERGY SAVINGS CONTRACT

Act 1717 (HB2243) - The act adds pre-installation energy audits or analysis to the definition of energy savings contracts and extends the period of time to recoup savings from 10 years to 15 or 20 years.

EQUITY ASSISTANCE CENTER

Act 1033 (HB2198) - The act names the equity assistance center at the Department of Education and allows the Department of Education to withhold state funds to school districts that fail to file required reports.

ETHICS

Act 1599 (SB817) - The act establishes ethical guidelines and prohibitions for administrators, employees, and board members of public school districts, charter schools, educational cooperatives, or any publicly supported entity having supervision over public educational entities. The act does not apply to institutions of higher education.

FAMILY SERVICE WORKERS

Act 1280 (HB2380) - The act creates a pilot program to place family service workers into public schools.

FINANCING STUDY

Act 1386 (HB2169) - The act directs the State Board of Education to conduct a study of public education, its structure, present financial needs, and finances needed for improvement.

FUNDING

Act 1220 (SB603) - The act amends the school funding formula, modifying the method of calculating average daily membership for funding purposes, and authorizes school districts to issue second-lien bonds.

GOVERNOR'S PARTNERSHIP COUNCIL

Act 537 (HB1633) - The act repeals the Governor's Partnership Council and the Intervention and Prevention Grant Program.

EDUCATION

GENERAL EDUCATION

GRIEVANCE PROCEDURE

Act 1169 (HB2400) - The act allows employees to choose open or closed grievance hearings and allows students under the age of eighteen (18) the option of testifying in a closed hearing.

GUN VIOLENCE PREVENTION WEEK

Act 624 (HB1503) - The act allows local school boards to declare one (1) week in October to be Gun Violence Prevention Week. The act also allows school to develop programs for the purpose of reducing gun violence.

HOME SCHOOLING

Act 1787 (SB758) - The act prohibits a child from being home schooled if a registered sex offender resides in the home, unless the child to be home schooled is the registered sex offender.

INTERVENTION AND PREVENTION

Act 537 (HB1633) - The act repeals the Governor's Partnership Council and the Intervention and Prevention Grant Program.

KINDERGARTEN

Act 1535 (HB1092) - The act allows six-year olds who did not attend kindergarten the option to enroll in either kindergarten or first grade, but a child may only enter into first grade if both the school district and the parent agree.

Act 1552 (HB2195) - The act requires the Department of Education to establish a committee to review and recommend procedures for readiness testing for children entering kindergarten and to require schools to conduct readiness testing after the guidelines are established.

LEADERSHIP INSTITUTE FOR TEACHERS, ARKANSAS

Act 1523 (HB2545) - The act creates the Arkansas Leadership Institute of Teachers (A-LIFT) to provide professional development planning and mentoring for teachers seeking the National Board for Professional Teaching Standards Certification for teachers in the Delta.

LICENSURE

Act 752 (HB1854) - The act combines the requirements for criminal background checks for first-time teacher licensure and for license renewal with the requirements for license suspension and revocation.

LOCAL SCHOOL BOARD

Act 581 (HB1501) - The act requires members of the board of directors of each school district to frequently visit classrooms in the district in which they serve.

MINIMUM WAGE FOR CLASSIFIED EMPLOYEES

Act 1138 (HB2553) - The act creates the minimum wage for "classified employees" of school districts in Arkansas. Classified employees are those employees of a public school district in Arkansas who perform work for the district and who are not required to hold a valid teaching license issued by the State Board of Education as a condition of employment. The minimum wage rate for classified employees is six dollars and twenty-five cents (\$6.25) per hour.

PERSONNEL - COLLECTIVE BARGAINING

Act 1765 (SB979) - The act prohibits school boards or their representatives from taking or threatening actions which interfere with, restrain, or coerce a teacher in the exercise of the teacher's right to have an organization represent a majority of the teachers in negotiations.

PERSONNEL - DAILY PLANNING PERIOD

Act 1208 (SB944) - The act requires school districts to compensate teachers who do not receive individual planning time during the school day.

PERSONNEL - DUTY-FREE LUNCH

Act 1373 (SB946) - This act requires school districts to pay teachers who do not receive duty-free lunch for a minimum of eighty percent (80%) of the student contact days unless the lunch period is waived.

EDUCATION

GENERAL EDUCATION

PERSONNEL - MOVING AND INTERVIEW EXPENSES

Act 1388 (HB2247) - This act allows school districts in the Delta and in geographical teacher shortage areas to reimburse teachers for interviewing and moving expenses.

PERSONNEL - NON-CERTIFIED TEACHER

Act 1623 (SB416) - The act prohibits assignment of a non-certified teacher to a classroom for more than thirty (30) consecutive days. The act authorizes a waiver for school districts if the requirement imposes an undue hardship, but requires written notification of the waiver to be sent to parents of each student.

PERSONNEL - PAYMENT FOR CONTRACT DAYS

Act 1735 (HB2375) - The act requires school districts to pay teachers their daily rate for additional contract days.

PERSONNEL - PROFESSIONAL TEACHING STANDARDS CERTIFICATION

Act 1060 (SB245) - The act clarifies the requirements for receiving the bonus for obtaining National Board for Professional Teaching Standards Certification and increases the bonus when funding is available.

PERSONNEL - SCHOOL BUS DRIVERS

Act 321 (HB1281) - The act allows school bus drivers whose primary source of income is obtained from operating a school bus to participate in the public school employee insurance program.

PERSONNEL - SUPPLEMENTAL PAY

Act 1485 (HB2653) - The act allows supplemental teacher pay under the Educator's Compensation Act of 2001 without an increase in job duties.

PERSONNEL - TEACHER FAIR DISMISSAL

Act 1739 (HB2393) - This act changes the standard for terminating, suspending or not renewing a teacher's contract to a standard of just and reasonable cause.

PERSONNEL - TEACHER SALARIES

Act 1456 (SB598) - This act provides for a three thousand dollar (\$3,000) pay raise for educators and sets forth the procedure for payment of the increases.

PERSONNEL - TEACHER TRAINING AWARDS

Act 146 (SB60) - The act increases the award for teacher training for advanced placement courses from four hundred fifty dollars (\$450) to six hundred fifty dollars (\$650).

PERSONNEL- GIFTS

Act 1192 (HB1063) - The act allows an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college to receive gifts in recognition of the employee's contribution to education.

PERSONNEL- INSURANCE CONTRIBUTION

Act 1745 (HB2465) - The act increases the amount school districts contribute for eligible employee participation in group health insurance to one hundred fourteen dollars (\$114) beginning July 1, 2001, to one hundred twenty-two dollars (\$122) beginning October 1, 2003, and to one hundred thirty-one dollars (\$131) beginning October 1, 2004.

PUBLIC CAPITAL IMPROVEMENTS

Act 921 (HB1536) - The act allows counties, municipalities, school districts, and local taxing units to negotiate with an apparent responsible low bidder on public capital improvement contracts if the bid is within 25% of the amount appropriated and bidding on alternates was not required.

PUBLIC SCHOOL CHOICE

Act 1788 (SB772) - The act changes the application deadline for a transfer under school choice to July 1, adds a procedure to appeal to the State Board of Education a school board rejection of an application, and allows the Department of Education to withhold state funding until required reports are filed with the Equity Assistance Center.

EDUCATION

GENERAL EDUCATION

PUBLIC WORKS

Act 1051 (SB770) - The act provides that no public works contract by any state agency, county, municipality, school district, or other local taxing unit may be entered into with any contractor where all estimated cost of work exceeds \$20,000 (currently \$10,000 for counties and municipalities and \$50,000 for school districts), unless prior notice is published in a newspaper.

SCHOLARSHIPS

Act 1520 (HB2477) - The act requires a report from the Department of Education and the Department of Higher Education on the impact of scholarship programs enacted or amended in the 83rd regular session of the General Assembly.

SCHOOL BOARD ELECTIONS

Act 994 (HB1676) - The act provides that no earlier than 90 days before an election, a candidate for school district director shall circulate petitions for placing the candidate's name on the ballot.

SCHOOL BUSES

Act 1744 (HB2464) - The act prohibits a school bus driver from operating the school bus until every passenger is seated, and requires school superintendents to be responsible for ensuring that no school bus is scheduled to transport more children than can reasonably be seated. Violation by a school superintendent shall be a misdemeanor.

SCHOOL DISTRICT BOUNDARIES

Act 1037 (SB690) - The act establishes the procedure for changing the boundaries of a school district.

SCHOOL DISTRICT ZONING

Act 1716 (HB2238) - The act requires school districts currently operating under court ordered desegregation to comply with zoning requirements within one hundred and eighty (180) days after release from the court order.

SCHOOL DISTRICTS BY DETACHMENT

Act 1673 (HB1882) - The act provides a procedure for creating a new school district by detaching territory from an existing district. The new district shall not be made up of fewer than four thousand (4,000) students.

SCHOOL EMPLOYEE INSURANCE

Act 1814 (HB2266) - The act expands the authority of the Employee Benefits Division of the Department of Finance and Administration over employee benefit programs and amends the law regarding the eligibility of state employees to participate in the programs.

SCHOOL FUNDING ACCOUNTS

Act 533 (HB1529) - The act allows the county treasurer to receive and disburse school district funds from one (1) account if the school district is using a proper computerized accounting system.

SELF-INSURED FIDELITY BOND PROGRAM

Act 1038 (SB778) - The act clarifies the type of financial examination reports required under the self-insured fidelity bond program for state and local government.

SPORTS - FAIR COMPETITION

Act 1562 (HB2346) - The act requires the House and Senate Committees on Education to conduct a study to determine how the General Assembly or another entity may ensure that all our schools and children are treated equitably in all school activities. The committees shall report their findings to the Legislative Council on or before October 1, 2002.

STUDENT ARREST NOTIFICATION

Act 1268 (HB1583) - The act requires arresting agencies to notify the school district when a student is arrested for unlawful possession of a firearm, for an offense involving a deadly weapon, or for battery in the first degree.

EDUCATION

GENERAL EDUCATION

STUDENT TRANSFERS

Act 1207 (SB892) - The act requires that a person be employed at least half-time by a public school before that person's child may transfer to that school under Arkansas Code 6-18-203.

TEACHER SHORTAGE

Act 1521 (HB2478) - This act requires the Department of Education to identify critical teacher shortage areas and to identify the areas of the state that make up the Arkansas Delta region.

THREAT TO SCHOOL EMPLOYEE OR STUDENT, DEATH

Act 1046 (SB11) - The act provides that communicating a death threat concerning a school employee or student is a Class D felony.

VISITS BY SCHOOL BOARD

Act 581 (HB1501) - The act requires members of the board of directors of each school district to frequently visit classrooms in the district in which they serve.

VULGAR LANGUAGE

Act 1565 (HB2394) - The act makes it unlawful for any person to use profane, violent, vulgar, abusive or insulting language toward any public school employee during the course of his or her duties. Violation of this act is a misdemeanor.

HIGHER EDUCATION

ALTERNATE RETIREMENT PLAN

Act 765 (SB214) - The act allows employees of Arkansas state-supported universities, colleges, and junior colleges not a part of the University of Arkansas system, to maintain alternate retirement plans in addition to those already in place by statute. A newly eligible employee may elect to participate in an alternate retirement plan and make incremental increases in employee contributions to the plan to reach the required 6% minimum contribution level by completion of the fourth year of participation in the alternate plan.

ASU - BRANCHES

Act 90 (SB22) - The act amends various laws to delete references to branches of Arkansas State University.

AUTOMOBILE USE POLICY EXEMPTION

Act 1711 (HB1872) - The act requires state agencies to ensure the cost effectiveness and efficient use of state-owned automobiles. Agencies are required to provide the Department of Finance and Administration with a report regarding agency vehicles, and in turn the Department of Finance and Administration is to report its recommendations regarding continued agency ownership of vehicles to the Legislative Council. The act does not apply to institutions of higher education and vocational technical institutes.

CAPITAL IMPROVEMENTS

Act 961 (SB512) - The act provides that public works projects of the University of Arkansas, Arkansas State University, University of Central Arkansas, Henderson State University, Arkansas Tech University, and Southern Arkansas University are not subject to the jurisdiction of Arkansas State Building Services.

Act 1626 (SB525) - The act provides that in the event funds from any sources are provided to state agencies for projects which exceed five million dollars (\$5,000,000) excluding the cost of land, the provisions of the General Accounting and Budgetary Procedures Law and all other provisions of the Arkansas Code governing construction of public facilities shall, at the election of state agencies or the institutions of higher education, not be applicable to the projects if the selection and contracting process set forth in the act is followed.

COMMUNITY COLLEGE BOARD

Act 1366 (SB754) - The act allows community colleges to hold district wide elections for local board members when division into voting zones would not create a voting zone with twenty percent (20%) or greater population in any one (1) racial minority.

EDUCATION

HIGHER EDUCATION

COMMUNITY COLLEGES

Act 1796 (SB863) - The act authorizes certain counties to levy a sales and use tax to provide for capital improvements to or maintenance and operation of a community college that will be merged into a four-year institution and establishes an alternative method for dissolution of a community college district.

EMPLOYEES

Act 1232 (HB1729) - The act provides that the Department of Human Services may contract with employees of higher education institutions for nursing services without complying with Arkansas Code 19-4-1701(2) which requires the prior approval of the Chief Fiscal Officer of the State and provides that the higher education institution employees shall not receive more than 125% of the employee's maximum annual salary as a result of the contract.

FIRE TRAINING ACADEMY TRANSFER

Act 178 (HB1083) - The act provides that the Arkansas Fire Training Academy shall be under the control of Southern Arkansas University.

GOVERNOR'S SCHOLARS PROGRAM

Act 1761 (SB762) - The act amends the Arkansas Academic Challenge Scholarship Program to add National Achievement Scholars as eligible applicants, to reduce the number of awards to two-hundred seventy-five (275), and to cap the award at ten thousand dollars (\$10,000).

GRADUATE NURSE TRAINING

Act 787 (HB1645) - The act renames the Arkansas Primary Care Nursing Practice and Nurse Educator Student Loan and Scholarship Board as the Graduate Nurse Educator Loan and Scholarship Board and makes several changes in the law pertaining to scholarships and loans to graduate nursing students.

INSTRUCTIONAL MATERIALS FOR DISABLED PERSONS

Act 758 (SB537) - The act provides that instructional material used by institutions of higher education must be made available to disabled students in a format that is compatible with commonly used Braille translation and speech synthesis software.

INTERCOLLEGIATE ATHLETIC PROGRAMS

Act 1649 (SB849) - The act allows community colleges to participate in intercollegiate football programs if no state funds or funds derived from property taxes or students fees are used to support the program.

MINORITY TEACHER SCHOLARSHIP PROGRAM

Act 1731 (HB1940) - The act creates the Critical Needs Minority Teacher Scholarship Program to be administered by the University of Arkansas at Pine Bluff to provide fifteen hundred dollar (\$1,500) scholarships to students who commit to teach in the Delta or in a geographical area of the state where there is a critical shortage of teachers.

NURSING SCHOLARSHIPS

Act 1664 (HB1002) - The act allows students attending nursing schools approved by the State Board of Nursing to participate in the Academic Challenge Scholarship Program.

PERSONNEL - UNCLASSIFIED POSITIONS

Act 1372 (SB886) - The act continues the establishment of a "growth pool" of one hundred (100) unclassified positions for the two-year institutions of higher education for use if the personal services needs of the institution exceed the number allocated by the General Assembly.

PERSONNEL-GIFTS

Act 1192 (HB1063) - The act allows an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college to receive gifts in recognition of the employee's contribution to education.

EDUCATION

HIGHER EDUCATION

RISING JUNIOR TEST

Act 1085 (HB1048) - The act allows the Arkansas Higher Education Coordinating Board to approve alternative testing and procedures to replace the Rising Junior Test.

SALARY CAPS

Act 1404 (SB583) - The act allows institutions of higher education to exceed the maximum salary levels for certain exceptionally well-qualified, non-academic, non-classified personnel by up to twenty-five percent (25%).

SAU - FIRE TRAINING ACADEMY TRANSFER

Act 178 (HB1083) - The act provides that the Arkansas Fire Training Academy shall be under the control of Southern Arkansas University.

SCHOLARSHIPS

Act 113 (HB1192) - This act provides scholarships to children of deceased or disabled employees of the Department of Community Punishment and provides death benefits to survivors of employees of the Department of Community Punishment.

Act 158 (SB19) - The act authorizes scholarships to technical institutes for family members of law enforcement officers, full-time or volunteer firemen, state highway employees, state correction employees, state parks employees, teachers, and state forestry employees who are killed or permanently and totally disabled on duty.

Act 1607 (HB2554) - The act authorizes the Arkansas Higher Education Coordinating Board to continue the administration of financial assistance programs of grants and forgivable loans which were created by its predecessor, the State Board of Higher Education, under authority granted to it by Section 8 of Act 1259 of 1993 which includes the following programs currently administered by the Arkansas Higher Education Coordinating Board including the Freshman/Sophomore Minority Grant Program; the Minority Teacher Scholars Program; the Minority Masters Fellows Program; and the Southern Regional Education Board Doctoral Scholars Program. The provisions of this act are contingent on the availability of funding for the programs.

Act 1692 (SB777) - The act repeals various unfunded scholarships including the Opportunity Scholarships Program, the Arkansas Teachers' Postgraduate Scholarship program, the Minority Teacher Recruitment and Training Program, the Nursing Student Loan Program, the Nurse Midwifery Program, the scholarship for a student of Quapaw descent, the Arkansas Literacy Corps, the Arkansas Opportunity Scholarship, the University of Arkansas at Pine Bluff Honors Delta Region Scholarship; the University of Arkansas at Pine Bluff Honors College Scholarship Program, the Arkansas Police Corps Scholarship Program, the Minority Teacher Education Loan Program, and the Freshman/Sophomore Minority Prospective Teacher Loan Program.

SECONDARY VOCATIONAL CENTERS

Act 819 (HB1530) - The act allows institutions of higher education to operate secondary vocational centers following a merger with a two-year college.

TEACHER RECRUITMENT AND RETENTION

Act 1550 (HB1939) - The act creates the University Assisted Teacher Recruitment and Retention Grant Program to provide scholarships for those qualified teachers in the Delta who are obtaining a master's degree.

VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER

Act 415 (HB1283) - The act transfers the powers and duties of the Vocational-Technical Education Resource Center to the Northeast Arkansas Educational Cooperative.

HIGHER EDUCATION EXPENDITURE RESTRICTION ACT

SALARY RESTRICTIONS - EXCLUSION

Act 1191 (SB928) - The act provides that compensation received by a higher education employee for participating in a noncredit seminar, conference, or convention is excluded from the maximum salary restrictions.

EDUCATION

HIGHER EDUCATION INSTITUTIONS

PROPERTY, DISPOSITION OF

Act 589 (SB355) - The act provides that all state agencies, colleges, and universities are required to utilize and all counties, municipalities, and other tax supported institutions, are authorized to utilize the services of the marketing and redistribution section of the Office of State Procurement.

HUMAN SERVICES, DEPARTMENT OF

DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION

Act 1213 (HB2214) - The act amends the organization of the Department of Human Services to include a Division of Child Care and Early Childhood Education.

KIDS-FOR-HEALTH

Act 1749 (HB2528) - The act requires the Department of Health to use moneys from The Tobacco Settlement Proceeds Act to establish a Kids-for-Health program. The act authorizes each school district to design its own version of the program.

LAW ENFORCEMENT CONTACT WITH STUDENTS

PARENTAL NOTIFICATION BY SCHOOLS

Act 1217 (HB2275) - The act mandates parental, guardian or in loco parentis notification by schools of a student reported to, interviewed by or taken into custody by law enforcement personnel. Notification is not required where the report, complaint or interview is based on suspected child abuse or neglect.

MID-SOUTH COMMUNITY COLLEGE NURSING PROGRAM

TAX REVENUE FUNDS

Act 1488 (SB156) - The act provides that each year, the first eighty-five thousand dollars (\$85,000) of the pari-mutuel tax revenue derived from Arkansas Code 23-111-505 (a) shall be remitted directly to Mid-South Community College for facilities, programming, and personnel in the support of a nursing program. The revenue received by Mid-South Community College under this act is considered local taxes. One hundred thousand dollars (\$100,000) of the balance of the Indigent Patient's Fund on the effective date of this act shall be transferred by the Chief Fiscal Officer of the State to the Mid-South Community College Fund.

MOTOR VEHICLE LICENSE PLATES

COMMITTED TO EDUCATION

Act 529 (SB213) - The act provides for the issuance of special "Committed to Education" motor vehicle license plates.

PERSONNEL - TEACHERS

SURVIVOR SCHOLARSHIPS

Act 158 (SB19) - The act authorizes scholarships to technical institutes for family members of law enforcement officers, full-time or volunteer firemen, state highway employees, state correction employees, state parks employees, teachers, and state forestry employees who are killed or permanently and totally disabled on duty.

PHYSICAL EDUCATION

Act 1748 (HB2514) - The act requires every K-9 public school to offer no less than 1 hour per week of physical education training and instruction which includes no less than 20 minutes of physical activity 3 times a week for every student who is physically fit and able to participate. The act allows each school district to develop its own program. The act does not require the hiring of specially licensed personnel.

EDUCATION

PRIVATE CAREER EDUCATION BOARD

DRIVER TRAINING INSTRUCTION

Act 1756 (HB2627) - The act prescribes the minimum number of hours and type of instruction required for driver training instruction for noncommercial motor vehicles. It lists minimums for both classroom and correspondence courses of instruction. The Private Career Education Board is given authority to regulate the driver training instruction programs.

PUBLIC WORKS

Act 1204 (SB818) - The act provides that the State Board of Education shall establish regulations applicable to public education entities for all public works projects in instances where the public education entity uses its own employees or acts as the general contractor.

SCHOOL DISTRICT PURCHASES OF COMMODITIES

FUNDING

Act 1687 (HB2621) - The act amends Arkansas Code 6-21-303 concerning school district purchases of commodities. Each school district is required to provide each pre-kindergarten through sixth grade teacher in each fiscal year at least ten dollars (\$10.00) per student or two hundred fifty dollars (\$250) per classroom to purchase related commodities for use by that teacher in his or her classroom or for class activities. The board of directors of each school district shall adopt reasonable procedures for teachers to draw from or be reimbursed from the discretionary fund. The act provides that the Department of Education has the authority to waive this requirement if a school district requests a waiver and is in fiscal distress.

SCHOOL DISTRICTS

EFFECT OF IN-LIEU-OF-TAX PAYMENTS ON STATE FUNDING OF PUBLIC SCHOOLS

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

SCHOOL FUNDING ACCOUNTS

Act 533 (HB1529) - The act allows the county treasurer to receive and disburse school district funds from one (1) account if the school district is using a proper computerized accounting system.

SCHOOL PROPERTY

DISPOSAL

Act 1224 (SB819) - The act requires the State Board of Education to promulgate regulations regarding the disposition of public property owned by public educational entities. The act prohibits public educational entities from retroactively raising the salary, granting stipends, or providing other compensation for an administrator beyond the current fiscal year.

POSSESSION OF ELECTRONIC DEVICES

Act 252 (SB218) - The act repeals the Arkansas Code section which made it unlawful for students to possess electronic paging devices and beepers while on school property.

TEACHER RETIREMENT SYSTEM

ADJUSTMENTS FOR EARLY RETIREES PRIOR TO 1997

Act 1300 (SB232) - The act adjusts the annuities of members of the Teacher Retirement System who took early retirement when the years of service required for an unreduced annuity was thirty (30) or more years. On July 1, 2001, the annuities of those members will be adjusted to the amount they would have received if the full annuity had been twenty-eight (28) years on the date of their retirement.

EDUCATION

TEACHER RETIREMENT SYSTEM

CONFORM TO FEDERAL TAX LAW

Act 155 (SB208) - The act makes technical changes in the Arkansas Teacher Retirement System law to ensure it conforms to federal Internal Revenue Code.

DEADLINE FOR OPTING OUT OF ALTERNATE PLANS EXTENDED

Act 1784 (SB233) - The act extends the time period for staff members of technical and community colleges, vocational schools, and the Division of Workforce Education to become members of the Teacher Retirement System instead of the alternate retirement plans offered to other staff members. Previously, staff members had to choose before December 31, 1999, and the deadline is now extended to December 31, 2001.

DEFINES "NORMAL RETIREMENT AGE"

Act 461 (SB170) - The act defines "normal retirement age" for the Teacher Retirement System as age 65 years. It eliminates the reduction in the amount of contribution made to a member's account when the member reaches normal retirement age.

LUMP-SUM DEATH BENEFIT INCREASED

Act 359 (SB167) - The act increases the lump-sum death benefit for members of the Teacher Retirement System. It provides for a \$15,000 payment for contributory members and a \$10,000 payment for noncontributory members. Previously, the death benefit was \$10,000 for contributory and \$6,667 for noncontributory members.

MAXIMUM ADDITIONAL MONTHLY STIPEND INCREASED

Act 360 (SB171) - The act increases the maximum amount of the additional monthly stipend which the Board of Trustees of the Teacher Retirement System can award retirees. The amount is increased to a maximum two hundred dollars (\$200) from the current one-hundred twenty-five dollars (\$125) per month.

NATIONAL GUARD SERVICE CREDIT

Act 1296 (SB25) - The act provides a member of the Arkansas Teacher Retirement System with an option to purchase service credit for National Guard service time. The member may purchase 1 year of credited service in the system for each 5 years of National Guard service time.

NONTEACHING EMPLOYEES COVERED AFTER JULY 1, 2001

Act 742 (HB1078) - The act authorizes nonteaching employees of school districts, such as bus drivers, cafeteria workers, and school custodians, who are members of the Public Employees' Retirement System to have their service after July 1, 2001, covered under the Teacher Retirement System.

PURCHASE OF PRIVATE SCHOOL CREDIT INCREASED

Act 1534 (HB1077) - The act increases from ten (10) years to fifteen (15) years the maximum amount of private school service which can be purchased in the Teacher Retirement System.

RETIREEES RETURN TO T-DROP

Act 481 (SB194) - The act allows retirees of the Teacher Retirement System to return as an active member of the system and to participate in the Teacher Deferred Retirement Option Plan (T-DROP) when qualified.

RETIREMENT OF BOARD MEMBERS

Act 156 (SB209) - The act allows a member of the Board of Trustees of the Teacher Retirement System to continue to serve on the board after retirement.

TERMINATION FROM EMPLOYMENT FOR 30 DAYS REQUIRED

Act 1146 (HB1272) - The act requires that a member of the Arkansas Teacher Retirement System must have been terminated from covered employment for at least 30 days to be eligible for retirement. It also allows for a waiver of the earnings limitation after retirement if the retiree is hired by a school district due to a shortage of certified teachers in a critical academic area. The Department of Education must certify the critical academic areas for the waivers.

EDUCATION

TEACHERS

TEACHER CERTIFICATION

Act 1060 (SB245) - The act clarifies the requirements for receiving the bonus for obtaining National Board for Professional Teaching Standards Certification and increases the bonus when funding is available.

TEACHER FAIR DISMISSAL ACT

Act 551 (HB1774) - The act allows students to testify privately in hearings under the Teacher Fair Dismissal Act.

TECHNICAL INSTITUTES

AUTOMOBILE USE POLICY EXEMPTION

Act 1711 (HB1872) - The act requires state agencies to ensure the cost effectiveness and efficient use of state-owned automobiles. Agencies are required to provide the Department of Finance and Administration with a report regarding agency vehicles, and in turn the Department of Finance and Administration is to report its recommendations regarding continued agency ownership of vehicles to the Legislative Council. The act does not apply to institutions of higher education and vocational technical institutes.

MODEL VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER

Act 231 (HB1282) - The act repeals the Model Vocational-Technical Education Resource Center Act of 1993.

SURVIVOR SCHOLARSHIPS

Act 158 (SB19) - The act authorizes scholarships to technical institutes for family members of law enforcement officers, full-time or volunteer firemen, state highway employees, state correction employees, state parks employees, teachers, and state forestry employees who are killed or permanently and totally disabled on duty.

WORKFORCE EDUCATION

ADULT EDUCATION PROGRAMS

Act 1659 (SB940) - The act sets forth the requirements for sixteen (16) and seventeen (17) years olds attending private, parochial or home schools to enroll in adult education programs.

MODEL VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER

Act 231 (HB1282) - The act repeals the Model Vocational-Technical Education Resource Center Act of 1993.

PERSONNEL - GIFTS

Act 1192 (HB1063) - The act allows an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college to receive gifts in recognition of the employee's contribution to education.

VOCATIONAL CENTERS

Act 819 (HB1530) - The act allows institutions of higher education to operate secondary vocational centers following a merger with a two-year college.

VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER

Act 415 (HB1283) - The act transfers the powers and duties of the Vocational-Technical Education Resource Center to the Northeast Arkansas Educational Cooperative.

ELECTION LAWS

ABSENTEE VOTING

PROCEDURE

Act 1767 (HB1663) - The act amends Arkansas Code 7-5-411 regarding methods of absentee voting. Absentee ballots of uniformed services personnel, serving on active status, shall be counted if received by the county clerk no later than 5:00 p.m. ten (10) calendar days after the date of the election and the absentee ballot was executed no later than the date of the election. Absentee ballots in any bulk mailing not otherwise permitted in this subsection shall not be counted.

ELECTION LAWS

ABSENTEE VOTING

UNIFORMED SERVICES PERSONNEL

Act 1257 (HB2565) - The act provides that absentee ballots of active Uniformed Services personnel shall be counted if received by the county clerk no later than 5:00 P.M. ten (10) calendar days after an election so long as the ballot was executed no later than election day.

BALLOTS

CANDIDATE NAMES AND TITLES

Act 799 (HB2012) - The act provides that the names and titles of candidates to be used on the political practice pledge shall be reviewed by the State Board of Election Commissioners and the county board of election commissioners no later than 1 business day after filing deadline.

IDENTIFICATION OF ELECTOR

Act 795 (HB2008) - The act makes it no longer an offense to place any mark or device on any ballot for the purpose, or with the effect of, identifying the ballot with the elector.

JUDGES

Act 1835 (SB971) - The act provides that a person may only use the prefix, "Judge," Justice," or "Chief Justice" in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

TITLES - PROPOSED CONSTITUTIONAL AMENDMENTS

Act 150 (SB45) - The act provides that the title of a joint resolution proposing an amendment to the Arkansas Constitution shall be the ballot title of the proposed constitutional amendment.

CAMPAIGN FINANCE

CARRYOVER FUNDS

Act 954 (HB1678) - The act provides that local candidates file expenditure reports of carryover campaign funds with the county clerk or the Secretary of State, depending upon whether it is a local, state, or district office sought.

CONTRIBUTION REPORTING

Act 564 (HB1349) - The act requires reports of campaign contributions to be filed only with the Secretary of State. The Secretary of State shall post reports of contributions on the official website.

CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT

CERTIFICATE OF CHOICE

Act 473 (HB1688) - The act requires political groups wishing to qualify by petition to place a candidate for President and for Vice-President on the ballot to submit a certificate of choice naming the candidate for President and for Vice-President signed under oath by the chairperson, vice-chairperson, or secretary of the political group's convention no later than September 15 in the year of the election.

COMMISSIONERS

QUALIFICATIONS

Act 796 (HB2009) - The act provides that no person may serve as an election official who is married to or related within the second degree of consanguinity to any candidate if objection is made to the county board within 10 days of posting the list of election officials.

COMMUNITY COLLEGES

LOCAL BOARDS

Act 1366 (SB754) - The act allows community colleges to hold district wide elections for local board members when division into voting zones would not create a voting zone with twenty percent (20%) or greater population in any one (1) racial minority.

ELECTION LAWS

CONGRESSIONAL DISTRICTS

REDISTRICTING

Act 1840 (SB552) - This act establishes the four congressional districts in Arkansas.

CONVICTED FELONS

ELIGIBILITY TO VOTE

Act 560 (HB1086) - The act amends the Constitution of the State of Arkansas to provide a procedure for convicted felons to register to vote after they have discharged their sentence.

COUNTY CLERK

DEADLINES FOR FILING BY INDEPENDENT CANDIDATES.

Act 472 (HB1684) - The act requires the county clerk to determine within 10 days of filing whether a petition to be included on the ballot as an independent candidate contains a sufficient number of qualified electors and to promptly notify the candidate of the result. The act also requires independent candidates for municipal office to file their petitions of nomination with the county clerk by 12:00 P.M., at least 60, but no more than 80 days, before the election.

COUNTY LIBRARY TAX

SPECIAL ELECTION

Act 1377 (HB1073) - The act provides that when a petition is filed as authorized in Amendment 38 to the Arkansas Constitution as amended, asking that the question of the levy, increase, decrease or repeal of a county library tax be submitted to the electors and the petition or the sponsor of the petition requests that the question be submitted at a special election, the county quorum court may require the sponsor of the petition to pay a fee not to exceed \$2,000 which shall be used to offset a portion of the cost of calling and conducting a special election.

DEADLINES

FILING BY INDEPENDENT CANDIDATES.

Act 472 (HB1684) - The act requires the county clerk to determine within 10 days of filing whether a petition to be included on the ballot as an independent candidate contains a sufficient number of qualified electors and to promptly notify the candidate of the result. The act also requires independent candidates for municipal office to file their petitions of nomination with the county clerk by 12:00 P.M., at least 60, but no more than 80 days, before the election.

DISCLOSURE OF RESULTS

MISDEMEANOR

Act 926 (HB1677) - The act provides that an election official, poll watcher, or any other person in or out of this state in any primary, general, or special election in this state who divulges election results after the closing of the polls on the day of the election has committed a misdemeanor offense.

ELECTED OFFICE

VACANCY

Act 1772 (HB2581) - The act provides that prior to a primary election, a political party may fill a vacancy upon death or an intent to refuse nomination after filing for an office.

ELECTION COMMISSIONERS, COUNTY BOARD OF

POLLING PLACE SIGNS

Act 562 (HB1175) - The act requires that on the day of an election, the county board of election commissioners post signs near driveway entrances of polling sites. The signs should say "VOTE HERE", with an arrow pointing to the polling site, be visible, and as close as possible to the public street.

PUBLIC NOTICE

Act 474 (HB1689) - The act requires that the county board of election commissioners shall, at least 20 days before each preferential primary and general election, and 10 days before the holding of each general primary, general runoff, or special election, give public notice in a newspaper of general circulation in the county of the time and polling sites for holding the elections and the candidates and offices to be elected at that time.

ELECTION LAWS

ELECTION COMMISSIONERS, STATE BOARD OF

TERMS OF OFFICE, MEETINGS AND DUTIES

Act 1174 (HB1701) - The act provides that board members appointed by the President Pro Tempore and the Speaker of the House shall serve terms of two (2) years while all other appointed members serve terms of four (4) years. No appointee may serve more than 2 consecutive full terms. Changes in rules regarding meetings, quorum and duties are set forth.

ELECTION IMPROVEMENT STUDY COMMISSION

CREATED

Act 767 (HB1121) - The act creates the Arkansas State Election Improvement Study Commission.

ELECTION MATERIALS

DELIVERY OF RETURNS

Act 798 (HB2011) - The act requires that election returns be delivered by the election officials immediately after the polls close.

PROCESSING AND DELIVERY

Act 797 (HB2010) - The act requires that during processing of returns to be delivered, election officials shall separate voted ballots from unused ballots. All election materials and returns are to be immediately delivered after the polls close.

ELECTION OFFICIALS

NOTIFICATION OF VACANCY TO SECRETARY OF STATE

Act 475 (HB1690) - The act requires county chairpersons of majority and minority parties to file a letter with the Secretary of State stating the name of the county chairpersons of the party and any vacancies in the office of the county chairperson and person selected to fill the position. The letters shall be kept as public records by the Secretary of State.

ELECTORS

CERTIFICATE OF CHOICE

Act 473 (HB1688) - The act requires political groups wishing to qualify by petition to place a candidate for President and for Vice-President on the ballot to submit a certificate of choice naming the candidate for President and for Vice-President signed under oath by the chairperson, vice-chairperson, or secretary of the political group's convention no later than September 15 in the year of the election.

ETHICS

CAMPAIGN FINANCE

Act 1839 (SB50) - This act amends various provisions of the Arkansas ethics and campaign finance statutes.

FIRST CLASS CITIES

ELECTION OF ALDERMEN

Act 543 (HB1379) - The act authorized first class cities to refer to the voters the question of electing one alderman from each ward to four-year terms of office.

INDEPENDENT CANDIDATES

DEADLINES FOR FILING

Act 472 (HB1684) - The act requires the county clerk to determine within 10 days of filing whether a petition to be included on the ballot as an independent candidate contains a sufficient number of qualified electors and to promptly notify the candidate of the result. The act also requires independent candidates for municipal office to file their petitions of nomination with the county clerk by 12:00 P.M., at least 60, but no more than 80 days, before the election.

ELECTION LAWS

INITIATIVE PETITIONS

FORM

Act 789 (HB1698) - The act requires that petitions for proposed initiatives be on forms provided by the Secretary of State.

JUDGESHIPS

CIRCUIT COURT DIVISION DESIGNATIONS

Act 951 (SB785) - The act provides, for elections under Amendment 80 of the Arkansas Constitution, the new circuit court division designations of each circuit, chancery, and circuit-chancery judgeship in the state.

NONPARTISAN JUDICIAL ELECTIONS

GUIDELINES AND PROCEDURES

Act 1789 (SB789) - The act provides for nonpartisan judicial elections, filing guidelines, and other election procedures.

NOTICE

POLLING PLACE SIGNS

Act 562 (HB1175) - The act requires that on the day of an election, the county board of election commissioners post signs near driveway entrances of polling sites. The signs should say "VOTE HERE", with an arrow pointing to the polling site, be visible, and as close as possible to the public street.

PETITIONS

CERTIFICATE OF CHOICE

Act 473 (HB1688) - The act requires political groups wishing to qualify by petition to place a candidate for President and for Vice-President on the ballot to submit a certificate of choice naming the candidate for President and for Vice-President signed under oath by the chairperson, vice-chairperson, or secretary of the political group's convention no later than September 15 in the year of the election.

POLITICAL PARTY CHAIRS

NOTIFICATION OF VACANCY TO SECRETARY OF STATE

Act 475 (HB1690) - The act requires county chairpersons of majority and minority parties to file a letter with the Secretary of State stating the name of the county chairpersons of the party and any vacancies in the office of the county chairperson and person selected to fill the position. The letters shall be kept as public records by the Secretary of State.

PRIMARY ELECTIONS

STATE BOARD POWERS

Act 1175 (HB1702) - The act provides that the State Board of Election Commissioners may withhold reimbursement of funds to counties in state funded elections for failure to comply with administration of elections or state election laws until the requirements are met to the satisfaction of the board.

PROCEDURE

ABSENTEE VOTING MATERIALS

Act 1379 (HB1662) - The act requires the absentee voter be provided a sealable return envelope, a blank voter statement in proper form, and instructions for voting and returning the ballot to the county clerk.

CERTIFICATION OF RESULTS AND RECOUNTS

Act 1475 (HB1685) - The act provides that certification of the results of an election to the Secretary of State shall be done no earlier than 48 hours after the election and no later than the tenth calendar day after the election. The county board shall declare preliminary and unofficial results immediately after the vote is complete. Recounts shall be done upon petition of the candidate. Testing results on voting machines shall be permitted.

DELIVERY OF ELECTION SUPPLIES

Act 1178 (HB2006) - The act provides that the person designated to deliver election supplies shall not be an elected official, the elected official's deputy, or candidate for office.

ELECTION LAWS

PROCEDURE

IDENTIFICATION OF QUALIFIED VOTERS

Act 471 (HB1683) - The act requires the election official to request the voters to state their addresses and state or confirm their dates of birth, and for identification purposes, provide a valid driver's license, photo identification card issued by a governmental agency, voter card, social security card, birth certificate, United States passport, employee identification card issued by a governmental agency containing a photograph, employee identification card issued in the normal course of business of the employer, student identification card, Arkansas hunting license, or United States military identification card.

PUBLIC NOTICE

Act 474 (HB1689) - The act requires that the county board of election commissioners shall, at least 20 days before each preferential primary and general election, and 10 days before the holding of each general primary, general runoff, or special election, give public notice in a newspaper of general circulation in the county of the time and polling sites for holding the elections and the candidates and offices to be elected at that time.

REVIEW OF VOTES

Act 1396 (HB2648) - The act establishes procedures for reviewing under, over, and disqualified votes and establishes deadlines for review of all votes.

WRITE-IN CANDIDATE VOTES

Act 955 (HB1679) - The act provides that write-in candidate votes will not be counted unless the candidate or an agent notifies election commissioners and either the Secretary of State or the county clerk, of the intention to be a write-in candidate no later than 60 days before the election, and the ballot name is the same listed on the write-in candidate's political practice pledge. Abbreviations, misspelling, or minor variation in the form of the name of the candidate shall be disregarded if the intention of the voter may be ascertained.

PUBLIC RECORDS

DISTRIBUTION

Act 956 (HB1680) - The act repeals laws regarding distribution of public records.

QUALIFICATIONS OF STATE AND COUNTY COMMISSIONERS AND OTHER ELECTION OFFICIALS

ELECTION TRAINING

Act 1822 (HB2389) - The act amends election laws concerning the qualifications of state and county commissioners and other election officials to require those officials to attend election training coordinated by the State Board of Election Commissioners.

REFERENDUMS

FILING DEADLINES

Act 981 (HB2423) - The act requires referendum petitions against measures pertaining to short-term financing obligations incurred by counties under Amendment 78 to be filed with the county clerk within 30 days after the adoption of the measure.

PETITION FORM

Act 790 (HB1699) - The act requires that referendum petitions and orders be on forms provided by the Secretary of State.

SCHOOL BOARDS

PETITIONS - NAMES

Act 994 (HB1676) - The act provides that no earlier than 90 days before an election, a candidate for school district director shall circulate petitions for placing the candidate's name on the ballot.

ELECTION LAWS

STATE AND COUNTY BOARDS

VACANCY ON COUNTY BOARD OF ELECTION COMMISSION

Act 794 (HB2007) - The act eliminates the requirement that the Chairman of the State Board of Election Commissioners, upon notification of a vacancy on a County Board of Election Commission, immediately call a meeting of the state board to fill the vacancy.

UNIFORMED SERVICE PERSONNEL

ABSENTEE VOTING PROCEDURE

Act 1767 (HB1663) - The act amends Arkansas Code 7-5-411 regarding methods of absentee voting. Absentee ballots of uniformed services personnel, serving on active status, shall be counted if received by the county clerk no later than 5:00 p.m. ten (10) calendar days after the date of the election and the absentee ballot was executed no later than the date of the election. Absentee ballots in any bulk mailing not otherwise permitted in this subsection shall not be counted.

UNIFORMED SERVICES

ABSENTEE VOTING

Act 1180 (HB2188) - The act amends the election laws concerning absentee voting for the uniformed forces. Ballots shall be transmitted according to federal regulations. Therefore, the Secretary of State shall provide the county clerks with copies of these regulations at least ninety (90) calendar days before each general election.

EMBALMERS AND FUNERAL DIRECTORS

APPRENTICESHIP

Act 792 (HB1719) - The act provides that an embalmer's apprenticeship may be served during the person's attendance at a college of mortuary science unless the person receives financial assistance from the state to attend mortuary school, in which case the apprenticeship must be served prior to attending mortuary school.

FINAL ACT BOARD OF DIRECTORS

Act 1803 (SB963) - The act creates the Final Act Board of Directors. The act requires the board to conduct a demonstration program of interview surveys to determine the need for and feasibility of funeral programs for needy persons in a specified list of counties.

FUNERAL VEHICLE LIGHTING

PURPLE FLASHING LIGHTS FOR FUNERALS

Act 322 (HB1284) - The act authorizes motor vehicles leading or escorting a funeral procession to use a purple flashing and rotating lights to warn other vehicles of the approach of the funeral procession. It amends the law regarding emergency vehicle lighting to prescribe a penalty for the unauthorized use of the purple flashing lights.

PREPAID FUNERAL BENEFITS

Act 1043 (HB1657) - The act amends various sections of the Arkansas prepaid funeral benefits law.

EMERGENCY SERVICES

EMERGENCY SERVICES ACT OF 1973

STATE OF EMERGENCY; EMERGENCY CADRE, FUNDING DISASTER RESPONSE AND RECOVERY

Act 1278 (HB2166) - The act amends various sections of the Arkansas Emergency Services Act of 1973 to provide that no state of disaster emergency may continue for longer than sixty (60) days unless renewed by the Governor. There will be created within the Arkansas Department of Emergency Management an emergency reserve cadre to be comprised of trained and available specialists to assist regular employees during declared disaster response and recovery operations. The initial amount of the disaster response fund shall be in the amount of one million dollars (\$1,000,000). The disaster recovery fund shall be in the amount of three million dollars (\$3,000,000), and the hazard mitigation fund shall be in the amount of three million dollars (\$3,000,000).

EMERGENCY SERVICES

EMERGENCY VEHICLES

EXCEEDING SPEED LIMITS WHEN OPERATING EMERGENCY LIGHTS

Act 1415 (HB1482) - The act allows emergency vehicles when responding to an emergency call to exceed speed limitations when the driver is operating the vehicle's emergency lights, and if other vehicles are present, is also operating an audible signal by bell, siren, or exhaust whistle.

EMPLOYMENT SECURITY DEPARTMENT, ARKANSAS

PUBLIC HOUSING AGENCY

ACCESS TO INFORMATION ON RESIDENTS

Act 1477 (HB2027) - The act provides that all requests received by the director of the Arkansas Employment Security Department from a public housing agency regarding wage and unemployment compensation information on one of its residents shall be processed within three (3) business days.

ENERGY

EMERGING ENERGY TECHNOLOGY DEVELOPMENT ACT

EXPANSION

Act 1284 (HB2237) - The act renames the Arkansas Emerging Energy Technology Development Act of 1999 as the Arkansas Emerging Technology Development Act of 1999 and expands its applications to nanotechnology, microturbines, and Stirling engines and expands the carryover of any tax credit from 6 years to 14 years.

ENGINEERS

REGISTRATION

Act 591 (SB419) - The act requires renewal of engineer registration certificates, annually or biannually, at the discretion of the State Board of Registration for Professional Engineers. Engineers are no longer required to file boundary surveys.

ENVIRONMENTAL LAW

ABANDONED PESTICIDE ADVISORY BOARD

NAME AND SCOPE

Act 1130 (SB608) - The act renames the Abandoned Agricultural Pesticide Advisory Board as the Abandoned Pesticide Advisory Board and adds a member to the board to represent the State Plant Board. The act redefines "pesticide" and expands the scope of the board's responsibilities. The act authorizes the board to collect a fee of \$50.00 per registered pesticide per registrant per year for the specific purpose of funding the disposal of abandoned pesticides.

ABANDONED SITE CLEANUP

IMPLEMENTING AGREEMENTS

Act 164 (SB139) - The act requires the Department of Environmental Quality and the prospective purchaser of a contaminated abandoned site to enter into an implementing agreement establishing cleanup-liabilities and obligations.

AIR POLLUTION

INTERIM STUDY

Act 1254 (SB908) - The act provides for an interim study by the Legislative Council to evaluate and recommend legislative actions which could provide incentives and enable early action to address air pollution concerns by cities and counties which are, or have potential to be, designated as non-attainment areas with regard to the national ambient air quality standards.

ENVIRONMENTAL LAW

BRINE

ASSESSMENTS

Act 1188 (SB830) - The act authorizes increases in assessments for natural gas and brine produced and saved or sold. The act requires review by the Legislative Council or the Joint Budget Committee before collections of the increased assessments.

CONTROLLED SUBSTANCES MANUFACTURING

LIABILITY FOR SITE CLEAN UP

Act 753 (HB1959) - The act provides that persons who manufacture, deliver, or possess controlled substances with intent to manufacture or deliver shall be liable for the cost of cleaning up the manufacturing site.

ENVIRONMENTAL QUALITY, DEPARTMENT OF

PETROLEUM STORAGE TANKS

Act 206 (HB1240) - The act amends the Petroleum Storage Tank Trust Fund Act to provide that an owner or operator who considers himself injured in his business or personal property by a decision of the Director of the Department of Environmental Quality may appeal the director's decision to the Pollution Control and Ecology Commission.

REVOLVING LOAN PROGRAM

Act 213 (HB1255) - The act expands the use of the Revolving Loan Fund administered by the Department of Environmental Quality to include waste reduction practices and increases the maximum amount of loans available.

GROUNDWATER

Act 1426 (HB2422) - The act amends various sections of the Arkansas Groundwater Protection and Management Act.

HAZARDOUS AND NON-HAZARDOUS WASTE MATERIAL

SALES AND USE TAX

Act 1683 (HB2372) - The act exempts the gross receipts or gross proceeds derived from the sale of fuel packaging materials to a person engaged in the business of processing hazardous and non-hazardous waste materials into fuel products at a facility permitted by the Arkansas Department of Environmental Quality for hazardous waste treatment and the gross receipts or gross proceeds derived from the sale of machinery and equipment including analytical equipment and chemicals used directly in processing and packaging of hazardous and non-hazardous waste materials into fuel products at a facility permitted by the Arkansas Department of Environmental Quality for hazardous waste treatment.

INCOME TAX

WATER RESOURCE CONSERVATION AND DEVELOPMENT INCENTIVES

Act 727 (HB1714) - The act redefines the term "Project" to broaden the water conservation projects for which a tax credit may be taken.

JOINT SOLID WASTE DISPOSAL AUTHORITIES

MEMBERSHIP

Act 611 (HB1770) - The act provides that a county quorum court may appoint one additional director to the Joint Solid Waste Disposal Authority upon recommendation of the County Industrial Development Corporation.

LIQUEFIED PETROLEUM GAS BOARD

MULTIPLE COUNTY PERMITTING

Act 1219 (SB567) - The act authorizes holders of class 1 permits for liquefied petroleum gas businesses to operate in 3 adjoining counties.

PERMITS

Act 440 (SB264) - The act changes the membership of the Liquefied Petroleum Gas Board to limit the representation of the general public to one (1) member. It clarifies the application process for Class One permits for liquefied petroleum gas dealers, and simplifies the application process for the Class Two through Class Ten permits to allow the Director to approve them.

ENVIRONMENTAL LAW

LIQUEFIED PETROLEUM GAS BOARD

REDUCES BOARD MEMBERSHIP

Act 440 (SB264) - The act changes the membership of the Liquefied Petroleum Gas Board to limit the representation of the general public to one (1) member. It clarifies the application process for Class One permits for liquefied petroleum gas dealers, and simplifies the application process for the Class Two through Class Ten permits to allow the Director to approve them.

SUBSTITUTE SELLERS OF LIQUEFIED PETROLEUM GAS

Act 918 (HB1218) - The act allows a seller of liquefied petroleum gas who is unable to promptly respond to a request for the delivery of liquefied petroleum gas to immediately authorize in writing some other seller to fill or refill the liquefied petroleum gas container.

LITTER CONTROL ACT

FINES LOWERED

Act 145 (HB1056) - The act amends the Litter Control Act to lower the fine for littering from \$1,000 to \$100.00 for a first offense violation and also requires eight (8) hours of community service for the first offense. It dedicates the fine money for anti-littering programs by the Keep Arkansas Beautiful Commission and by city and county governments.

MARINE SANITATION ADVISORY COMMITTEE

DUTIES

Act 1608 (HB2630) - The act modifies the membership of the Marine Sanitation Advisory Committee and clarifies and simplifies processes for the proper disposal of marine sewage.

NATURAL GAS

ASSESSMENTS

Act 1188 (SB830) - The act authorizes increases in assessments for natural gas and brine produced and saved or sold. The act requires review by the Legislative Council or the Joint Budget Committee before collections of the increased assessments.

NATURAL GAS PIPELINE OWNERS

ANNUAL ASSESSMENT FEES

Act 766 (SB618) - The act changes the way annual assessment fees are determined on natural gas pipelines from gross earnings from the transporting of natural gas to the proportion that the number of miles of natural gas pipeline the transporter, owner, or operator operates bears to the total miles of natural gas pipeline in the state. The act also sets a different assessment fee for transporters, owners, and operators with less than 50 miles of natural gas pipeline.

NOISE FROM GAS WELLS, COMPRESSORS, AND PRODUCTION

STUDY BY OIL AND GAS COMMISSION

Act 1519 (HB2468) - The act requires the Oil and Gas Commission to conduct a study to address the issue of the level of noise resulting from the operation and maintenance of natural gas wells, pipelines, compressors or any appurtenances to those wells, pipelines, compressors, or from the distribution, transportation, gathering, processing, or storage of natural gas.

OIL AND GAS COMMISSION

ASSESSMENTS

Act 1188 (SB830) - The act authorizes increases in assessments for natural gas and brine produced and saved or sold. The act requires review by the Legislative Council or the Joint Budget Committee before collections of the increased assessments.

ATTORNEY

Act 1189 (SB831) - The act authorizes the Oil and Gas Commission to employ an attorney to provide specialized professional services in matters requiring legal representation, if the Attorney General approves.

ENVIRONMENTAL LAW

OIL AND GAS COMMISSION

STUDY

Act 1519 (HB2468) - The act requires the Oil and Gas Commission to conduct a study to address the issue of the level of noise resulting from the operation and maintenance of natural gas wells, pipelines, compressors or any appurtenances to those wells, pipelines, compressors, or from the distribution, transportation, gathering, processing, or storage of natural gas.

OPEN-CUT MINING

Act 550 (HB1763) - The act amends various sections of the Arkansas Open-Cut Land Reclamation Act.

PETROLEUM PRODUCTS

TESTING

Act 586 (SB330) - The act is entitled The Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Act of 2001 and creates the State Petroleum Products Division within the Arkansas Bureau of Standards of the State Plant Board as the enforcement agency under the act.

PETROLEUM REFINERIES

Act 153 (SB110) - The act defines the term petroleum refinery for purposes of the Natural Gas Pipeline Safety Act.

PETROLEUM STORAGE TANKS

Act 206 (HB1240) - The act amends the Petroleum Storage Tank Trust Fund Act to provide that an owner or operator who considers himself injured in his business or personal property by a decision of the Director of the Department of Environmental Quality may appeal the director's decision to the Pollution Control and Ecology Commission.

PLANT BOARD, STATE

PETROLEUM PRODUCTS TESTING

Act 586 (SB330) - The act is entitled The Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Act of 2001 and creates the State Petroleum Products Division within the Arkansas Bureau of Standards of the State Plant Board as the enforcement agency under the act.

POLLUTION CONTROL AND ECOLOGY COMMISSION, ARKANSAS

MEMBERSHIP

Act 318 (HB1017) - The act provides that the six state agency directors who are members of the Arkansas Pollution Control and Ecology Commission may designate the agency's deputy director or assistant director to serve in lieu of the director.

PETROLEUM STORAGE TANKS

Act 206 (HB1240) - The act amends the Petroleum Storage Tank Trust Fund Act to provide that an owner or operator who considers himself injured in his business or personal property by a decision of the Director of the Department of Environmental Quality may appeal the director's decision to the Pollution Control and Ecology Commission.

RECYCLING

FEDERAL LAW, EXEMPTIONS

Act 449 (SB327) - The act exempts from both the emergency response fund act and the remedial action trust fund act those persons who have made certain efforts to recycle materials covered by the federal Comprehensive Environmental Response Compensation and Liability Act.

ENVIRONMENTAL LAW

RECYCLING

GRANTS

Act 70 (HB1160) - The act changes the recycling grants reporting period to the state fiscal year and clarifies the regulatory requirements for recycling grant recipients.

THEFT OF RECYCLABLES

Act 1720 (HB2265) - The act makes it unlawful to divert, for personal use or for commercial purposes, any recyclable materials placed in recycling containers of another person or entity. For a first offense of recycling theft for personal use a warning citation shall be issued. A second offense is a Class C misdemeanor. Recycling theft for commercial purposes is a Class A misdemeanor. Cities and counties may pass ordinances making it illegal to steal recyclables from their recycling programs.

RENEWABLE RESOURCES

THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001

Act 1781 (HB2325) - The act establishes the Arkansas Renewable Energy Development Act of 2001 which promotes net energy metering, use of renewable resources and renewable energy technologies, the manufacture of new technologies, and the attraction of energy technology manufacturers to Arkansas.

RIVERS

TOURIST TRASH DISPOSAL

Act 803 (SB507) - The act prohibits vessels which tip over easily from carrying glass objects on the state's waterways and requires those vessels to carry equipment for protecting and disposing of refuse, waste, and trash and sets penalties for violations.

SOLID WASTE MANAGEMENT

COMPUTERS AND ELECTRONICS

Act 1410 (SB807) - The act provides a mechanism by which Arkansas can begin to address its growing computer and electronic solid waste stream. The Computer and Electronic Recycling Fund is established and funded by sales of surplus computer and electronic equipment to owning agency employees. The fund will provide grants for the development of means, technologies and businesses providing efficient methods to collect, transport, process and otherwise recycle computer and electronic solid waste. The act provides a target date for a landfill ban of computer and electronic waste.

ILLEGAL ACTIVITIES

Act 1069 (SB113) - The act declares it illegal for any person to violate any provision of a permit issued by the Department of Environmental Quality under the Arkansas Solid Waste Management Act.

LANDFILLS

Act 217 (SB114) - The act requires Class 1 and Class 3C landfills to install scales and commence weighing all solid waste received at the landfill.

POWERS OF ILLEGAL DUMP CONTROL OFFICERS

Act 1686 (HB2511) - The act amends the law on illegal dump control officers to remove the prohibition on issuing citations for violations of illegal dumping occurring on an individual's own property. The act reaffirms that officers may issue citations for violations of the Arkansas Solid Waste Management Act prohibiting illegal dumping, subject to exemptions for individuals disposing of household wastes on their own land and agricultural exemptions.

RECYCLING GOALS

Act 94 (HB1055) - The act adds a new goal to the year 2000 recycling goals for the state of Arkansas, which is to recycle forty percent (40%) of the municipal solid waste by the end of 2005, and forty-five percent (45%) of the municipal solid waste by the end of 2010. The term "municipal solid waste" is defined.

ENVIRONMENTAL LAW

SOLID WASTE MANAGEMENT

STATEWIDE PLAN

Act 1376 (SB970) - Act 1376 entitled "The Statewide Solid Waste Management Plan Act" requires the Arkansas Department of Environmental Quality to develop a statewide solid waste management plan to establish minimum requirements for all regional solid waste management plans.

STORAGE TANKS

SELF-INSPECTION AUDITS

Act 1471 (HB2421) - The act requires storage tank owners to conduct storage tank self-inspection audits pursuant to the Department of Environmental Quality requirements and amends various sections of the Arkansas Code pertaining to storage tanks.

VOLUNTARY CLEANUP

IMPLEMENTING AGREEMENTS

Act 164 (SB139) - The act requires the Department of Environmental Quality and the prospective purchaser of a contaminated abandoned site to enter into an implementing agreement establishing cleanup-liabilities and obligations.

WASTE REDUCTION

REVOLVING LOAN PROGRAM

Act 213 (HB1255) - The act expands the use of the Revolving Loan Fund administered by the Department of Environmental Quality to include waste reduction practices and increases the maximum amount of loans available.

WATER RESOURCES COST SHARE FINANCE ACT

Act 1039 (SB798) - The act amends the Arkansas Water Resources Cost Share Finance Act to authorize the Arkansas Soil and Water Conservation Commission to make a loan or grant to a local government for up to 50% (currently 25%) of the total project cost for a water resources development project. The act also provides that if the commission provides assistance without execution of a cooperative agreement, the commission may provide up to 65% of the total project cost in the form of a loan or grant to the local government.

WATER WELL CONSTRUCTION, COMMISSION ON

PUMP INSTALLERS

Act 1184 (HB2296) - The act changes the definition of "pump installer" and adds definitions of "abandoned well" and "well construction" for the Arkansas Water Well Construction Act. The act requires approval by the Commission on Water Well Construction before substitution of 40 hours of instruction for 2 years of experience. The act changes the application process, testing and fees for pump installer applications.

ENVIRONMENTAL QUALITY, ARKANSAS DEPARTMENT OF

HAZARDOUS AND NON-HAZARDOUS WASTE MATERIAL

SALES AND USE TAX

Act 1683 (HB2372) - The act exempts the gross receipts or gross proceeds derived from the sale of fuel packaging materials to a person engaged in the business of processing hazardous and non-hazardous waste materials into fuel products at a facility permitted by the Arkansas Department of Environmental Quality for hazardous waste treatment and the gross receipts or gross proceeds derived from the sale of machinery and equipment including analytical equipment and chemicals used directly in processing and packaging of hazardous and non-hazardous waste materials into fuel products at a facility permitted by the Arkansas Department of Environmental Quality for hazardous waste treatment.

ETHICS

CONSTITUTIONAL OFFICERS

GIFTS

Act 239 (SB33) - The act allows the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Commissioner of State Lands, Attorney General, President Pro Tempore of the Senate, Speaker of the House, and the Chief Justice of the Supreme Court to accept gifts, grants, and donations on behalf of the state for any lawful public purpose. These gifts, grants, and donations shall become government property and shall be disclosed quarterly to the Ethics Commission.

GENERALLY

Act 1839 (SB50) - This act amends various provisions of the Arkansas ethics and campaign finance statutes.

JUDGES

ELECTION LAWS

Act 1835 (SB971) - The act provides that a person may only use the prefix, "Judge," Justice," or "Chief Justice" in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

PUBLIC EDUCATION INSTITUTIONS

ETHICS GUIDELINES

Act 1599 (SB817) - The act establishes ethical guidelines and prohibitions for administrators, employees, and board members of public school districts, charter schools, educational cooperatives, or any publicly supported entity having supervision over public educational entities. The act does not apply to institutions of higher education.

PUBLIC OFFICIALS

CONFLICTS OF INTEREST

Act 1244 (HB2254) - The act provides that members of entities receiving state funds shall not participate in, vote on, influence, or attempt to influence, official decisions if the member has a pecuniary interest in the matter, or if the member would benefit from a proposed rule or regulation. Members of entities receiving state funds shall not use or attempt to use their position to secure privileges or exemptions; nor may members of entities receiving state funds disclose or use confidential information acquired as a member.

GIFTS

Act 239 (SB33) - The act allows the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Commissioner of State Lands, Attorney General, President Pro Tempore of the Senate, Speaker of the House, and the Chief Justice of the Supreme Court to accept gifts, grants, and donations on behalf of the state for any lawful public purpose. These gifts, grants, and donations shall become government property and shall be disclosed quarterly to the Ethics Commission.

FENCES

DEFINED

Act 176 (HB1013) - The act defines the term "fence" to mean a barrier sufficient to indicate an intent to restrict the area to human, livestock, or vehicle ingress or egress.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

DIRECTOR'S MEMBERSHIP ON BOARDS

Act 243 (SB288) - The act provides that the Director of the Department of Finance and Administration may appoint a designee to appear on the director's behalf at meetings of any board or commission of which the director is an ex-officio member.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

DISCLOSURES TO TAX ASSESSORS

Act 565 (HB1457) - The act provides that the Department of Finance and Administration may disclose to county tax assessors information which may affect personal property assessments, including information obtained during the course of audits or investigations concerning motor vehicles, boats, trailers, airplanes, or other items of personal property.

FIRE PROTECTION

FIRE PROTECTION DISTRICTS

PETITION NEEDED TO CREATE A DISTRICT BY ORDINANCE

Act 1205 (SB829) - The act amends the law to create a fire protection district by ordinance (Act 35 of 1979). The act requires ten percent (10%) of the qualified electors sign a petition for establishing a district before a quorum court adopts an ordinance and requires a public hearing to be held within the district.

FIRE PROTECTION FUND

FIRE DEPARTMENT'S PORTION OF PREMIUM TAXES REALLOCATED

Act 1540 (HB1321) - The act changes the order of calculation of the Fire Protection Fund's portion of the insurance premium taxes used for local police and fire pension relief funds. It moves the allocation of funds for volunteer fire departments (Fire Protection Fund) from the portion of premium taxes allocated to pension and relief funds to the portion of the premium tax allocated to general revenues.

FIRE TRAINING ACADEMY

TRANSFER

Act 178 (HB1083) - The act provides that the Arkansas Fire Training Academy shall be under the control of Southern Arkansas University.

FORESTRY COMMISSION, ARKANSAS

FIRE CREWS OBTAIN WATER FOR SUPPRESSING WILDFIRES

Act 362 (SB274) - The act authorizes fire crews under the direction and control of the Arkansas Forestry Commission to obtain water to stop a fire.

MOTOR FUEL TAX

REFUND

Act 419 (HB1444) - The act provides that any fire department that purchases motor fuel or distillate special fuel for use in fire trucks shall be entitled to a refund of the motor fuel tax or distillate special motor fuel tax paid. The act also provides for the procedures for reporting the tax and collecting the taxes paid.

RURAL FIRE DEPARTMENTS STUDY COMMITTEE

INCREASE IN MEMBERSHIP

Act 165 (SB142) - The act provides for the addition of 3 voting members from the General Assembly and 2 nonvoting members from agencies on the Rural Fire Departments Study Committee.

SERVICE AGREEMENTS

Act 1725 (HB2414) - The act provides for fire department services agreements; allows the pledging of fire department services agreements as collateral for loans; provides for enforcement of payment of sums due under fire department services agreements; and provides for collection of sums from persons and entities requiring firefighting services who have not executed fire department services agreements.

FIRE PROTECTION

VOLUNTEER FIRE DEPARTMENTS

DUES

Act 984 (HB1477) - The act provides that when a county quorum court receives a request, in the form required by the act, for the levy of volunteer fire department dues, the quorum court shall call an election on the issue of the levy of the voluntary dues. If the voters approve the levy the dues shall be listed annually on the personal property tax statements and collected at the same time and in the same manner as personal property taxes. The act also eliminated language from Arkansas Code 14-20-108 which allowed quorum courts to direct that property owners pay dues to a volunteer fire department and which provided that the dues would become a lien upon their property.

FIREARMS

BALLISTIC TESTING

Act 788 (HB1686) - The act provides that within three days after completion of ballistics testing, the State Crime Laboratory shall send to the law enforcement agency from which it received the weapon, notice that the testing has been completed and the law enforcement agency must immediately notify the owner.

CERTIFIED LAW ENFORCEMENT OFFICERS FROM OTHER STATES

CONCEALED HANDGUNS

Act 251 (SB160) - The act allows presently employed certified law enforcement officers who are authorized to carry a concealed handgun by another state to carry a concealed handgun while in Arkansas, if the other state extends the same privilege to Arkansas officers.

POSSESSION BY CERTAIN PERSONS

INCREASED PENALTIES

Act 1429 (HB2507) - The act makes it a Class B felony for a person to possess a firearm if the person has a prior violent felony conviction; if the current possession involves the commission of another crime; or if the person has previously been convicted of illegally possessing a firearm or a similar provision in another jurisdiction.

POSSESSION BY MINORS

DEFENSE

Act 592 (SB492) - The act provides that it is a defense to prosecution for illegal possession of a handgun or firearm that the person is a minor engaged in lawful recreational shooting under the supervision of a person 21 years of age or older standing in loco parentis or the minor is traveling to or from that activity with an unloaded handgun or firearm and accompanied by a person 21 years of age or older standing in loco parentis.

RETIRED POLICE OFFICERS

Act 585 (SB85) - The act authorizes retired law enforcement officers to carry concealed handguns.

WEAPONS REGISTRATION

MACHINE GUNS

Act 1181 (HB2192) - The act repeals the law requiring registration of machine guns with the Secretary of State.

FORESTRY

FORESTRY COMMISSION, ARKANSAS

FIRE CREWS OBTAIN WATER FOR SUPPRESSING WILDFIRES

Act 362 (SB274) - The act authorizes fire crews under the direction and control of the Arkansas Forestry Commission to obtain water to stop a fire.

FORESTRY

TIMBER CUTTING

BOUNDARIES TO BE ASCERTAINED

Act 544 (SB544) - The act requires that before any person cuts and removes timber from land in this state, that the land be surveyed, or reliance be placed on existing lines and established corners, or the person obtains a signed document from the landowner and adjoining landowners indicating agreement with the boundaries. The act exempts utilities maintaining a right of way.

TIMBER HARVESTING EQUIPMENT

GROSS RECEIPTS AND COMPENSATING TAXES

Act 622 (HB1109) - The act perpetually exempts timber harvesting equipment from the Arkansas Gross Receipts Act and the Arkansas Compensating Tax.

TIMBER THEFT

Act 1247 (SB23) - The act creates the offense of timber theft.

FREEDOM OF INFORMATION ACT

EXECUTIVE SESSIONS

Act 1259 (SB866) - The act exempts from the Freedom of Information Act materials, information, examinations and answers to examinations utilized by state boards and commissions for purposes of testing applicants for licensure. The act also authorizes state boards and commissions to meet in executive session for purposes of preparing examination materials and answers to examination materials.

EXEMPTIONS

Act 1259 (SB866) - The act exempts from the Freedom of Information Act materials, information, examinations and answers to examinations utilized by state boards and commissions for purposes of testing applicants for licensure. The act also authorizes state boards and commissions to meet in executive session for purposes of preparing examination materials and answers to examination materials.

PUBLIC EMPLOYEES

STATE EMPLOYEE ADDRESSES EXEMPT

Act 1336 (SB689) - The act exempts state employee home addresses from being made public information under the Freedom of Information Act

PUBLIC RECORDS AND INFORMATION

Act 1653 (SB897) - The act amends various provisions of the Freedom of Information Act with respect to public records, information for public guidance, and special requests for electronic information.

GAME AND FISH COMMISSION, ARKANSAS STATE

LEGISLATIVE OVERSIGHT

COMMITTEE DUTIES AND REPORTS

Act 1389 (HB2252) - The act establishes the Arkansas State Game and Fish Commission Oversight Committee, a legislative committee which shall investigate possible methods of increasing revenues for the Arkansas State Game and Fish Commission and report its findings to the Governor and the General Assembly.

GAME AND FISH COMMISSION, ARKANSAS STATE

WILDLIFE OFFICERS

RETIREMENT BENEFITS

Act 151 (SB99) - The act provides for technical corrections and revisions to the Arkansas Code concerning public employees' retirement plans. The act provides investment authority, limitations, standards, ethics, and tax exemption for state employee retirement systems. The act repeals the uniform benefits specifications and minimum financing, accounting, and reported standards set forth in Arkansas Code Title 24, Chapter 3. The act extensively amends definitions and excludes part-time employees from membership. The act defines credited service and provides for reciprocity of credited service. The act determines benefits for wildlife officers. All benefit enhancements provided under the act shall not exceed a thirty (30) year amortization.

GENERAL ASSEMBLY

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY, JOINT COMMITTEE ON

INTERIM STUDY

Act 1662 (SB976) - The act provides that the Joint Committee on Advanced Communications and Information Technology shall study and review agency contracting practices with regard to all technology contracts and projects and file a report on its findings with the Legislative Council and the Eighty-Fourth General Assembly.

TECHNOLOGY INFRASTRUCTURE FUND STUDY, ARKANSAS

Act 1685 (HB2500) - The act to refers the possible creation of an Arkansas Technology Infrastructure Fund for study to the Joint Committee On Advanced Communications And Information Technology for the purpose of studying mechanisms available to identify savings created by the deployment of information technology, and to make recommendations to the Governor and the General Assembly before the Eighty-Fourth General Assembly convenes.

BOARDS AND COMMISSIONS

Act 1288 (HB2410) - The act amends various laws pertaining to various boards and commissions to replace legislative members with non-legislators.

CHILD ABUSE-RAPE-DOMESTIC VIOLENCE COMMISSION, ARKANSAS

MEMBERSHIP REPEALED

Act 1285 (HB2276) - The act removes members of the General Assembly from the membership of the commission, repeals Arkansas Code 20-82-203 regarding disbursement of funds and provides that child deaths through age 17 shall be reviewed by the commission.

COMMITTEE ASSIGNMENTS

REMOVAL OF COMMITTEE ON COMMITTEE AUTHORIZATION

Act 627 (SB247) - The act provides that pre-session committee assignments now be made by the Senate under Senate rules, and in the House by the Speaker-elect. The Joint Public Retirement and Social Security Programs Committee, the Joint Standing Committee on Energy, the Joint Performance Review Committee, and the Joint Committee on Advance Communications and Information Technology shall establish their membership in a similar fashion.

COMMITTEE NAME CHANGE

AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT

Act 960 (HB2086) - The act renames the House and Senate Interim Committees on Agriculture and Economic Development as the House and Senate Interim Committees on Agriculture, Forestry and Economic Development.

ECONOMIC AND TAX POLICY, JOINT COMMITTEE ON

MEMBERSHIP

Act 160 (SB42) - The act changes the composition of the Joint Committee on Economic and Tax Policy.

GENERAL ASSEMBLY

ECONOMIC DEVELOPMENT, DEPARTMENT OF

ANNUAL REPORT

Act 1282 (SB65) - The act requires the Director of the Department of Economic Development to report to the Legislative Council on the department's work during the previous calendar year.

ETHICS

CAMPAIGN FINANCE

Act 1839 (SB50) - This act amends various provisions of the Arkansas ethics and campaign finance statutes.

GIFTS

Act 239 (SB33) - The act allows the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Commissioner of State Lands, Attorney General, President Pro Tempore of the Senate, Speaker of the House, and the Chief Justice of the Supreme Court to accept gifts, grants, and donations on behalf of the state for any lawful public purpose. These gifts, grants, and donations shall become government property and shall be disclosed quarterly to the Ethics Commission.

GAME AND FISH COMMISSION, OVERSIGHT COMMITTEE

LEGISLATIVE COMMITTEE

Act 1389 (HB2252) - The act establishes the Arkansas State Game and Fish Commission Oversight Committee, a legislative committee which shall investigate possible methods of increasing revenues for the Arkansas State Game and Fish Commission and report its findings to the Governor and the General Assembly.

HOUSE OF REPRESENTATIVES

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY, HOUSE COMMITTEE

Act 3 (HB1143) - The act creates the House Committee on Advanced Communications and Information Technology. The act increases the House membership on the Joint Committee on Advanced Communications and Information Technology from 7 to 10 House members.

MEMBERS SUSPENDED UPON CONVICTION OF FELONY

Act 452 (HB1112) - The act provides that a member of the House of Representatives who is convicted of felony shall be suspended from the legislative process until final action is taken by the House of Representatives. A member suspended from the legislative process may not participate in interim committee meetings or in extraordinary or regular sessions of the General Assembly and shall not accept per diem and mileage. However, he or she may retain the title of office and salary as a member of the House and may assist constituents and utilize legislative staff.

JOINT COMMITTEE ON ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY

HOUSE MEMBERSHIP

Act 3 (HB1143) - The act creates the House Committee on Advanced Communications and Information Technology. The act increases the House membership on the Joint Committee on Advanced Communications and Information Technology from 7 to 10 House members.

JOINT LEGISLATIVE COMMISSION ON PRESCRIPTION DRUG COSTS

CREATED

Act 1770 (HB2498) - The act creates the Joint Legislative Commission on Prescription Drug Costs. The Commission expires on November 1, 2002.

LEGISLATIVE AUDIT, DIVISION OF

LIVESTOCK SHOW AND FAIR ASSOCIATIONS

Act 619 (SB466) - The act requires county, district, and state livestock shows and fair associations to file a listing of expenditures with the Arkansas Livestock and Poultry Commission and authorizes the Division of Legislative Audit to audit expenditures of state funds by those entities.

GENERAL ASSEMBLY

LEGISLATIVE COUNCIL

AIR POLLUTION STUDY

Act 1254 (SB908) - The act provides for an interim study by the Legislative Council to evaluate and recommend legislative actions which could provide incentives and enable early action to address air pollution concerns by cities and counties which are, or have potential to be, designated as non-attainment areas with regard to the national ambient air quality standards.

COUNTY JAILS STUDY

Act 1672 (HB1865) - Section 37 of the act authorizes the Executive Chief Information Officer to monitor the integrated electronic offender management information system under development by the Department of Correction and the Department of Community Correction. Section 40 of the act requires the Department of Correction to conduct a study of the various costs involved in the operation of county jails, to be completed by June 30, 2002, and reported to the Legislative Council.

MEMBERSHIP

Act 148 (SB84) - The act strikes the law that states that Senate members of the Legislative Council may not serve after the general election if they will not serve in the next General Assembly and thereby makes the treatment the same for House members and Senate members.

Act 288 (SB207) - The act increases the number of members selected by the Senate for the Legislative Council, and for the Legislative Joint Auditing Committee, from twelve (12) to sixteen (16).

PUBLIC EMPLOYEE EQUAL OPPORTUNITY REPORTS

Act 1226 (HB1297) - The act requires that equal employment hiring reports be filed with Legislative Council on June 30 of each year.

PUBLIC EMPLOYEES' SALARIES

Act 963 (HB1602) - The act provides that when a special rate of compensation has been approved for a specific classification due to prevailing market rates or there is an acute shortage of qualified applicants, current employees in Grade 13 and below shall be adjusted to the new rate if sufficient revenues exist and current employees in Grade 14 and above shall not be adjusted to the new pay rate until the agency receives approval from the Office of Personnel Management after seeking the review of the Legislative Council.

REVIEW OF AGENCY REGULATIONS

Act 983 (HB1018) - The act provides for review of agency regulations by the Legislative Council. The council may also investigate complaints from the public about agency rules and regulations, make nonbinding comments on proposed rules and regulations, request agency response to those comments, and recommend laws to improve agency operations. The council shall give notice to the agency of any rule or regulation considered beyond agency authority and maintain such notices as public records.

REVIEW OF GAS AND BRINE ASSESSMENTS

Act 1188 (SB830) - The act authorizes increases in assessments for natural gas and brine produced and saved or sold. The act requires review by the Legislative Council or the Joint Budget Committee before collections of the increased assessments.

REVIEW OF SALE, PURCHASE OR ACCEPTANCE OF DONATION

Act 741 (HB1062) - The act sets out which state agencies may sell state lands or purchase lands for the state, to be held for the benefit of the agency. The act excludes transfers of land between state entities if the Governor has approved. If the Governor approves, state lands may be sold for less than the appraisal if sale is by bid and the agency director and the Director of State Building Services recommend. The Legislative Council is to review the sale before finalization. With respect to donated land, the Director of State Building Service shall provide a recommendation concerning acceptance of the donated land. The Governor must approve acceptance of donations of land to the state.

GENERAL ASSEMBLY

LEGISLATIVE COUNCIL

WORKERS' COMPENSATION COMMISSION QUARTERLY REPORTS

Act 426 (HB1627) - The act provides that the implementation of Workers' Compensation Commission Rule 33 (managed care) shall be voluntary for all employers and provides that the Commission shall provide quarterly reports to the Legislative Council and the House and Senate Committees on Public Health, Welfare, and Labor on the progress of the Health and Safety Program and the Medical Cost Containment Program.

LEGISLATIVE JOINT AUDITING COMMITTEE

CO-CHAIRS

Act 466 (SB374) - The act provides for the selection of co-chairs and co-vice chairs of the Legislative Joint Auditing Committee.

MEMBERSHIP

Act 288 (SB207) - The act increases the number of members selected by the Senate for the Legislative Council, and for the Legislative Joint Auditing Committee, from twelve (12) to sixteen (16).

METHAMPHETAMINE, TASK FORCE ON

Act 1684 (HB2390) - The act creates the Task Force on Methamphetamine.

PUBLIC HEALTH, WELFARE, AND LABOR, INTERIM COMMITTEES ON

NORTH-CENTRAL AREA HEALTH EDUCATION CENTER STUDY

Act 1777 (HB2635) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study the need for and feasibility of constructing an Area Health Education Center in North-Central Arkansas.

QUALITY ASSURANCE FEE STUDY

Act 1292 (HB2484) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study placing private intermediate care facilities for the mentally retarded and others under the quality assurance fee.

RACING PASSES

DOG RACING

Act 408 (HB1436) - Dog racing passes may be accepted by members of the General Assembly for distribution to constituents and distribution to persons outside the state for purposes of promoting tourism and advancement of economic interest of the state. The racing passes do not constitute gifts or compensation to members of the General Assembly. Members of the General Assembly are not prohibited from redistributing racing passes to other members of the General Assembly or other state constitutional officers.

HORSE RACING

Act 61 (SB62) - The act provides that horse racing passes provided to legislators and constitutional officers are not for their personal use but are for redistribution to constituents and therefore do not constitute gifts or compensation to legislators and constitutional officers for the purposes of any law of this State.

RETIREMENT LEGISLATION

ALTERNATE RETIREMENT PLAN FOR STATE COLLEGES

Act 765 (SB214) - The act allows employees of Arkansas state-supported universities, colleges, and junior colleges not a part of the University of Arkansas system, to maintain alternate retirement plans in addition to those already in place by statute. A newly eligible employee may elect to participate in an alternate retirement plan and make incremental increases in employee contributions to the plan to reach the required 6% minimum contribution level by completion of the fourth year of participation in the alternate plan.

INTRODUCTION DEADLINE CORRECTION

Act 147 (SB70) - The act corrects an overlooked reference in the 15-day deadline for the introduction of public retirement legislation. Act 1026 of 1999 set the original 15-day deadline.

GENERAL ASSEMBLY

RURAL FIRE DEPARTMENTS

MEMBERSHIP OF THE RURAL FIRE DEPARTMENTS STUDY COMMITTEE

Act 165 (SB142) - The act provides for the addition of 3 voting members from the General Assembly and 2 nonvoting members from agencies.

SENATE

COMMITTEE ASSIGNMENTS

Act 627 (SB247) - The act provides that pre-session committee assignments now be made by the Senate under Senate rules, and in the House by the Speaker-elect. The Joint Public Retirement and Social Security Programs Committee, the Joint Standing Committee on Energy, the Joint Performance Review Committee, and the Joint Committee on Advance Communications and Information Technology shall establish their membership in a similar fashion.

LEGISLATIVE COUNCIL MEMBERSHIP

Act 148 (SB84) - The act strikes the law that states that Senate members of the Legislative Council may not serve after the general election if they will not serve in the next General Assembly and thereby makes the treatment the same for House members and Senate members.

Act 288 (SB207) - The act increases the number of members selected by the Senate for the Legislative Council, and for the Legislative Joint Auditing Committee, from twelve (12) to sixteen (16).

LEGISLATIVE JOINT AUDITING COMMITTEE MEMBERSHIP

Act 288 (SB207) - The act increases the number of members selected by the Senate for the Legislative Council, and for the Legislative Joint Auditing Committee, from twelve (12) to sixteen (16).

SENATE AND HOUSE INTERIM COMMITTEES STUDY

IMPACT OF IN-LIEU-OF-TAX PAYMENTS ON STATE FUNDING OF PUBLIC SCHOOLS

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

SOCIAL ANXIETY DISORDER STUDY COMMITTEE

CREATED

Act 1476 (HB1721) - The act creates a legislative committee to be known as the Social Anxiety Disorder Study Committee.

STATE AGENCY GRANTS

REPORTS TO LEGISLATIVE COUNCIL

Act 319 (HB1144) - The act requires every state agency that receives grants in excess of \$25,000 to report certain information to the Legislative Council within 45 days.

TITLES - PROPOSED CONSTITUTIONAL AMENDMENTS

BALLOT TITLES

Act 150 (SB45) - The act provides that the title of a joint resolution proposing an amendment to the Arkansas Constitution shall be the ballot title of the proposed constitutional amendment.

TOBACCO SETTLEMENT MONEY

BIENNIAL REPORTS

Act 1570 (HB1746) - The act provides that the Arkansas Tobacco Settlement Commission shall hire an independent third party, not receiving tobacco settlement funding in any other contract or grant, to perform monitoring and evaluation of program expenditures made from tobacco settlement funds, and prepare a biennial report to be delivered to the General Assembly and the Governor by each August 1 preceding a general session of the General Assembly. The report shall be accompanied by a recommendation from the Arkansas Tobacco Settlement Commission as to the continued funding for each program.

GEOGRAPHIC INFORMATION

FUND CREATED

Act 1249 (SB495) - The act creates on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a trust fund to be known as the Geographic Information Systems Fund and identifies monies to be deposited into the fund as well as the permitted use of those monies.

GEOGRAPHIC INFORMATION OFFICE

Act 1250 (SB580) - The act prescribes the powers and duties of the Arkansas Geographic Information Office under the Arkansas State Land Information Board and defines the terms "Arkansas Spatial Data Infrastructure" and "State of Arkansas Shared Technical Architecture".

HEALTH

ABORTIONS

INFORMED CONSENT

Act 353 (HB1074) - The act requires that a pregnant woman be provided certain information prior to and in no event on the same day as an abortion. The act requires the Department of Health to compile and make public certain information concerning abortions performed in this state. The act authorizes the Arkansas State Medical Board to impose penalties for violations of the act.

Act 1564 (HB2359) - The act makes technical changes to Act 353 of 2001 which assures women of their right to receive adequate information before terminating a pregnancy.

ACCIDENT AND HEALTH INSURANCE

Act 909 (SB351) - The act amends various sections of the disability insurance law to reference accident and health insurance instead of disability insurance.

ADULT ABUSE

ADULT ABUSE ACT

Act 1028 (HB1764) - The act revises various sections of the Adult Abuse Act. The act revises the definitions of "abuse" and "neglect," authorizes firefighters and emergency medical technicians to receive allegations of abuse, authorizes 72-hour emergency custody of victims of adult abuse and raises the standard for a finding of "founded" allegation of adult abuse from "some credible evidence" to "preponderance of the evidence."

LONG-TERM CARE FACILITIES

Act 1621 (SB380) - The act permits the Attorney General, in the event of adult abuse violations, to institute a civil action against a long-term care facility with a penalty range of up to fifty thousand dollars (\$50,000) for a single adult abuse violation which results in death.

ADVISORY COMMISSION

MANDATED HEALTH INSURANCE BENEFITS

Act 1730 (HB1792) - The act establishes the Arkansas Advisory Commission on Mandated Health Insurance Benefits to advise the Governor and the General Assembly on the social, medical, and financial impact of current and proposed mandated benefits and providers.

AIDS

HIV/AIDS MEDICATIONS

Act 235 (SB34) - The "HIV/AIDS Medications Act of 2001" requires the State Board of Health to promulgate regulations for the distribution of HIV/AIDS medications to Arkansas citizens without ample resources or available avenues to acquire their medically necessary medications.

HEALTH

ALCOHOL ABUSE

TASK FORCE ON MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE PREVENTION

Act 1829 (HB2529) - The act creates the Task Force on Mental Health and Alcohol and Drug Abuse Prevention to study and make recommendations on the most effective and efficient organizational structure to house a combined Division of Mental Health Services and Bureau of Alcohol and Drug Abuse Prevention.

ALZHEIMER'S DISEASE

RELATED DEMENTIA

Act 500 (HB1407) - The act adds related dementia to the requirement that the Office of Long-Term Care establish regulations governing Alzheimer's disease care units. The act requires the Office of Long-Term Care to oversee Alzheimer's units and to prohibit advertising by units which do not meet the established criteria. The act authorizes the Office of Long-Term Care to sue for noncompliance.

ARKIDS FIRST

ELIGIBILITY

Act 724 (SB362) - The act provides that eligibility regulations for ARKids shall not include an assets or a resource test for children or families of children 18 or younger

MENTAL HEALTH PARITY

Act 747 (HB1562) - The act requires that the state Medicaid program include parity for outpatient mental health care and defines parity for mental health care.

ASSISTED LIVING

Act 1230 (HB1635) - The act is entitled the Arkansas Assisted Living Act. The act directs the Department of Human Services to establish an assisted living program for adults provided that the adults do not have conditions which require 24 hour nursing.

BACKGROUND CHECKS

HEALTH CARE PERSONNEL

Act 995 (HB1703) - The act requires background checks for persons who work with or apply to work with mentally ill or developmentally disabled persons. The act disqualifies persons who are listed in the central registry as having abused a child or adult from working with mentally ill or developmentally disabled persons.

BENTON SERVICES CENTER

NAME CHANGED

Act 152 (SB100) - The act changes the name of the Benton Services Center to the Arkansas Health Center.

BODY PIERCING AND TATTOOING REGULATED

PARENTAL CONSENT REQUIRED

Act 414 (HB1256) - The act requires parental consent for the body piercing, branding, or tattooing of any person under eighteen (18) years of age. Previously, only tattooing of minors required parental consent. It also requires licensing and inspection of Arkansas businesses performing body piercing, branding, and tattooing by the Arkansas Department of Health and by local governments, if they enact local ordinances.

CANCER AWARENESS

PROSTATE AND TESTICULAR CANCER

Act 1455 (HB2508) - The act adds testicular cancer to the existing oversight program for prostate cancer and specifies the membership for the Oversight Committee on Prostate and Testicular Cancer. The act requires the committee to provide for early detection, education, screening, referrals and coordination with other agencies concerning prostate and testicular cancer, as funds become available.

HEALTH

CEMETERY BOARD, ARKANSAS

PERPETUAL CARE CEMETERIES

Act 1242 (HB2228) - The act authorizes the Arkansas Cemetery Board to increase annual assessments, protect against encumbrances on and to require a permit renewal fee for perpetual care cemeteries to assure that all cemeteries will be properly maintained and will continue to be going concerns.

CHILD ABUSE

ENFORCEMENT AND REPORTING

Act 1210 (HB1765) - The act clarifies the definition of "abuse" in child abuse cases, adds definitions of "deviant sexual activity," "indecent exposure," "pornography" and "sexual contact." The act makes various changes in procedures for reporting child abuse and in the operations of the child abuse hotline.

CHILD CARE AND EARLY CHILDHOOD EDUCATION, DIVISION OF

CHILDCARE FACILITIES LOAN GUARANTEE TRUST FUND

Act 305 (HB1205) - The act provides that any interest in the Childcare Facilities Loan Guarantee Trust Fund at the end of a fiscal year which exceeds the amount necessary to cover loan defaults occurring during that fiscal year shall be made available for professional development and quality improvement activities and grants.

CHILD WELFARE AGENCY

BACKGROUND CHECKS

Act 1211 (HB1919) - The act adds various persons and entities to the list of those who may receive confidential information about applicants for licensure by the Child Welfare Agency Review Board. The act adds to the list of persons in a child welfare agency who must undergo criminal record and child maltreatment checks.

CHILD WELFARE AGENCY REVIEW BOARD

COMPOSITION

Act 1414 (SB985) - The act modifies the composition of the Child Welfare Agency Review Board.

LICENSE APPLICATION CONFIDENTIALITY

Act 1211 (HB1919) - The act adds various persons and entities to the list of those who may receive confidential information about applicants for licensure by the Child Welfare Agency Review Board. The act adds to the list of persons in a child welfare agency who must undergo criminal record and child maltreatment checks.

CHILDCARE FACILITIES LOAN GUARANTEE TRUST FUND

Act 305 (HB1205) - The act provides that any interest in the Childcare Facilities Loan Guarantee Trust Fund at the end of a fiscal year which exceeds the amount necessary to cover loan defaults occurring during that fiscal year shall be made available for professional development and quality improvement activities and grants.

CHILDREN AND FAMILY SERVICES

ADOPTION RELEASE FORM

Act 1737 (HB2379) - The act provides for a release form to be executed by the biological mother, the guardian of the minor child, the child placement agency, the Division of Children and Family Services, or the attorney acting on their behalf, before a hospital or birthing center surrenders custody of a minor to be adopted. The release form will be in addition to either a consent to adopt or a relinquishment of parental rights. Release of the child after the signing of a release form exempts the hospital or birthing center from liability for acts which might result from the release.

CHIROPRACTIC EXAMINERS, ARKANSAS STATE BOARD OF

CIVIL PENALTIES

Act 197 (SB229) - The act provides for civil penalties up to \$5000 for violations of the Arkansas Chiropractic Practices Act and authorizes the Arkansas State Board of Chiropractic Examiners to sue to recover penalties and attorneys' fees.

HEALTH

COLLEGE STUDENTS

HEALTH MAINTENANCE ORGANIZATIONS

Act 1289 (HB2429) - The act requires Health Maintenance Organizations which require a primary care physician to permit college students to choose two primary care physicians, one at home and one at school.

CONCEALING BIRTH

INCREASED PENALTIES

Act 205 (HB1232) - The act increases the penalty for concealing birth from a Class A misdemeanor to a Class D felony.

CONSUMER PROTECTION

UNSAFE CHILDREN'S PRODUCTS

Act 1313 (SB524) - The act prohibits the use, sale, or resale of unsafe children's products by commercial users, specifically those products not in conformance with federal law and regulatory standards, those recalled, and those products the federal government has issued warnings about. The act provides standards and specifications for crib safety.

CONTROLLED SUBSTANCES

MANUFACTURING SITE CLEANUP

Act 753 (HB1959) - The act provides that persons who manufacture, deliver, or possess controlled substances with intent to manufacture or deliver shall be liable for the cost of cleaning up the manufacturing site.

CRIMINAL RECORDS CHECKS

ADULT ABUSE CAREGIVERS

Act 1710 (HB1805) - The act amends various sections of the criminal records check for persons caring for the elderly and disabled.

DENTISTS

DENTAL HYGIENIST PRACTICE

Act 439 (SB75) - The act expands the scope of practice for dental hygienists to include assessment, prevention, and treatment of oral diseases and the removal of deposits from supragingival and subgingival surfaces of the teeth and any other services which the Arkansas State Board of Dental Examiners may authorize.

OFFICE OF ORAL HEALTH

Act 785 (HB1563) - The act requires the Department of Health to maintain an Office of Oral Health. The act provides that the director shall be an experienced public health dentist and provides a set of goals for the director.

PRISON DENTISTRY, FEDERAL

Act 301 (HB1177) - The act exempts from Arkansas licensure any dentists or dental hygienists licensed outside Arkansas while they are working within the scope of their duties as employees of the Federal Bureau of Prisons.

PROHIBITED PRACTICES

Act 950 (SB521) - The act provides that a dentist may not allow any person other than a dentist licensed by the board to direct the dentist's practice, or direct, participate in, or affect the diagnosis or treatment of patients under the dentist's care.

DEVELOPMENTAL DISABILITY SERVICES

NON-PROFIT COMMUNITY PROGRAMS

Act 1639 (SB673) - Section 10 of the act authorizes existing non-profit community programs licensed by the Division of Developmental Disabilities Services to make application to expand their service base to unserved or underserved areas or to make application to offer new services in the state if such programs become available.

HEALTH

DISABILITY INSURANCE

Act 1603 (HB2405) - The act amends various sections of the Arkansas Insurance Code to replace the term "disability insurance" with the term "accident and health insurance".

DRUG ABUSE

TASK FORCE ON MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE PREVENTION

Act 1829 (HB2529) - The act creates the Task Force on Mental Health and Alcohol and Drug Abuse Prevention to study and make recommendations on the most effective and efficient organizational structure to house a combined Division of Mental Health Services and Bureau of Alcohol and Drug Abuse Prevention.

DRUG ABUSE AND VIOLENCE PREVENTION TASK FORCE

FUNCTIONS AND DUTIES

Act 1655 (SB904) - The act establishes the Drug Abuse and Violence Prevention Task Force. The task force shall develop a model coordinated, comprehensive and cumulative curriculum for teaching drug abuse prevention and violence prevention in grades K-12 in the public schools. The task force shall report its findings and recommendations to the Governor and the Legislative Council on or before March 1, 2002, and shall cease to exist on that date.

DRUGS

GAMMA-HYDROXYBUTYRATE

Act 320 (HB1155) - The act requires the Director of the Department of Health to schedule gamma-hydroxybutyrate and its known precursors and analogs in a manner consistent with the procedures outlined in the Uniform Controlled Substances Act.

EMERGENCY HEALTH DEPARTMENTS

MEDICAL-LEGAL EXAMINATIONS

Act 993 (HB1587) - The act provides procedures for conducting medical-legal examinations of sexual assault victims and mandates that all emergency departments provide the examination. Providers are to be reimbursed for costs. The act also repeals Arkansas Code 20-9-303 concerning medical treatment of sexual assault victims.

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

MEMBERSHIP

Act 1557 (HB2290) - The act creates the Health Task Force Commission to study the relations among health care insurance plans, physicians and the quality of health care and to report to the Legislative Council by November 1, 2002. The act adds a representative of the Arkansas Emergency Medical Technician's Association to the membership of the Emergency Medical Services Advisory Council.

EMPLOYEES' SALARIES

HOSPITAL AND MEDICAL SERVICE CORPORATIONS

Act 421 (HB1450) - The act repeals Arkansas Code 23-75-117 which limited salaries paid by hospital and medical service corporations.

FOOD PREPARATION

RESTAURANT HYGIENE

Act 1656 (SB929) - The act requires food preparation employees to take special precautions to keep their hands and arms clean while handling food.

FOOD SERVICES

PERMIT FEES

Act 467 (SB418) - The act provides that the food service establishment permit fee levied by Arkansas Code 20-57-204(d) expires on July 1, 2005.

HEALTH

FOOD SERVICES

TEMPORARY PERMITS

Act 546 (HB1153) - The act authorizes renewable temporary food establishment permits at a fee of \$5 per day.

GENERATORS, THEFT OF

PENALTY ENHANCEMENT - TIME OF EMERGENCY

Act 157 (SB89) - The act provides enhanced penalties for theft of generators from particularly vulnerable, public, or communication related facilities during times declared to be an emergency.

GENETIC RESEARCH STUDIES

CONFIDENTIALITY

Act 1251 (SB764) - The act prohibits the disclosure of specific information collected in genetic research studies without informed written consent of the subject.

GENETIC TESTING

DISCLOSURE PROHIBITED

Act 1222 (SB765) - The act prevents the disclosure of genetic information in any judicial, legislative, or administrative proceeding.

GUARDIAN'S AUTHORITY

COURT APPROVAL REQUIRED

Act 1689 (SB433) - The act provides that guardians of incapacitated persons shall not consent on behalf of the incapacitated person to abortion, sterilization, psychosurgery, or removal of bodily organs except when necessary in a situation threatening the life of the incapacitated, nor shall guardians consent to withholding life-saving treatment, authorize experimental medical procedures, authorize termination of parental rights, authorize an incapacitated person to vote, prohibit the incapacitated person from obtaining a driver's license, or consent to a settlement or compromise of any claim by or against the incapacitated person or his estate, without filing a petition and receiving express court approval.

HEALTH CARE FACILITIES

FINANCING

Act 1734 (HB2361) - The act amends the Arkansas Development Finance Authority Act to expand the definition of "health care facilities" and permit, under certain circumstances, the pooled or consolidated financing of loans for health care facilities located either within or without the State of Arkansas.

HEALTH CARE PROVIDERS

BALANCE BILLING

Act 1702 (HB1324) - The act provides that no health care provider participating in a health maintenance organization may make any statement, either written or oral, to any subscriber or enrollee that makes demand for, or would lead a reasonable person to believe that a demand is being made for payment of any amounts owed by the health maintenance organization. The act authorizes the State Insurance Commissioner to levy monetary penalties against an offending health care provider.

HEALTH INSURANCE

OPTIONAL COVERAGE

Act 1470 (HB2363) - The act requires every health carrier to offer optional coverage in its healthcare plans for medical treatment of musculoskeletal disorders affecting any bone or joint in the face, neck, or head, including temporomandibular joint disorder and craniomandibular disorder.

PURCHASING GROUPS FOR ELIGIBLE EMPLOYERS

Act 925 (HB1660) - The act provides for Health Insurance Purchasing Groups for eligible employers, sets forth organizational, coverage, ethics, filing, operations, and coordination requirements. Written notice of the option to select an alternative policy or plan must be given to the employee and rejected in writing by the employee or the eligible employee will be deemed to have selected a health benefit plan subject to state mandated benefits, services, provisions, and rights. The act allows administrative services to be provided to members.

HEALTH

HEALTH MAINTENANCE ORGANIZATIONS

BALANCE BILLING

Act 1702 (HB1324) - The act provides that no health care provider participating in a health maintenance organization may make any statement, either written or oral, to any subscriber or enrollee that makes demand for, or would lead a reasonable person to believe that a demand is being made for payment of any amounts owed by the health maintenance organization. The act authorizes the State Insurance Commissioner to levy monetary penalties against an offending health care provider.

COLLEGE STUDENTS

Act 1289 (HB2429) - The act requires Health Maintenance Organizations which require a primary care physician to permit college students to choose two primary care physicians, one at home and one at school.

OMNIBUS

Act 1605 (HB2489) - The act amends various sections of the Arkansas Code relating to health maintenance organizations.

HEALTH PROVIDERS

MEDICAL RECORDS ACCESS BY PROSECUTORS

Act 1709 (HB1783) - The act grants prosecuting attorneys access to medical records of persons charged with having committed a sex crime, and allows the prosecuting attorney to alert the victim of possible health risks resulting from the crime.

HEALTH SERVICES AGENCY

NAME AND PERMITS OF APPROVAL

Act 1800 (SB899) - The act renames the Health Services Commission as the Health Services Permit Commission and renames the Health Services Agency as the Health Services Permit Agency. The act limits membership terms on the commission. The act authorizes transfers of permits, legal title, and right of ownership with the approval of the commission and repeals the requirement for a permit of approval for geographic regions which are determined to be underserved.

HEALTH SERVICES COMMISSION

MEMBERSHIP

Act 632 (SB502) - The act increases the membership of the Health Services Commission to include a member of the Arkansas State Hospice Association.

NAME AND PERMITS OF APPROVAL

Act 1800 (SB899) - The act renames the Health Services Commission as the Health Services Permit Commission and renames the Health Services Agency as the Health Services Permit Agency. The act limits membership terms on the commission. The act authorizes transfers of permits, legal title, and right of ownership with the approval of the commission and repeals the requirement for a permit of approval for geographic regions which are determined to be underserved.

HEALTH TASK FORCE COMMISSION

CREATION AND DUTIES

Act 1557 (HB2290) - The act creates the Health Task Force Commission to study the relations among health care insurance plans, physicians and the quality of health care and to report to the Legislative Council by November 1, 2002. The act adds a representative of the Arkansas Emergency Medical Technician's Association to the membership of the Emergency Medical Services Advisory Council.

HEALTH, DEPARTMENT OF

ABORTION INFORMATION

Act 353 (HB1074) - The act requires that a pregnant woman be provided certain information prior to and in no event on the same day as an abortion. The act requires the Department of Health to compile and make public certain information concerning abortions performed in this state. The act authorizes the Arkansas State Medical Board to impose penalties for violations of the act.

Act 1564 (HB2359) - The act makes technical changes to Act 353 of 2001 which assures women of their right to receive adequate information before terminating a pregnancy.

HEALTH

HEALTH, DEPARTMENT OF

CHILD HOME VISITATION

Act 237 (HB1130) - The act renames the Arkansas Prenatal and Early Childhood Nurse Home Visitation Program as the Rita Rowell Hale Prenatal and Early Childhood Nurse Home Visitation Program.

GAMMA-HYDROXYBUTYRATE

Act 320 (HB1155) - The act requires the Director of the Department of Health to schedule gamma-hydroxybutyrate and its known precursors and analogs in a manner consistent with the procedures outlined in the Uniform Controlled Substances Act.

GREAT STRIDES PROGRAM

Act 1750 (HB2540) - The act requires the Department of Health to use funds from the Tobacco Settlement Proceeds Act to establish the Great Strides Grant Program.

HOME CARE COSTS

Act 1675 (HB1978) - Section 37 of the act authorizes the Department of Health to contract with intermittent Patient Care Providers to provide services in the home.

KIDS-FOR-HEALTH

Act 1749 (HB2528) - The act requires the Department of Health to use moneys from The Tobacco Settlement Proceeds Act to establish a Kids-for-Health program. The act authorizes each school district to design its own version of the program.

OPTOMETRY INVESTIGATORS

Act 455 (HB1564) - The act permits the Arkansas State Board of Optometry to utilize the investigators of the Division of Pharmacy Services and Drug Control of the Department of Health. The Department of Health is directed to make its investigators available to the board. The board is authorized to collect costs incurred.

ORAL HEALTH

Act 785 (HB1563) - The act requires the Department of Health to maintain an Office of Oral Health. The act provides that the director shall be an experienced public health dentist and provides a set of goals for the director.

HEALTH, STATE BOARD OF

HIV/AIDS MEDICATIONS

Act 235 (SB34) - The "HIV/AIDS Medications Act of 2001" requires the State Board of Health to promulgate regulations for the distribution of HIV/AIDS medications to Arkansas citizens without ample resources or available avenues to acquire their medically necessary medications.

HEARING INSTRUMENT DISPENSERS

INTERNSHIP PROGRAM

Act 290 (SB266) - The act changes the requirements for participation in an internship program approved by the Arkansas Board of Hearing Instrument Dispensers.

HOME HEALTH CARE

PATIENT CARE PROVIDERS

Act 1675 (HB1978) - Section 37 of the act authorizes the Department of Health to contract with intermittent Patient Care Providers to provide services in the home.

HOSPICES

DEATH OF A RESIDENT

Act 499 (SB479) - The act adds hospice facilities to the statute requiring that the deaths of residents be immediately reported to the appropriate coroner.

DEFINED

Act 465 (SB370) - The act includes hospices within the definition of "long-term care facility".

HEALTH

HOSPICES

MEMBERSHIP ON HEALTH SERVICES COMMISSION

Act 632 (SB502) - The act increases the membership of the Health Services Commission to include a member of the Arkansas State Hospice Association.

HOSPITAL AND MEDICAL SERVICE CORPORATIONS

SALARIES

Act 421 (HB1450) - The act repeals Arkansas Code 23-75-117 which limited salaries paid by hospital and medical service corporations.

HOSPITALS

CHILD PROTECTION VIDEOTAPING

Act 532 (HB1465) - The act excepts videotaping by hospitals and clinics for the purpose of documenting the existence or extent of child maltreatment from the crime of video voyeurism.

GIFT SHOP SALES TAX EXEMPTION

Act 628 (SB248) - The act provides that gift shops operated by a charitable organization at a for-profit hospital shall receive the same sales tax treatment as gift shops at a nonprofit hospital.

MEDICAL RECORDS ACCESS BY PROSECUTORS

Act 1709 (HB1783) - The act grants prosecuting attorneys access to medical records of persons charged with having committed a sex crime, and allows the prosecuting attorney to alert the victim of possible health risks resulting from the crime.

SAFE NEEDLES

Act 451 (HB1356) - The act provides that hospitals shall, by June 1, 2001, begin purchasing needleless systems, sharps with engineered sharps injury protections or both for use in high risk areas. The act exempts any pre-filled syringe approved by the Food and Drug Administration.

HUMAN SERVICES, DEPARTMENT OF

ADULT ABUSE

Act 1028 (HB1764) - The act revises various sections of the Adult Abuse Act. The act revises the definitions of "abuse" and "neglect," authorizes firefighters and emergency medical technicians to receive allegations of abuse, authorizes 72-hour emergency custody of victims of adult abuse and raises the standard for a finding of "founded" allegation of adult abuse from "some credible evidence" to "preponderance of the evidence."

ASSISTED LIVING

Act 1230 (HB1635) - The act is entitled the Arkansas Assisted Living Act. The act directs the Department of Human Services to establish an assisted living program for adults provided that the adults do not have conditions which require 24 hour nursing.

CHILD ABUSE

Act 1503 (HB1766) - The act makes substantive changes in the definitions of "abuse" and "dependent juveniles" and other terms relevant to child abuse. The act makes substantive changes in the relations between the courts and the Department of Human Services, particularly concerning foster care and reunification services.

CHILD ABUSE ENFORCEMENT AND REPORTING

Act 1210 (HB1765) - The act clarifies the definition of "abuse" in child abuse cases, adds definitions of "deviant sexual activity," "indecent exposure," "pornography" and "sexual contact." The act makes various changes in procedures for reporting child abuse and in the operations of the child abuse hotline.

CHILD CARE - ALCOHOL TAX

Act 1841 (SB576) - This act levies a special alcoholic beverage excise tax of three percent (3%) upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund with twenty percent (20%) of the funds to be used for subsidized child care for low-income families and eighty percent (80%) of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education. The excise tax on beer shall expire on June 30, 2003.

HEALTH

HUMAN SERVICES, DEPARTMENT OF

CHILD CUSTODY

Act 1245 (HB2280) - The act provides that when the Department of Human Services takes custody of a child due to the actions of someone other than the custodial parent, the department shall immediately search for the custodial parent and notify that parent as to the child's location.

CHILDCARE FACILITIES LOAN GUARANTEE TRUST FUND

Act 305 (HB1205) - The act provides that any interest in the Childcare Facilities Loan Guarantee Trust Fund at the end of a fiscal year which exceeds the amount necessary to cover loan defaults occurring during that fiscal year shall be made available for professional development and quality improvement activities and grants.

DEVELOPMENTAL DISABILITY SERVICES REIMBURSEMENT

Act 1792 (SB815) - The act requires the Department of Human Services, subject to state and federal funding restrictions, to establish a reimbursement rate structure for contracting with community programs licensed by Developmental Disabilities Services that will cover costs of all federal and state mandates for which they are held responsible by the Department of Human Services and for any additionally required processes the Department of Human Services may elect to implement for cost containment-management purposes over and above the established reimbursement rates for costs of treatment services.

DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION

Act 1213 (HB2214) - The act amends the organization of the Department of Human Services to include a Division of Child Care and Early Childhood Education.

EXEMPTION FROM PERMIT FOR APPROVAL

Act 1583 (SB847) - The act exempts any bed or facility used to provide care to delinquent juveniles committed into the care of the Division of Youth Services of the Department of Human Services from obtaining a permit from the Health Services Commission.

FAMILY PRESERVATION SERVICES PROGRAM ACT

Act 906 (SB303) - The act makes various changes to the Family Preservation Services Program Act.

MEDICAID ELIGIBILITY

Act 1086 (HB1105) - The act authorizes the Department of Human Services to raise the resource eligibility limit for persons 65 and over to \$4,000 for a single individual and \$6,000 for a married couple.

MENTAL HEALTH CENTERS

Act 1589 (HB1838) - The act provides that each Community Mental Health Center shall contract with one or more facilities of its choice (excluding Arkansas State Hospital) to provide the inpatient care for indigent patients which the Center has determined to be necessary.

RECOVERY OF DECEDENT'S NURSING COSTS

Act 927 (HB1731) - The act repeals a requirement for court oversight of Department of Human Services proceedings to recover costs from a deceased person's estate for nursing care paid for with state money.

SOCIAL WORKER FEES

Act 1420 (HB1704) - The act authorizes licensed social workers selected by a court to charge a fee up to the fair market value of the investigation, study, or supervision. The act relieves the Department of Human Services of responsibility for paying for court appointed social workers unless the court has first determined the responsible party to be indigent.

TAX CREDIT FOR HOUSEHOLD AND DEPENDENT CARE SERVICES

Act 413 (HB1206) - The act provides that upon certification of childcare facilities, the Division of Child Care and Early Childhood Education shall provide a listing of the facilities and their certification numbers to the Director of the Department of Finance and Administration for the purpose of the income tax credit or refund provided for in Arkansas Code 26-51-502 and 26-51-507.

HEALTH

HUMAN SERVICES, DEPARTMENT OF

TRANSFER OF JUVENILE OFFENDERS FROM DEPARTMENT OF CORRECTION

Act 559 (SB186) - The act authorizes the court to sentence offenders under 18 years of age to the Department of Correction for a term of years, suspend the sentence, and commit the youth to the custody of the Division of Youth Services. The act also authorizes the Department of Correction to transfer any inmate under 18 years of age to the Division of Youth Services when the department and the division determine it to be suitable.

HYGIENE

DENTAL HYGIENIST PRACTICE

Act 439 (SB75) - The act expands the scope of practice for dental hygienists to include assessment, prevention, and treatment of oral diseases and the removal of deposits from supragingival and subgingival surfaces of the teeth and any other services which the Arkansas State Board of Dental Examiners may authorize.

INSURANCE

GROUP AND BLANKET ACCIDENT AND HEALTH INSURANCE

Act 1063 (SB716) - The act amends various sections of the Arkansas Code pertaining to group and blanket accident and health insurance.

PAYMENT OF CLAIMS

Act 1454 (HB2449) - The act provides penalties for late payment of claims by health insurance companies and health maintenance organizations.

PHENYLKETONURIA

Act 1654 (SB900) - The act requires all health benefit plans, except those which provide only limited benefits, to provide coverage for foods necessary for the therapeutic treatment of phenylketonuria.

POLICY CANCELLATION

Act 302 (HB1178) - The act provides that no insurance policy other than life or disability or long-term care insurance may be cancelled nor may the premium for the policy be increased solely as a result of claims made under the policy which resulted in no loss to the insurer.

PREMIUM INCREASES

Act 302 (HB1178) - The act provides that no insurance policy other than life or disability or long-term care insurance may be cancelled nor may the premium for the policy be increased solely as a result of claims made under the policy which resulted in no loss to the insurer.

PRIVATE REVIEW AGENTS

Act 1729 (HB2647) - The act excludes automobile, homeowner, casualty and commercial liability insurers and their employees, agents and contractors from the definition of private review agent for utilization reviews of hospital resources and medical services.

UNIFORM PRESCRIPTION DRUG CARDS

Act 1409 (SB800) - The act requires that every health benefit plan that provides coverage for prescription drugs or devices and issues a card or other technology for claims processing shall issue to all covered persons a uniform card or other technology containing a prescribed list of uniform prescription drug information.

INTERMEDIATE CARE FACILITIES

LEGISLATIVE STUDY

Act 1292 (HB2484) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study placing private intermediate care facilities for the mentally retarded and others under the quality assurance fee.

HEALTH

JUVENILE DETENTION FACILITIES

YOUTH SERVICES, DIVISION OF

Act 1468 (HB2255) - The act repeals Arkansas Code 12-41-805 which established a grant program and revolving loan program to provide secured facilities for juveniles as alternatives to placement of juveniles in adult detention facilities; provides that all loan balances accrued under the revolving loan fund account are abated; and provides that the Division of Youth Services has no obligation to utilize or fund detention centers or facilities.

LICENSURE

RESPIRATORY CARE

Act 1049 (SB382) - The act exempts various health practitioners from the requirement of having a separate license to practice respiratory care and makes changes in the fees and procedures for testing for licensure in respiratory care.

LONG-TERM CARE FACILITIES

ACCESS TO INFORMATION

Act 1774 (HB2597) - The act permits long-term care facilities to obtain access to information received or generated by the Office of Long-Term Care through inspections, investigations or otherwise.

DEATH OF A RESIDENT

Act 499 (SB479) - The act adds hospice facilities to the statute requiring that the deaths of residents be immediately reported to the appropriate coroner.

DECEASED RESIDENTS' FUNDS

Act 928 (HB1733) - The act prohibits licensees, owners, administrators, employees, and representative of long-term care facilities from being named as a beneficiary to a deceased resident's funds.

DEFINED

Act 91 (SB90) - The act redefines "long-term care facility" to include any building, structure, agency, institution, or other place for the reception, accommodation, board, care, or treatment of more than 3 (currently 3 or more) unrelated individuals.

HOSPICES

Act 465 (SB370) - The act includes hospices within the definition of "long-term care facility".

LONG-TERM CARE LIABILITY INSURANCE PLAN

INSURANCE COMMISSIONER

Act 1825 (HB2438) - The act provides for the Insurance Commissioner to establish a Long-term Care Liability Insurance Plan if the Insurance Commissioner determines, after a hearing, that long-term care liability insurance is not reasonably available in this state.

LONG-TERM CARE REFORM ACT, OMNIBUS

LAWSUIT RELIEF

Act 1763 (SB947) - The act provides relief to long-term care facilities against delayed decisions from appeal hearings and against the frivolous filing of appeals.

LONG-TERM CARE, OFFICE OF

ALZHEIMER'S AND RELATED DEMENTIA

Act 500 (HB1407) - The act adds related dementia to the requirement that the Office of Long-Term Care establish regulations governing Alzheimer's disease care units. The act requires the Office of Long-Term Care to oversee Alzheimer's units and to prohibit advertising by units which do not meet the established criteria. The act authorizes the Office of Long-Term Care to sue for noncompliance.

NURSING FACILITY STANDARDS

Act 1397 (SB494) - The act defines the shifts for which minimum staffing standards must be met and revises those standards in two phases, in 2001 and 2002. The act requires that all nursing facilities employ a registered nurse to serve as director of nurses. The act requires all nursing facilities to report monthly on compliance with staffing standards and sets penalties for noncompliance. The act authorizes the Director of the Office of Long-Term care to modify the standards.

HEALTH

MESSAGE THERAPISTS

LIENS

Act 363 (SB328) - The act includes massage therapists as practitioners for purposes of the Medical, Nursing, Hospital, and Ambulance Service Lien Act.

MEDICAID

ELIGIBILITY

Act 1086 (HB1105) - The act authorizes the Department of Human Services to raise the resource eligibility limit for persons 65 and over to \$4,000 for a single individual and \$6,000 for a married couple.

MENTAL HEALTH PARITY

Act 747 (HB1562) - The act requires that the state Medicaid program include parity for outpatient mental health care and defines parity for mental health care.

PRESCRIPTION DRUGS

Act 1658 (SB932) - The act authorizes the Department of Human Services to apply to the Health Care Financing Administration for a limited prescription drug benefit Medicaid waiver for persons who: (1) are age 65 or over; (2) have no prescription drug coverage; and (3) have incomes and resources at or below the income and resource Qualified Medicare Beneficiary eligibility standards established by the Department.

MEDICAL BOARD, ARKANSAS STATE

ABORTION INFORMATION PENALTIES

Act 353 (HB1074) - The act requires that a pregnant woman be provided certain information prior to and in no event on the same day as an abortion. The act requires the Department of Health to compile and make public certain information concerning abortions performed in this state. The act authorizes the Arkansas State Medical Board to impose penalties for violations of the act.

Act 1564 (HB2359) - The act makes technical changes to Act 353 of 2001 which assures women of their right to receive adequate information before terminating a pregnancy.

RESPIRATORY CARE

Act 1049 (SB382) - The act exempts various health practitioners from the requirement of having a separate license to practice respiratory care and makes changes in the fees and procedures for testing for licensure in respiratory care.

SANCTIONS PROCEDURES

Act 464 (SB349) - The act adds the term "osteopathic physician" to various sections of the Medical Practices Act. The act restructures the procedures by which the Arkansas State Medical Board may deny, suspend, or revoke a medical license.

MEDICAL RECORDS

ACCESS BY PROSECUTORS

Act 1709 (HB1783) - The act grants prosecuting attorneys access to medical records of persons charged with having committed a sex crime, and allows the prosecuting attorney to alert the victim of possible health risks resulting from the crime.

MEDICAL SAVINGS ACCOUNTS

TAX DEDUCTIONS

Act 634 (HB1021) - The act provides for the adoption of Section 220 of the Internal Revenue Code of 1986 as in effect on January 1, 2001, regarding the deductibility of contributions made to a medical savings account.

MENTAL HEALTH

TASK FORCE ON MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE PREVENTION

Act 1829 (HB2529) - The act creates the Task Force on Mental Health and Alcohol and Drug Abuse Prevention to study and make recommendations on the most effective and efficient organizational structure to house a combined Division of Mental Health Services and Bureau of Alcohol and Drug Abuse Prevention.

HEALTH

MENTAL HEALTH CENTERS

Act 1589 (HB1838) - The act provides that each Community Mental Health Center shall contract with one or more facilities of its choice (excluding Arkansas State Hospital) to provide the inpatient care for indigent patients which the Center has determined to be necessary.

MENTAL HEALTH, DIVISION OF

ARKANSAS CHILD WELFARE PUBLIC ACCOUNTABILITY ACT

Act 1727 (HB2524) - The act provides that the Arkansas Child Welfare Public Accountability Act applies to the Division of Mental Health.

MENTAL ILLNESS

CHILD AND ADOLESCENT SERVICE SYSTEM PROGRAM

Act 1517 (HB2446) - The act amends the Child and Adolescent Service System Program extending coverage to age 21 and making parent surrogates and family members eligible to serve on the coordinating council. Council membership is amended significantly. The council's duties are expanded to include both the establishment of voting guidelines and procedures and the requirement that recommendations for corrective action plans be made by the council. Regional teams are changed to planning teams with new membership and duties. Coordinating Council staff will, in addition to making annual reports, conduct annual site reviews and program evaluations of regional teams.

TREATMENT

Act 1478 (HB2035) - The act amends various sections of the Arkansas Code pertaining to the treatment of the mentally ill.

NORTH-CENTRAL AREA HEALTH EDUCATION CENTER

LEGISLATIVE STUDY

Act 1777 (HB2635) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study the need for and feasibility of constructing an Area Health Education Center in North-Central Arkansas.

NURSES

CONTINUING EDUCATION

Act 86 (HB1069) - The act requires the Arkansas State Board of Nursing to make regulations to require that nurses earn up to 20 hours of continuing education per year on penalty of nonrenewal of the nurse's license.

DISCIPLINE

Act 212 (HB1235) - The act authorizes the State Board of Nursing to deny, suspend, revoke, or limit any license to any person engaged in the practice of nursing without a valid license.

GRADUATE NURSE EDUCATOR LOAN AND SCHOLARSHIP BOARD

Act 787 (HB1645) - The act renames the Arkansas Primary Care Nursing Practice and Nurse Educator Student Loan and Scholarship Board as the Graduate Nurse Educator Loan and Scholarship Board and makes several changes in the law pertaining to scholarships and loans to graduate nursing students.

HIGHER EDUCATION INSTITUTIONS

Act 1232 (HB1729) - The act provides that the Department of Human Services may contract with employees of higher education institutions for nursing services without complying with Arkansas Code 19-4-1701(2) which requires the prior approval of the Chief Fiscal Officer of the State and provides that the higher education institution employees shall not receive more than 125% of the employee's maximum annual salary as a result of the contract.

NURSING SCHOLARSHIPS

Act 1664 (HB1002) - The act allows students attending nursing schools approved by the State Board of Nursing to participate in the Academic Challenge Scholarship Program.

HEALTH

NURSES

PRENATAL AND EARLY CHILDHOOD NURSE HOME VISITATION PROGRAM

Act 237 (HB1130) - The act renames the Arkansas Prenatal and Early Childhood Nurse Home Visitation Program as the Rita Rowell Hale Prenatal and Early Childhood Nurse Home Visitation Program.

SAFE NEEDLES

Act 451 (HB1356) - The act provides that hospitals shall, by June 1, 2001, begin purchasing needleless systems, sharps with engineered sharps injury protections or both for use in high risk areas. The act exempts any pre-filled syringe approved by the Food and Drug Administration.

TEMPORARY LICENSES

Act 303 (HB1194) - The act authorizes the Arkansas State Board of Nursing to issue nonrenewable temporary permits, which shall be valid for no more than 6 months, for professional, practical, and psychiatric technician nurses, and for first-time applicants for nursing licensure.

NURSING FACILITIES

STAFFING STANDARDS

Act 1397 (SB494) - The act defines the shifts for which minimum staffing standards must be met and revises those standards in two phases, in 2001 and 2002. The act requires that all nursing facilities employ a registered nurse to serve as director of nurses. The act requires all nursing facilities to report monthly on compliance with staffing standards and sets penalties for noncompliance. The act authorizes the Director of the Office of Long-Term care to modify the standards.

NURSING HOME CONSULTANTS

PERMITS

Act 910 (SB352) - The act authorizes the Arkansas State Board of Pharmacy to issue permits for various distinct kinds of pharmacy businesses and sets fees for licensure of various pharmacy businesses. The act authorizes the board to issue nursing home consultant permits.

NURSING HOMES

ACCESS TO INFORMATION

Act 1774 (HB2597) - The act permits long-term care facilities to obtain access to information received or generated by the Office of Long-Term Care through inspections, investigations or otherwise.

ELECTRIC GENERATORS

Act 1602 (HB1631) - The act requires that all nursing facilities and nursing homes shall, by November 1, 2002, have available and ready to operate an emergency generator sufficient to power all the essential systems of the facility.

LONG-TERM CARE FACILITIES DEFINED

Act 91 (SB90) - The act redefines "long-term care facility" to include any building, structure, agency, institution, or other place for the reception, accommodation, board, care, or treatment of more than 3 (currently 3 or more) unrelated individuals.

PROVIDER FEES

Act 635 (HB1274) - The act levies a quality assurance fee upon nursing home facilities and provides a formula for determining those fees.

QUALITY ASSURANCE FEE

Act 635 (HB1274) - The act levies a quality assurance fee upon nursing home facilities and provides a formula for determining those fees.

HEALTH

NURSING, ARKANSAS LEGISLATIVE COMMISSION ON

ESTABLISHED

Act 1465 (HB2168) - The act establishes the Arkansas Legislative Commission on Nursing to study nursing workforce needs of the state and report to the Legislative Council its findings and a strategic plan for meeting those needs by November 1, 2002. The act provides that the commission shall expire on June 30, 2003.

NURSING, ARKANSAS STATE BOARD OF

CONTINUING EDUCATION

Act 86 (HB1069) - The act requires the Arkansas State Board of Nursing to make regulations to require that nurses earn up to 20 hours of continuing education per year on penalty of nonrenewal of the nurse's license.

MEMBERSHIP DECREASED

Act 149 (HB1159) - The act provides that effective October 1, 2002, the membership of the Arkansas State Board of Nursing is decreased from 15 members to 13 members.

TEMPORARY LICENSES

Act 303 (HB1194) - The act authorizes the Arkansas State Board of Nursing to issue nonrenewable temporary permits, which shall be valid for no more than 6 months, for professional, practical, and psychiatric technician nurses, and for first-time applicants for nursing licensure.

NURSING, STATE BOARD OF

DISCIPLINE

Act 212 (HB1235) - The act authorizes the State Board of Nursing to deny, suspend, revoke, or limit any license to any person engaged in the practice of nursing without a valid license.

OPTOMETRY, ARKANSAS STATE BOARD OF

DISCIPLINARY ACTIONS

Act 506 (HB1561) - The act gives the State Board of Optometry discretion in examinations necessary to licensure. Licensed optometrists are no longer required to register their licenses. The board may revoke, suspend, place on probation, fine, refuse licenser renewal or reprimand the licensee for listed offenses of moral turpitude or for mental disease or defect.

INVESTIGATORS

Act 455 (HB1564) - The act permits the Arkansas State Board of Optometry to utilize the investigators of the Division of Pharmacy Services and Drug Control of the Department of Health. The Department of Health is directed to make its investigators available to the board. The board is authorized to collect costs incurred.

OSTEOPATHIC MEDICINE

LICENSING AND EXAMINATION REQUIREMENTS

Act 929 (HB1743) - The act limits the liability of the Arkansas Osteopathic Medical Association, addresses licensing requirements of osteopathic physicians, and makes examination requirements for medical licensure applicable to practitioners of osteopathic medicine.

PESTICIDES

APPLICATOR'S LICENSURE

Act 242 (SB241) - The act authorizes one (1) and five (5) year licensing periods for agricultural pesticide applicators and sets fees for those licenses. The State Plant Board shall phase in renewal to ensure equally distributed funding over the licensing period.

PHARMACIES

INTERNET PHARMACIES

Act 1411 (SB828) - The act requires Internet pharmacies to be in compliance with federal and state laws, be properly regulated, and if a foreign entity, be registered with the Secretary of State. Internet pharmacies must disclose required information on web sites. Licensing requirements for pharmacists and physicians are amended to address issues with regard to prescribing and dispensing medication via the Internet. The act also provides that Internet pharmacies may not disclaim, limit, or waive liability.

HEALTH

PHARMACIES

PHARMACY OUTREACH PROGRAM

Act 1746 (HB2497) - The act provides that the Director of the Department of Health shall, subject to the availability of funds, establish a regional pilot program, to be named "The Arkansas Pharmacy Outreach Program," to develop systems to facilitate access to pharmaceutical manufacturer patient assistance programs.

TYPES OF BUSINESSES

Act 910 (SB352) - The act authorizes the Arkansas State Board of Pharmacy to issue permits for various distinct kinds of pharmacy businesses and sets fees for licensure of various pharmacy businesses. The act authorizes the board to issue nursing home consultant permits.

PHARMACISTS

CONFIDENTIAL COMMUNICATIONS

Act 629 (SB306) - The act provides that a patient has the privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made to a pharmacist or persons under the direction of a pharmacist.

GENERICS AND CREDENTIALS

Act 801 (SB339) - The act expands and clarifies the authority of the Arkansas State Board of Pharmacy to allow pharmacists to substitute generic for brand name drugs. The act authorizes members of the board to issue temporary permits to practice pharmacy. The act authorizes the board to approve credentials to practice disease state management and any other pharmacy services determined by the board to require a credential if those credentials are issued by agencies approved by the board.

PHARMACY, ARKANSAS STATE BOARD OF

GENERICS AND CREDENTIALS

Act 801 (SB339) - The act expands and clarifies the authority of the Arkansas State Board of Pharmacy to allow pharmacists to substitute generic for brand name drugs. The act authorizes members of the board to issue temporary permits to practice pharmacy. The act authorizes the board to approve credentials to practice disease state management and any other pharmacy services determined by the board to require a credential if those credentials are issued by agencies approved by the board.

REPORTS ON EPHEDRINE AND PSEUDOEPHEDRINE

Act 1209 (HB1417) - The act restricts the amount of ephedrine, pseudoephedrine or phenylpropanolamine which may be possessed by any person, or which may be sold in a single transaction to any person. It makes it unlawful to sell products containing ephedrine, pseudoephedrine or phenylpropanolamine to persons under 18, and requires the person making the sale to obtain "proof of age". It also makes it unlawful to distribute ephedrine, pseudoephedrine or phenylpropanolamine with reckless disregard as to how the product will be used and requires manufacturers, wholesaler and retailers to submit suspicious order reports to the Arkansas State Board of Pharmacy.

TYPES OF BUSINESSES

Act 910 (SB352) - The act authorizes the Arkansas State Board of Pharmacy to issue permits for various distinct kinds of pharmacy businesses and sets fees for licensure of various pharmacy businesses. The act authorizes the board to issue nursing home consultant permits.

PHENYLKETONURIA

INSURANCE COVERAGE

Act 95 (HB1117) - The act exempts accident only, specified disease, hospital indemnity, Medicare supplement, long-term care, disability income, and other limited benefit health insurance policies from the requirement that health insurance policies cover medically necessary foods.

HEALTH

PHYSICAL THERAPIST ASSISTANTS

LICENSURE, EXAMINATIONS AND COMPLAINTS

Act 1412 (SB938) - The act revises the requirements and procedures for licensure as a physical therapist assistant, authorizes retaking the licensing exam once without reapplication and revises the procedures for notice and hearings concerning complaints.

PHYSICIANS

LICENSURE EXEMPTION

Act 579 (HB1176) - The act exempts persons practicing medicine as employees of the federal bureau of prisons from licensure requirements under the Arkansas Medical Practices Act.

MEDICAL RECORDS ACCESS BY PROSECUTORS

Act 1709 (HB1783) - The act grants prosecuting attorneys access to medical records of persons charged with having committed a sex crime, and allows the prosecuting attorney to alert the victim of possible health risks resulting from the crime.

SAFE NEEDLES

Act 451 (HB1356) - The act provides that hospitals shall, by June 1, 2001, begin purchasing needleless systems, sharps with engineered sharps injury protections or both for use in high risk areas. The act exempts any pre-filled syringe approved by the Food and Drug Administration.

SANCTIONS PROCEDURES

Act 464 (SB349) - The act adds the term "osteopathic physician" to various sections of the Medical Practices Act. The act restructures the procedures by which the Arkansas State Medical Board may deny, suspend, or revoke a medical license.

PRESCRIPTION DRUGS

PRESCRIPTION DRUG ADVISORY COMMISSION

Act 1764 (SB956) - The act establishes the Prescription Drug Advisory Commission to study the establishment of a state prescription drug bulk-purchasing plan and the feasibility of the state subsidizing the cost of prescription drugs.

JOINT LEGISLATIVE COMMISSION ON PRESCRIPTION DRUG COSTS

Act 1770 (HB2498) - The act creates the Joint Legislative Commission on Prescription Drug Costs. The Commission expires on November 1, 2002.

MEDICAID WAIVER

Act 1658 (SB932) - The act authorizes the Department of Human Services to apply to the Health Care Financing Administration for a limited prescription drug benefit Medicaid waiver for persons who: (1) are age 65 or over; (2) have no prescription drug coverage; and (3) have incomes and resources at or below the income and resource Qualified Medicare Beneficiary eligibility standards established by the Department.

PHARMACY OUTREACH PROGRAM

Act 1746 (HB2497) - The act provides that the Director of the Department of Health shall, subject to the availability of funds, establish a regional pilot program, to be named "The Arkansas Pharmacy Outreach Program," to develop systems to facilitate access to pharmaceutical manufacturer patient assistance programs.

PRESCRIPTIONS

UNIFORM PRESCRIPTION DRUG CARDS

Act 1409 (SB800) - The act requires that every health benefit plan that provides coverage for prescription drugs or devices and issues a card or other technology for claims processing shall issue to all covered persons a uniform card or other technology containing a prescribed list of uniform prescription drug information.

HEALTH

PROSTATE AND TESTICULAR CANCER, OVERSIGHT COMMITTEE ON

DUTIES

Act 1455 (HB2508) - The act adds testicular cancer to the existing oversight program for prostate cancer and specifies the membership for the Oversight Committee on Prostate and Testicular Cancer. The act requires the committee to provide for early detection, education, screening, referrals and coordination with other agencies concerning prostate and testicular cancer, as funds become available.

PSYCHOLOGISTS AND PSYCHOLOGY EXAMINERS

LICENSURE

Act 1502 (HB1720) - The act amends various sections of the Arkansas Code relating to psychologists and psychology examiners. Various fees and penalties concerning the Arkansas Board of Examiners in Psychology have been added to and enhanced. To be eligible to practice as a psychological examiner, the candidate must now possess a master's degree in psychology or a closely related field. A provisional license to practice psychology is provided for. Annual registration and renewal of licenses require 40 hours of continuing legal education approved by the board. Disciplinary fines, letters of reprimand or additional education are provided for.

PUBLIC HEALTH COMMITTEES

FEASIBILITY STUDY

Act 1292 (HB2484) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study placing private intermediate care facilities for the mentally retarded and others under the quality assurance fee.

RESPIRATORY CARE

LICENSURE

Act 1049 (SB382) - The act exempts various health practitioners from the requirement of having a separate license to practice respiratory care and makes changes in the fees and procedures for testing for licensure in respiratory care.

RESTAURANTS

PERMIT FEES

Act 467 (SB418) - The act provides that the food service establishment permit fee levied by Arkansas Code 20-57-204(d) expires on July 1, 2005.

RURAL HEALTH ACCESS PILOT PROGRAM

Act 549 (HB1674) - The act establishes the Rural Health Access Pilot Program.

SALARIES

HOSPITAL AND MEDICAL SERVICE CORPORATIONS

Act 421 (HB1450) - The act repeals Arkansas Code 23-75-117 which limited salaries paid by hospital and medical service corporations.

SCHOOL BUS DRIVERS

INSURANCE

Act 321 (HB1281) - The act allows school bus drivers whose primary source of income is obtained from operating a school bus to participate in the public school employee insurance program.

SENIOR CITIZENS

MEDICAID ELIGIBILITY

Act 1086 (HB1105) - The act authorizes the Department of Human Services to raise the resource eligibility limit for persons 65 and over to \$4,000 for a single individual and \$6,000 for a married couple.

HEALTH

SERVICE PROVIDERS

EMPLOYEE BACKGROUND CHECKS

Act 1548 (HB1912) - The act provides that all qualified entities responsible for direct care services to developmentally disabled persons shall require and keep records of criminal background checks on all employees and applicants. The act disqualifies from employment involving the developmentally disabled anyone who has been found guilty of or has pleaded guilty or nolo contendere to any of a prescribed list of criminal acts. The act exempts various licensed health care professionals.

SEXUAL ASSAULT VICTIMS

EXAMINATIONS

Act 993 (HB1587) - The act provides procedures for conducting medical-legal examinations of sexual assault victims and mandates that all emergency departments provide the examination. Providers are to be reimbursed for costs. The act also repeals Arkansas Code 20-9-303 concerning medical treatment of sexual assault victims.

SOCIAL ANXIETY DISORDER STUDY COMMITTEE

CREATED

Act 1476 (HB1721) - The act creates a legislative committee to be known as the Social Anxiety Disorder Study Committee.

SOCIAL SERVICES

ARKANSAS CHILD ABUSE-RAPE-DOMESTIC VIOLENCE COMMISSION

Act 1285 (HB2276) - The act removes members of the General Assembly from the membership of the commission, repeals Arkansas Code 20-82-203 regarding disbursement of funds and provides that child deaths through age 17 shall be reviewed by the commission.

SOCIAL WORKERS

COURT ORDERED STUDIES, FEES

Act 1420 (HB1704) - The act authorizes licensed social workers selected by a court to charge a fee up to the fair market value of the investigation, study, or supervision. The act relieves the Department of Human Services of responsibility for paying for court appointed social workers unless the court has first determined the responsible party to be indigent.

FEES

Act 1481 (HB2264) - The act increases the maximum fees which may be levied by the Arkansas Social Work Licensing Board.

STATE EMPLOYEES' HEALTH INSURANCE

MAXIMUM STATE CONTRIBUTION

Act 185 (HB1290) - The act increases the maximum amount the state may contribute for each state employee for state employee health benefits to \$350.

SUBSTANCE ABUSE CERTIFICATION BOARD, ARKANSAS

COUNSELOR LICENSES

Act 1708 (HB1669) - The act provides that any person currently credentialed by the Arkansas Substance Abuse Certification Board as a Certified Alcohol and Drug Counselor or as an Advanced Alcohol and Drug Counselor may be licensed as an associate alcoholism and drug abuse counselor or as a licensed alcoholism and drug abuse counselor, respectively, if the person applies to the board within 60 days of the effective date of the act.

TOBACCO TAXES

MEALS-ON-WHEELS, DRUGS, CANCER

Act 1669 (HB1643) - Section 33 of the act provides that a portion of tobacco taxes be special funds for the Meals-on-Wheels program and a Prescription Drug for the Elderly Waiver Program. If federal moneys become available for Elderly Waiver drugs, the designated funds shall be used for the Breast Cancer Control Fund and the Breast Cancer Research Fund.

HEALTH

YOUTH SERVICES, DIVISION OF

TRANSFER OF JUVENILE OFFENDERS FROM DEPARTMENT OF CORRECTION

Act 559 (SB186) - The act authorizes the court to sentence offenders under 18 years of age to the Department of Correction for a term of years, suspend the sentence, and commit the youth to the custody of the Division of Youth Services. The act also authorizes the Department of Correction to transfer any inmate under 18 years of age to the Division of Youth Services when the department and the division determine it to be suitable.

HIGHER EDUCATION

RETIREMENT

Act 1752 (HB2561) - The act amends Arkansas Code 21-5-411 regarding eligibility of retired employees of institutions of higher education to continue coverage in the group health insurance program.

HIGHWAY COMMISSION, STATE

OUTDOOR ADVERTISING SIGNS

JUDICIAL HEARINGS DE NOVO

Act 800 (SB522) - The act allows any person who has been injured by a final adverse decision of the State Highway Commission regarding the erection and maintenance of an outdoor advertising sign shall be entitled to a judicial hearing de novo in the circuit court of any county in which the person resides or does business, or in the Pulaski County Circuit Court, if the interests affected by the decision of the State Highway Commission are constitutionally or statutorily preserved, or preserved by private agreement, so that their enforcement is a matter of right.

HIGHWAYS

BUILDINGS, MOVING OF

PERMANENT OR PORTABLE BUILDING

Act 990 (HB2172) - The act permits moving, on state highways, of portable and permanent buildings in which persons may live, sleep, assemble, or conduct business or other callings.

CONDEMNED PROPERTY

TAXES AND ASSESSMENTS

Act 1135 (HB2401) - The act authorizes the Arkansas State Highway and Transportation Department, on acquiring whole taxable parcels of property to collect from the owner or owners of the condemned property taxes or assessments owed. The act makes discretionary with courts whether to deduct taxes or assessments owed before issuing any orders regarding compensation by the department or commission to the owner.

DRIVER INSTRUCTION MANUAL

LITTERING AND WORK-ZONE SAFETY COVERED

Act 853 (HB1960) - The act adds to the items required to be covered in the State Police's Driver's Instruction Manual. The manual issued to persons preparing to take a driver's license exam must now include information on the hazards of litter on the highways and the effects of unsafe driving in highway work zones, and the penalties for violations of both laws.

ESCORT VEHICLES

Act 1483 (HB2428) - The act requires escort vehicles for any vehicle or combination of vehicles which has a length in excess of 90 feet and authorizes the State Highway Commission to issue annual escort vehicle registrations.

HIGHWAYS

HIGHWAY AND TRANSPORTATION DEPARTMENT, ARKANSAS STATE

CONDEMNED PROPERTY

Act 1135 (HB2401) - The act authorizes the Arkansas State Highway and Transportation Department, on acquiring whole taxable parcels of property to collect from the owner or owners of the condemned property taxes or assessments owed. The act makes discretionary with courts whether to deduct taxes or assessments owed before issuing any orders regarding compensation by the department or commission to the owner.

HIGHWAY SAFETY

STATE HIGHWAY FUNDS AUTHORIZED FOR RAILROAD CROSSINGS

Act 1216 (HB2258) - The act amends the Highway Revenue Distribution Act to authorize the use of highway revenues for highway-railroad crossing safety improvements. It sets a goal for the Arkansas State Highway and Transportation Department to spend \$1.00 of state highway revenues for each dollar of federal funds used to improve highway-railroad crossing safety.

MOTOR VEHICLES DRAWING ANOTHER MOTOR VEHICLE

FOLLOWING DISTANCE

Act 998 (HB2279) - The act provides that any motor vehicle drawing another motor vehicle on a roadway outside of a business or residence district shall not follow within 200 feet of another motor vehicle.

PROJECTING LOAD

ORANGE FLAGS

Act 1482 (HB2271) - The act provides that in certain circumstances a red or fluorescent orange flag or cloth must be attached to the extreme end of a load extending 4 or more feet beyond the bed or body of a motor vehicle.

RAILROAD CROSSINGS

TRAINS TO SOUND HORNS UPDATED

Act 1804 (HB1103) - The act changes and updates the requirement for trains to sound a horn at all railroad crossings with public streets and highways. Previously, the trains were required to sound a bell or a steam whistle. The previous language originated from Act 71 of 1868.

SCENIC HIGHWAYS

Act 1061 (SB284) - The act designates Interstate 530 from Arkansas State Highway 256 to U. S. Highway 65 South as a scenic highway.

GREAT RIVER ROAD

Act 92 (SB103) - The act includes Arkansas "Highway 4 from McGehee east through Arkansas City to Highway 1; Highway 1, from its intersection with Highway 4, through Watson to Highway 165 at Back Gate; Highway 165 north from Dumas to Dewitt" as part of the description of The Great River Road, a scenic highway.

TOWING ROTATION LIST

STATE POLICE, DEPARTMENT OF ARKANSAS

Act 254 (SB345) - The act gives the Director, Department of Arkansas State Police the authority to establish, maintain, and enforce a towing rotation list to assist in clearing highways of motor vehicles which have been involved in accidents or abandoned.

HISTORY COMMISSION, ARKANSAS

ELECTRONIC COURT RECORDS

DESTRUCTION OF ORIGINAL

Act 311 (HB1413) - The act prohibits the destruction of original paper documents determined to be of historical value by the Arkansas History Commission. However, if a document is eligible for destruction, an electronically stored version of the document is deemed to be the "original" if proffered with the recorder's certification.

HOUSING

FAIR HOUSING COMMISSION

CIVIL RIGHTS PROTECTION

Act 1785 (SB499) - The act creates the Arkansas Fair Housing Commission, in accordance with federal law. The act authorizes the commission to investigate housing discrimination complaints and, in cooperation with the state Attorney General, to punish violators.

IMPROVEMENT DISTRICTS

DRAINAGE DISTRICTS

DISTRICT'S PROPERTY NOT SUBJECT TO ADVERSE POSSESSION

Act 1312 (SB509) - The act provides that the real property or easements of drainage improvement districts are not subject to claims of adverse possession. The real property rights of a drainage district cannot be defeated by a claim of adverse possession commenced after the effective date of the act.

PUBLIC WORKS PROJECTS

Act 200 (HB1164) - The act increases from \$10,000 to \$20,000 the level of public works projects which may be let without public advertisement.

FIRE PROTECTION DISTRICTS

PETITION NEEDED TO CREATE A DISTRICT BY ORDINANCE

Act 1205 (SB829) - The act amends the law to create a fire protection district by ordinance (Act 35 of 1979). The act requires ten percent (10%) of the qualified electors sign a petition for establishing a district before a quorum court adopts an ordinance and requires a public hearing to be held within the district.

IRRIGATION, DRAINAGE, AND WATERSHED IMPROVEMENT DISTRICT BOARDS

Act 460 (SB107) - The act provides that members of irrigation, drainage, and watershed improvements district boards shall receive compensation not to exceed \$50.00 per day plus expenses for attending board meetings.

TAX COLLECTORS

FEES

Act 1816 (HB2278) - The act authorizes tax collectors to retain a collection fee for prepayments of certain improvement district assessments.

INFORMATION TECHNOLOGY

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY, JOINT COMMITTEE ON

INTERIM STUDY

Act 1662 (SB976) - The act provides that the Joint Committee on Advanced Communications and Information Technology shall study and review agency contracting practices with regard to all technology contracts and projects and file a report on its findings with the Legislative Council and the Eighty-Fourth General Assembly.

EXECUTIVE CHIEF INFORMATION OFFICER

CREATED

Act 1042 (HB1624) - The act creates the State Executive Chief Information Officer and assigns to him or her the power to direct the formulation of policies for information technology in the state, review procurements to ensure conformity with the information technology policies, and perform other duties prescribed by the act.

INFORMATION SYSTEMS ACT OF 1997, ARKANSAS

OMNIBUS AMENDMENTS

Act 1722 (HB2364) - The act amends various provisions of the Arkansas Information Systems Act of 1997.

INFORMATION TECHNOLOGY

INTEGRATED JUSTICE INFORMATION SYSTEM, ARKANSAS

COORDINATING COUNCIL

Act 1272 (HB1875) - The act establishes the Arkansas Integrated Justice Information Systems Coordinating Council for the 2002-2003 biennium.

USE OF INTERNET

POLICY OF EACH STATE AGENCY

Act 1287 (HB2403) - The act requires each state agency to include a policy regarding the use of the Internet in their biennial information technology plan.

INSURANCE

ACCIDENT AND HEALTH INSURANCE

Act 909 (SB351) - The act amends various sections of the disability insurance law to reference accident and health insurance instead of disability insurance.

Act 1603 (HB2405) - The act amends various sections of the Arkansas Insurance Code to replace the term "disability insurance" with the term "accident and health insurance".

ACCOUNTING GUIDELINES

Act 1566 (HB2404) - The act amends various insurance assets, liabilities, and reserves laws in order to modernize laws on domestic insurer financial accounting guidelines.

ADVISORY COMMISSION

MANDATED HEALTH INSURANCE BENEFITS

Act 1730 (HB1792) - The act establishes the Arkansas Advisory Commission on Mandated Health Insurance Benefits to advise the Governor and the General Assembly on the social, medical, and financial impact of current and proposed mandated benefits and providers.

ARKIDS FIRST

ELIGIBILITY

Act 724 (SB362) - The act provides that eligibility regulations for ARKids shall not include an assets or a resource test for children or families of children 18 or younger

MENTAL HEALTH PARITY

Act 747 (HB1562) - The act requires that the state Medicaid program include parity for outpatient mental health care and defines parity for mental health care.

AUTOMOBILE LIABILITY INSURANCE

PROOF OF INSURANCE CARD

Act 1828 (HB2512) - The act requires all insurance companies issuing automobile liability insurance policies to furnish the insured a proof of insurance card which shall contain the name, address and telephone number of the insurer; the name and telephone number of the local agent through whom the policy was issued, if any, or a blank space where a local agent's name may be stamped or filled-in; the policy number; the effective date and expiration date of the insurance policy coverage; the vehicle identification number with a brief description of the insured vehicle; and the name and address of the insured person.

CANCELLATION

NOTICE

Act 919 (HB1279) - The act provides that anyone holding the right to request cancellation of the named insured's insurance policy shall send to the insured and to the insured's agent or broker at least ten days' written notice of the intention to request cancellation or cancel the policy.

INSURANCE

CAPTIVE INSURANCE COMPANIES

REGULATION

Act 1391 (HB2502) - The act defines and provides for the regulation and operation of "captive insurance companies", and allows the Insurance Commissioner to issue, based on certain capital and surplus requirements, licenses to captive insurance companies.

CONFIDENTIAL INFORMATION

Act 1619 (SB286) - The act provides that no person shall disclose any nonpublic personal information contrary to the provisions of Title V of the Gramm-Leach-Bliley Act of 1999 Public Law 106-102 and requires the State Insurance Commissioner to adopt regulations governing the treatment of consumer financial and protected health information by all licensed insurers, producers and other persons licensed or required to be licensed, authorized or required to be authorized, or registered or required to be registered by the Commissioner.

CONSUMER PROTECTION

PROHIBITED PRACTICES

Act 1728 (HB2601) - The act amends certain "Miscellaneous Prohibited Practices" applied to the insurance industry, and amends the "Insurance Sales Consumer Protection Act."

CONSUMERS

OPTION TO PURCHASE PLANS WITHOUT STATE MANDATED BENEFITS

Act 924 (HB1632) - The act provides consumers the option to purchase health benefit plans or policies not subject to state mandated health benefits, so long as written disclosure is given to the proposed insured.

DISABILITY INSURANCE

Act 1603 (HB2405) - The act amends various sections of the Arkansas Insurance Code to replace the term "disability insurance" with the term "accident and health insurance".

DOMESTIC INSURERS

PROTECTED CELLS

Act 1428 (HB2474) - The act provides a basis for the creation of protected cells by a domestic insurer as one means of accessing alternative sources of capital and achieving the benefits of insurance securitization; provides funds to investors in fully funded insurance securitization transactions that are available to pay the insurer's insurance obligations, or to repay the investors, or both; and provides a means to achieve more efficiencies in conducting insurance securitizations.

FARMERS' MUTUAL AID COMPANY OR ASSOCIATION

MANAGEMENT AGREEMENTS

Act 1811 (HB2208) - The act provides that no farmers' mutual aid company or association may make any contract whereby any person is granted the management of the company or association or to have the controlling or preemptive right to produce substantially all insurance business for the company or association unless the contract is approved by the Insurance Commissioner. The act requires the Commissioner to disapprove the management agreement under identified circumstances. The act provides that no association may indemnify or insure its manager's obligations to any other person or entity, unless authorized by law and in that case any indemnification by the association may be limited to the extent of any insurance or reinsurance coverages applicable to the loss indemnified or insured.

FRAUD INVESTIGATORS

SPECIALIZED LAW ENFORCEMENT POWERS

Act 743 (HB1361) - The act allows the Insurance Commissioner to designate investigators who meet the qualifications in the Workers' Compensation Fraud Investigation Unit and the Insurance Fraud Investigation Division as specialized law enforcement officers.

INSURANCE

GENETIC NONDISCRIMINATION IN INSURANCE ACT

Act 1221 (SB763) - The act provides that no insurer shall, for the purpose of determining eligibility of any individual for any insurance coverage, establishing premiums, limiting coverage, renewing coverage, terminating coverage or any other underwriting decision in connection with the offer, sale or renewal or continuation of a policy, except to the extent and in the same fashion as an insurer limits coverage, or increases premiums for loss caused or contributed to by other medical conditions presenting an increased degree of risk, require or request, directly or indirectly, any individual or a member of the individual's family to obtain a genetic test, or condition the provision of the policy upon a requirement that an individual take a genetic test.

GROUP AND BLANKET ACCIDENT AND HEALTH INSURANCE

OMNIBUS AMENDMENTS

Act 1063 (SB716) - The act amends various sections of the Arkansas Code pertaining to group and blanket accident and health insurance.

HEALTH

PREMIUM INCREASES

Act 302 (HB1178) - The act provides that no insurance policy other than life or disability or long-term care insurance may be cancelled nor may the premium for the policy be increased solely as a result of claims made under the policy which resulted in no loss to the insurer.

HEALTH CARE PROVIDERS

BALANCE BILLING

Act 1702 (HB1324) - The act provides that no health care provider participating in a health maintenance organization may make any statement, either written or oral, to any subscriber or enrollee that makes demand for, or would lead a reasonable person to believe that a demand is being made for payment of any amounts owed by the health maintenance organization. The act authorizes the State Insurance Commissioner to levy monetary penalties against an offending health care provider.

HEALTH INSURANCE

OPTIONAL COVERAGE

Act 1470 (HB2363) - The act requires every health carrier to offer optional coverage in its healthcare plans for medical treatment of musculoskeletal disorders affecting any bone or joint in the face, neck, or head, including temporomandibular joint disorder and craniomandibular disorder.

PAYMENT OF CLAIMS

Act 1454 (HB2449) - The act provides penalties for late payment of claims by health insurance companies and health maintenance organizations.

PHENYLKETONURIA

Act 95 (HB1117) - The act exempts accident only, specified disease, hospital indemnity, Medicare supplement, long-term care, disability income, and other limited benefit health insurance policies from the requirement that health insurance policies cover medically necessary foods.

PRIVATE REVIEW AGENTS

Act 1729 (HB2647) - The act excludes automobile, homeowner, casualty and commercial liability insurers and their employees, agents and contractors from the definition of private review agent for utilization reviews of hospital resources and medical services.

PURCHASING GROUPS FOR ELIGIBLE EMPLOYERS

Act 925 (HB1660) - The act provides for Health Insurance Purchasing Groups for eligible employers, sets forth organizational, coverage, ethics, filing, operations, and coordination requirements. Written notice of the option to select an alternative policy or plan must be given to the employee and rejected in writing by the employee or the eligible employee will be deemed to have selected a health benefit plan subject to state mandated benefits, services, provisions, and rights. The act allows administrative services to be provided to members.

INSURANCE

HEALTH INSURANCE

SCHOOL EMPLOYEES

Act 1745 (HB2465) - The act increases the amount school districts contribute for eligible employee participation in group health insurance to one hundred fourteen dollars (\$114) beginning July 1, 2001, to one hundred twenty-two dollars (\$122) beginning October 1, 2003, and to one hundred thirty-one dollars (\$131) beginning October 1, 2004.

UNIFORM PRESCRIPTION DRUG CARDS

Act 1409 (SB800) - The act requires that every health benefit plan that provides coverage for prescription drugs or devices and issues a card or other technology for claims processing shall issue to all covered persons a uniform card or other technology containing a prescribed list of uniform prescription drug information.

HEALTH INSURANCE POOL, ARKANSAS COMPREHENSIVE

BOARD MEMBERSHIP AND POWERS OF INSURANCE COMMISSIONER

Act 1246 (HB2399) - The act allows current or former representatives of insurance companies and health maintenance organizations to be appointed to the board of the Arkansas Comprehensive Health Insurance Pool, and gives the Insurance Commissioner the authority to act to recoup, by assessment, any deficit incurred by the pool when the board fails to act within a reasonable time.

HEALTH MAINTENANCE ORGANIZATIONS

COLLEGE STUDENTS

Act 1289 (HB2429) - The act requires Health Maintenance Organizations which require a primary care physician to permit college students to choose two primary care physicians, one at home and one at school.

OMNIBUS

Act 1605 (HB2489) - The act amends various sections of the Arkansas Code relating to health maintenance organizations.

INSURANCE COMMISSIONER

PERFORMANCE REVIEW OF ARKANSAS' WORKERS' COMPENSATION INSURANCE PLAN

Act 1721 (HB2360) - The act establishes the frequency with which the Insurance Commissioner conducts a comprehensive performance review of the plan administrator of Arkansas' Workers' Compensation Insurance Plan.

POWERS

Act 1239 (HB1871) - The act authorizes the State Insurance Commissioner to promulgate regulations required to comply with federal laws, to coordinate regulatory activities with other states and the federal government, and to enter into regulatory cooperation and coordination agreements with other governmental regulatory agencies whether within or without this state.

PREMIUM RECEIVABLES REPORTS

Act 1827 (HB2451) - The act requires insurers to report to the State Insurance Commissioner delinquencies in premium receivables from agents.

SHARING OF INFORMATION

Act 538 (HB1650) - The act allows the Insurance Commissioner to share documents, materials, or other information, including confidential and privileged documents, materials, or information, with other state, federal, and international regulatory and legislative agencies, with the National Association of Insurance Commissioners, its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities, provided that the recipient maintains the confidentiality and privileged status of the document, material, communication, or other information.

INSURANCE

INSURANCE COMPANIES

GUARANTY FUND DEPOSIT

Act 1137 (HB2536) - The act increases, effective January 1, 2002, the amount of acceptable securities every insurer shall have deposited and maintained on deposit with the Insurance Commissioner based upon the insurer's admitted assets.

INSURANCE DEPARTMENT, STATE

MISSION

Act 610 (HB1275) - The act provides that the purpose of the State Insurance Department is consumer protection through insurer solvency, market conduct regulation, and fraud prosecution and deterrents.

LIABILITY INSURANCE ON MOTORBOATS AND PERSONAL WATERCRAFT

PROOF OF INSURANCE

Act 1704 (HB1418) - The act requires insurance companies to furnish insureds with "proof of insurance" on motorboats and personal watercraft which can be conveniently carried in the motorboat or personal watercraft.

LIFE INSURANCE

OMNIBUS BILL

Act 1382 (HB1954) - The act amends various sections of the Arkansas Code pertaining to life insurance and annuity insurance.

POLICY CANCELLATION

Act 302 (HB1178) - The act provides that no insurance policy other than life or disability or long-term care insurance may be cancelled nor may the premium for the policy be increased solely as a result of claims made under the policy which resulted in no loss to the insurer.

PREMIUM INCREASES

Act 302 (HB1178) - The act provides that no insurance policy other than life or disability or long-term care insurance may be cancelled nor may the premium for the policy be increased solely as a result of claims made under the policy which resulted in no loss to the insurer.

LONG-TERM CARE LIABILITY INSURANCE PLAN

INSURANCE COMMISSIONER

Act 1825 (HB2438) - The act provides for the Insurance Commissioner to establish a Long-term Care Liability Insurance Plan if the Insurance Commissioner determines, after a hearing, that long-term care liability insurance is not reasonably available in this state.

MOTOR VEHICLE LIABILITY INSURANCE

EXTRA TERRITORIAL COVERAGE

Act 309 (HB1326) - The act requires motor vehicle liability insurers to cover Arkansas insureds in the minimum amounts required in any other state, U. S. possession, or Canada.

STEP-DOWN PROVISIONS

Act 1438 (HB1963) - The act provides that no motor vehicle liability insurance policy issued or delivered in this state shall contain a provision that converts the limits for bodily injury or property damage to lower limits in the event that the motor vehicle insured is involved in an accident while it is being driven by a driver other than the insured.

MOTORBOATS AND PERSONAL WATERCRAFT

PROOF OF INSURANCE

Act 1704 (HB1418) - The act requires insurance companies to furnish insureds with "proof of insurance" on motorboats and personal watercraft which can be conveniently carried in the motorboat or personal watercraft.

INSURANCE

MUTUAL INSURANCE HOLDING COMPANIES

FORMATION

Act 1726 (HB2439) - The act entitled the "Mutual Insurance Holding Company Act" allows for the formation of mutual insurance holding companies by domestic mutual insurers with the approval of the Insurance Commissioner.

OMNIBUS AMENDMENTS

Act 1604 (HB2450) - The act amends 124 sections of the Arkansas Code pertaining to insurance.

PHENYLKETONURIA

Act 1654 (SB900) - The act requires all health benefit plans, except those which provide only limited benefits, to provide coverage for foods necessary for the therapeutic treatment of phenylketonuria.

POLICE AND FIRE PENSION FUNDS

GENERAL REVENUE PORTION OF PREMIUM TAXES REALLOCATED

Act 1701 (HB1319) - The act makes administrative corrections to the laws distributing insurance premium taxes to fund local police and fire pension and relief funds. The act changes the allocation of premium taxes that are sent to general revenues to first send a portion of them to the Arkansas Fire and Police Pension Guarantee Fund and to the Policemen's Pension Supplement Program Fund and then to general revenues.

POLICIES

Act 302 (HB1178) - The act provides that no insurance policy other than life or disability or long-term care insurance may be cancelled nor may the premium for the policy be increased solely as a result of claims made under the policy which resulted in no loss to the insurer.

PREMIUM RECEIVABLES

REPORTS

Act 1827 (HB2451) - The act requires insurers to report to the State Insurance Commissioner delinquencies in premium receivables from agents.

PREPAID FUNERAL BENEFITS

Act 1043 (HB1657) - The act amends various sections of the Arkansas prepaid funeral benefits law.

PRODUCER LICENSING MODEL ACT

Act 580 (HB1456) - The act adopts the Producer Licensing Model Act to comply with the provisions of the Gramm-Leach-Bliley Act of 1999 regarding reciprocity, uniformity, and producer licensing.

PROPERTY AND CASUALTY INSURANCE

OMNIBUS BILL

Act 1555 (HB2244) - The act makes numerous technical changes and amends numerous sections of the Arkansas Code regarding property and casualty insurance.

PUBLIC SCHOOL EMPLOYEES

BUS DRIVERS

Act 1253 (SB833) - The act makes certain school bus drivers eligible to participate in public school employee insurance. Drivers who qualify are those who contract with a public school district to operate a school bus and are designated as full-time drivers.

INSURANCE

PUBLIC SCHOOL EMPLOYEES

STATE PLAN

Act 1814 (HB2266) - The act expands the authority of the Employee Benefits Division of the Department of Finance and Administration over employee benefit programs and amends the law regarding the eligibility of state employees to participate in the programs.

RETIRED EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION

INSURANCE

Act 1752 (HB2561) - The act amends Arkansas Code 21-5-411 regarding eligibility of retired employees of institutions of higher education to continue coverage in the group health insurance program.

RISK BASED CAPITAL ACT

EXEMPTIONS

Act 8 (HB1100) - The act allows the Insurance Commissioner to exempt domestic insurers which write direct annual premiums of two million dollars (\$2,000,000) or less from the Risk Based Capital Act.

SELF-INSURED FIDELITY BOND PROGRAM

PARTICIPATING GOVERNMENTAL ENTITIES

Act 208 (HB1289) - The act specifically authorizes cities, counties, public school districts and the state to participate in the self-insured fidelity bond program.

STATE EMPLOYEES

MAXIMUM STATE CONTRIBUTION

Act 185 (HB1290) - The act increases the maximum amount the state may contribute for each state employee for state employee health benefits to \$350.

STATE PLAN

Act 1814 (HB2266) - The act expands the authority of the Employee Benefits Division of the Department of Finance and Administration over employee benefit programs and amends the law regarding the eligibility of state employees to participate in the programs.

STATE POLICE

ADDITIONAL FUNDING

Act 1500 (HB1472) - The act levies an additional \$6.00 charge for the issuance and renewal of driver's licenses to help fund the health insurance program for uniformed employees of the Arkansas State Police.

TITLE INSURANCE AGENTS

LICENSING

Act 1742 (HB2427) - The act known as the "Arkansas Title Insurance Agent's Licensing Act" provides the procedures for the licensing of title insurance agents.

UNILATERAL CHANGE IN PREMIUM PAYMENT MODE

NOTICE REQUIREMENT

Act 1177 (HB1961) - The act provides that notice be given by accident and health insurers prior to unilaterally changing premium payment modes on individual accident and health insurance policies.

UNINSURED MOTORISTS LIABILITY INSURANCE

REJECTION IN WRITING

Act 1276 (HB2003) - The act requires the rejection of uninsured motorists liability insurance coverage to be in writing by the insured.

LABOR

BOILERS

OWNER-USER INSPECTION PROGRAMS

Act 1283 (SB450) - The act creates an owner-user inspection program for the inspection of boilers or other pressure vessels and empowers the Arkansas Department of Labor to enforce the program.

EMPLOYEE RIGHTS

GENETIC DISCRIMINATION PROHIBITED

Act 1407 (SB766) - The act makes it unlawful for an employer to use a genetic test or genetic information of an employee for the purposes of discriminating against or restricting any right or benefit otherwise due or available to an employee. Any employer who violates the act may be fined up to twenty-five thousand dollars (\$25,000) or imprisoned up to one (1) year in jail, or both.

HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION LICENSING LAW

UNLICENSED REPAIRMEN PROHIBITED FROM ENFORCING LIENS

Act 1563 (HB2349) - The act amends the Heating, Ventilation, Air Conditioning, and Refrigeration licensing law to prohibit unlicensed repairmen from enforcing various liens for any unlicensed work done. It applies to mechanic's and materialman's lien, a laborer's lien, a repairmen's lien or any other artisan's lien for work done in violation of the licensing law.

INSURANCE COMMISSIONER

PERFORMANCE REVIEW OF ARKANSAS' WORKERS' COMPENSATION INSURANCE PLAN

Act 1721 (HB2360) - The act establishes the frequency with which the Insurance Commissioner conducts a comprehensive performance review of the plan administrator of Arkansas' Workers' Compensation Insurance Plan.

LABOR, DEPARTMENT OF

BOILER OWNER-USER INSPECTION PROGRAMS

Act 1283 (SB450) - The act creates an owner-user inspection program for the inspection of boilers or other pressure vessels and empowers the Arkansas Department of Labor to enforce the program.

LABOR DEPARTMENT SPECIAL FUND

Act 577 (SB470) - The act creates the Labor Department Special Fund.

MINIMUM WAGE

Act 1423 (HB1950) - The act amends the Minimum Wage Act to delete references to the Labor Board and substitute references to the Department of Labor and provides for civil penalties instead of criminal penalties for violating the act.

PUBLIC HOUSING AGENCY

ACCESS TO INFORMATION ON RESIDENTS

Act 1477 (HB2027) - The act provides that all requests received by the director of the Arkansas Employment Security Department from a public housing agency regarding wage and unemployment compensation information on one of its residents shall be processed within three (3) business days.

UNEMPLOYMENT COMPENSATION

DISQUALIFICATION

Act 755 (SB254) - The act provides that, when determining disqualification for unemployment benefits, work offered to an individual by a base-period or last employer at earnings equal to or greater than the individual earned from the base-period or last employer shall be deemed to be suitable work, absent other factors.

DISQUALIFICATION - DRUGS

Act 770 (SB237) - The act disqualifies a person for unemployment benefits if the person is discharged for testing positive for illegal drugs pursuant to a Department of Transportation qualified drug screen conducted in accordance with the employer's bona fide written drug policy.

LABOR

UNEMPLOYMENT COMPENSATION

EMPLOYER CONTRIBUTION

Act 964 (HB1639) - The act provides that when an employer who has been assigned a contribution rate makes a voluntary payment to the Unemployment Compensation Fund, the Director of the Arkansas Employment Security Department shall compute a new experience rate for the employer.

FUTURE RATES

Act 1528 (SB438) - The act amends the Employment Security Law to provide that, under certain circumstances, an employer who at the time of establishing an account is in business in another state or states and not currently doing business in Arkansas may elect to receive a beginning contribution rate of 2.9% or a contribution rate based on the rate schedule at Arkansas Code 11-10-705(b)(1), whichever is lower, but in no event less than 1%.

OMNIBUS AMENDMENTS

Act 1367 (SB822) - The act amends various sections of the Arkansas Employment Security Law.

STABILIZATION TAXES

Act 1628 (SB562) - The act provides that the Director of the Employment Security Department shall report to the Employment Security Department Advisory Council on a quarterly basis as to any and all uses of funds generated by stabilization taxes.

VARIOUS CHANGES

Act 1467 (HB2215) - The act amends various sections of the Arkansas Employment Security Law.

WORKERS' COMPENSATION

INMATES

Act 1651 (SB883) - The act provides that monies retained by the Department of Correction under Arkansas Code 12-30-406(a)(1) are excluded from the prohibition that Workers' Compensation benefits are not assignable and not subject to garnishment, attachment, levy, execution, or any other legal process.

MANAGED CARE

Act 426 (HB1627) - The act provides that the implementation of Workers' Compensation Commission Rule 33 (managed care) shall be voluntary for all employers and provides that the Commission shall provide quarterly reports to the Legislative Council and the House and Senate Committees on Public Health, Welfare, and Labor on the progress of the Health and Safety Program and the Medical Cost Containment Program.

TECHNICAL CORRECTIONS

Act 1757 (HB2646) - The act makes technical corrections to the Arkansas Workers' Compensation law by amending various sections of the Arkansas Code.

VARIOUS CHANGES TO LAW

Act 1281 (HB2521) - The act amends the Workers' Compensation Law to modify the burden of proof in establishing an occupational disease; to authorize the Workers' Compensation Commission to promulgate guidelines regarding carpal tunnel syndrome; to regulate health care provider payments while claims are pending; to prescribe conditions for the admission of expert testimony; and to amend the schedule of fees for legal services.

LANDSCAPE ARCHITECTURE

LANDSCAPE ARCHITECTURAL PRACTICE ACT

Act 617 (SB242) - The act amends various sections of the Landscape Architectural Practice Act.

LAW ENFORCEMENT

ACCIDENT REPORTS

ELECTRONIC FILING

Act 1156 (HB1927) - The act provides that motor vehicle accident reports may be filed either electronically or on paper and that the existence of insurance must be proved by means of an insurance report which may be either electronic or paper.

BUILDINGS, MOVING OF

PERMANENT OR PORTABLE BUILDING

Act 990 (HB2172) - The act permits moving, on state highways, of portable and permanent buildings in which persons may live, sleep, assemble, or conduct business or other callings.

CERTIFIED LAW ENFORCEMENT OFFICERS FROM OTHER STATES

CONCEALED HANDGUNS

Act 251 (SB160) - The act allows presently employed certified law enforcement officers who are authorized to carry a concealed handgun by another state to carry a concealed handgun while in Arkansas, if the other state extends the same privilege to Arkansas officers.

CONTACT WITH STUDENTS

PARENTAL NOTIFICATION BY SCHOOLS

Act 1217 (HB2275) - The act mandates parental, guardian or in loco parentis notification by schools of a student reported to, interviewed by or taken into custody by law enforcement personnel. Notification is not required where the report, complaint or interview is based on suspected child abuse or neglect.

COUNTY SHERIFF

SHERIFF'S FEES INCREASED

Act 1427 (HB2457) - The act increases the fees charged by the county sheriff's office for certain services. Generally, the act doubles all the sheriff's fees. For example, the fee for serving a summons, writ of garnishment or attachment, or subpoena increased from fifteen dollars (\$15.00) to thirty dollars (\$30.00).

CRIMINAL DETENTION FACILITIES

CITIZEN ADVISORY COUNCIL

Act 1185 (SB102) - The act repeals obsolete language in order to provide the Criminal Detention Facilities Review Coordinator the authority to establish minimum standards for detention facilities. The act defines "intermediate/long-term facility", "short-term facility", and "twenty-four (24) hour or overnight facility" and permits the Governor to establish a citizen advisory council composed of Arkansas citizens to advise the Criminal Detention Facilities Review Coordinator regarding jail standards.

DIRECTOR OF THE ARKANSAS STATE POLICE

APPOINTMENT

Act 750 (HB1780) - The act provides that the Governor, after conferring with the members of the Arkansas State Police Commission, shall appoint a Director of the Department of Arkansas State Police. The chosen Director shall serve at the pleasure of the Governor.

DOMESTIC ABUSE ADVOCATES

REPORTING ABUSE OR NEGLECT OF CHILDREN

Act 1236 (HB2326) - The act requires domestic abuse advocates to report suspected abuse or neglect of children to the child abuse hotline.

EMERGENCY VEHICLES

EXCEEDING SPEED LIMITS WHEN OPERATING EMERGENCY LIGHTS

Act 1415 (HB1482) - The act allows emergency vehicles when responding to an emergency call to exceed speed limitations when the driver is operating the vehicle's emergency lights, and if other vehicles are present, is also operating an audible signal by bell, siren, or exhaust whistle.

LAW ENFORCEMENT

EMERGENCY VEHICLES

SPEED LIMITS

Act 332 (HB1480) - The act defines "emergency calls" for purposes of speed limits and their application to emergency vehicles and police vehicles when responding to an emergency call.

FINGERPRINTING AND PHOTOGRAPHING UPON ARREST

FELONIES AND CLASS A MISDEMEANORS

Act 177 (HB1027) - The act allows the fingerprinting and photographing of juveniles and other persons when they are arrested for felonies and Class A misdemeanors only.

Act 1712 (HB2128) - The act provides that juveniles arrested for a felony or a Class A misdemeanor if violence or the use of a weapon was involved may be fingerprinted and photographed, and also provides that adults may be fingerprinted and photographed when arrested for a felony or a Class A misdemeanor.

HIGHWAY POLICE, ARKANSAS

UNIFORM ALLOWANCE

Act 1688 (HB2637) - The act provides for an increase in the uniform allowance up to \$1800.00 for all uniformed personnel of the Arkansas Highway Police.

INSURANCE FRAUD INVESTIGATORS

SPECIALIZED LAW ENFORCEMENT POWERS

Act 743 (HB1361) - The act allows the Insurance Commissioner to designate investigators who meet the qualifications in the Workers' Compensation Fraud Investigation Unit and the Insurance Fraud Investigation Division as specialized law enforcement officers.

JUVENILE AFTERCARE AND CUSTODY INFORMATION

DISSEMINATION TO CRIMINAL JUSTICE AGENCIES AND OFFICIALS

Act 1048 (SB360) - The act defines "juvenile aftercare and custody information" and allows its dissemination to criminal justice agencies and officials.

JUVENILES

MIRANDA RIGHTS

Act 1610 (SB108) - The act requires law enforcement officers to attempt to notify the parents or guardians of juveniles taken into custody immediately after the juvenile is taken into custody; requires a waiver of right to counsel for a juvenile to be co-signed by the juvenile's custodial parent, guardian, or custodian; and requires law enforcement officers who take juveniles into custody for a delinquent or criminal offense to inform the juveniles of their Miranda rights.

LAW ENFORCEMENT OFFICERS, COUNTY AND MUNICIPAL

PURCHASE OF LAW ENFORCEMENT APPARATUS

Act 1408 (SB774) - The act allows certain fines collected by municipalities and counties when the arresting officer is a county law enforcement officer or a municipal law enforcement officer to be used for the purchase and maintenance of communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

VOLUNTEER FIRE FIGHTER ANNUITY INCREASED

Act 1133 (HB1254) - The act increases the annuity rate from three dollars (\$3.00) to four dollars (\$4.00) per month for each year of service for volunteer firefighters under the Local Police and Fire Retirement System retiring after July 1, 2001. The maximum monthly volunteer annuity benefit was increased from one hundred twenty dollars (\$120.00) to one hundred sixty dollars (\$160.00).

LAW ENFORCEMENT

METHAMPHETAMINE, TASK FORCE ON

Act 1684 (HB2390) - The act creates the Task Force on Methamphetamine.

POLICE AND FIRE PENSION FUNDS

100% OF SALARY CAP REMOVED

Act 1140 (SB51) - The act removes the maximum benefit limit for police officers who continue to work beyond 25 years. Previously, this incentive to continue working was capped at 100% of the final salary. The act eliminates the 100% cap on the benefit.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

POLICE OFFICER, DEFINITION REVISED

Act 1616 (SB216) - The act revises the definition of "police officer" under the Public Employees' Retirement System. The term police officer now includes an officer who, although assigned to administrative duties, is still subject to service at patrol duty, duty in the field, or service in emergency situations requiring the officer to be armed with a firearm. This allows the officer to qualify for "public safety" status under the system.

RETIRED OFFICERS

CONCEALED HANDGUNS

Act 585 (SB85) - The act authorizes retired law enforcement officers to carry concealed handguns.

SCHOLARSHIPS

SURVIVORS

Act 158 (SB19) - The act authorizes scholarships to technical institutes for family members of law enforcement officers, full-time or volunteer firemen, state highway employees, state correction employees, state parks employees, teachers, and state forestry employees who are killed or permanently and totally disabled on duty.

SEXUAL ASSAULT

MEDICAL-LEGAL EXAMINATIONS

Act 993 (HB1587) - The act provides procedures for conducting medical-legal examinations of sexual assault victims and mandates that all emergency departments provide the examination. Providers are to be reimbursed for costs. The act also repeals Arkansas Code 20-9-303 concerning medical treatment of sexual assault victims.

SHERIFF'S OFFICES AND POLICE DEPARTMENTS

NON-SMOKING VEHICLES

Act 1392 (HB2544) - The act provides that all county sheriff's offices and police departments of municipalities may designate a proportionate number of their patrol vehicles as "non-smoking" vehicles, and shall not allow smoking of tobacco products in those vehicles.

STATE CAPITOL POLICE

TERRITORY

Act 1082 (SB768) - The act provides for expansion of the territory of the State Capitol Police.

STATE POLICE COMMISSION, ARKANSAS AND DIRECTOR

POWERS AND DUTIES

Act 1697 (HB2513) - The act makes numerous changes to the Arkansas Code concerning the powers and duties of the Arkansas State Police Commission; the Director, Arkansas State Police; the qualifications for employment as an Arkansas State Police officer; the transfer, removal, suspension and discharge of Arkansas State Police officers; and their spouse's and children's death benefits.

STATE POLICE, DEPARTMENT OF ARKANSAS

APPOINTMENT OF DIRECTOR

Act 750 (HB1780) - The act provides that the Governor, after conferring with the members of the Arkansas State Police Commission, shall appoint a Director of the Department of Arkansas State Police. The chosen Director shall serve at the pleasure of the Governor.

LAW ENFORCEMENT

STATE POLICE, DEPARTMENT OF ARKANSAS

TERMS RELATED TO ARKANSAS STATE POLICE

Act 1094 (HB1840) - The act provides that the express written permission of the Director of the Department of Arkansas State Police must be obtained before a law enforcement agency, private security firm, corporation, partnership, or individual may use the terms “Arkansas State Police”, “Arkansas State Trooper”, or “Arkansas State Troopers” or otherwise display the terms for the endorsement of any product, business, or purpose.

TOBACCO CONTROL BOARD, ARKANSAS

ENFORCEMENT OFFICERS

Act 1699 (HB2628) - The act authorizes the Director of the Arkansas Tobacco Control Board to designate as specialized law enforcement officers those personnel who conduct investigations of violations of the state's tobacco laws.

TRAINING REQUIREMENTS

DOMESTIC VIOLENCE AND CHILD ABUSE

Act 1452 (HB2315) - The act requires all new law enforcement officers to complete at least 20 hours of training concerning domestic violence and 20 hours of training concerning child abuse.

UNATTENDED VEHICLES, REMOVAL OF

Act 1705 (HB1447) - The act provides for law enforcement officers to remove unattended vehicles causing an obstruction consistent with Arkansas Code 27-50-1207 which concerns the removal of unattended and abandoned vehicles.

UNIFORM TRAFFIC CITATION FORM

CASH REGISTER VALIDATION

Act 331 (HB1479) - The act removes the requirement that the uniform traffic citation form provide a space for cash register validation.

LEGISLATIVE AUDIT, DIVISION OF

NON-PROFIT CORPORATIONS

STATE FUNDS

Act 958 (HB1910) - The act provides that any nonprofit organization receiving state financial assistance shall be subject to audit of its receipts and expenditures of state financial assistance by the Division of Legislative Audit.

LIBRARIES

COMPUTERS

USE POLICY

Act 912 (SB717) - The act requires each school district and each public library to adopt a written policy to prevent computer users from accessing material harmful to minors.

Act 1533 (HB1003) - The act provides that each public school that provides a public access computer shall, unless the school board votes otherwise, equip the computer with technology that seeks to prevent minors from gaining access to material that is harmful to minors or from obtaining internet connectivity from an internet service provider that provides filter services to limit access to material that is harmful to minors. The act also provides that each public library with one or more public access computers shall develop, adopt and implement a written policy that establishes and maintains a system to prevent minors from gaining computer access to materials harmful to minors, and provides for suspending the privilege of a minor from using the public access computers for violation of the policy and revoking such privilege for repeat offenders.

LIBRARIES

LIBRARY OF THE SECRETARY OF STATE

BINDING

Act 791 (HB1700) - The act repeals statutory requirements that the librarian of the library of the Secretary of State bind the acts of each session of Congress, acts of other states, and state papers and documents of the United States. Acts of the General Assembly shall continue to be bound in accord with the statute. The act repeals the statutory requirement that all books owned by the state be placed in a convenient room in the State Capitol. The act repeals the statutory requirement that the librarian, under the direction of the Governor, purchase books, maps, and charts as directed by the General Assembly.

MUNICIPAL

TRUSTEES' TERMS OF OFFICE

Act 630 (SB354) - The act allows members of boards of trustees of municipal libraries to serve successive terms in office.

LIQUEFIED PETROLEUM GAS BOARD

MULTIPLE COUNTY OPERATIONS

PERMITS

Act 1219 (SB567) - The act authorizes holders of class 1 permits for liquefied petroleum gas businesses to operate in 3 adjoining counties.

SELLERS OF LIQUEFIED PETROLEUM GAS

SUBSTITUTE SELLERS

Act 918 (HB1218) - The act allows a seller of liquefied petroleum gas who is unable to promptly respond to a request for the delivery of liquefied petroleum gas to immediately authorize in writing some other seller to fill or refill the liquefied petroleum gas container.

LOCAL LEGISLATION

CONSOLIDATED WATERWORKS AUTHORITY

Act 982 (SB311) - The act is entitled the "Consolidated Waterworks Authorization Act". The act allows 2 or more public entities to enter into an interlocal cooperation agreement for the purpose of consolidating their waterworks systems.

EIGHTEENTH JUDICIAL DISTRICT- EAST

BAILIFFS

Act 1529 (SB575) - The act provides bailiffs for the judges of the Eighteenth Judicial District, prescribes their duties, and provides for the determination of their compensation by the Garland County Quorum Court.

FIFTEENTH JUDICIAL DISTRICT

DIVISION B

Act 203 (HB1193) - The act redesignates the Fifteenth Judicial District as a Division B Judicial District in need of only a Class B prosecutor.

FOURTEENTH JUDICIAL DISTRICT

NEW JUDGESHIP

Act 300 (HB1171) - The act creates a new circuit-chancery judgeship, effective immediately, in the Fourteenth Judicial District.

FURLOUGHS

NOTIFICATION OF SHERIFFS AND CHIEFS OF POLICE

Act 1371 (SB875) - The act provides that the Board of Correction and Community Punishment may promulgate rules and regulations to allow inmates to participate in a meritorious furlough program which shall include a requirement that the sheriff of the county and the chief of police of the city or town, if applicable, shall be notified if an inmate will be present within their jurisdiction while on furlough.

LOCAL LEGISLATION

GENERAL EDUCATION

COMMUNITY-BASED EDUCATION CENTERS

Act 1290 (HB2454) - The act designates community based education centers as local education agencies for federal funding purposes.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

PENSION REVIEW BOARD MEMBERS

Act 1542 (HB1334) - The act allows retired members and Deferred Retirement Option Plan participants of a police or fire pension and relief fund to serve on the Arkansas Fire and Police Pension Review Board. Previously, Deferred Retirement Option Plan participants could not serve on the Board after they retired.

TEMPORARY ANNUITY EXTENDED TO AGE 65 AND MULTIPLIERS INCREASED

Act 1536 (HB1253) - The act extends from age 62 to age 65 the temporary annuity benefits paid under the Local Police and Fire Retirement System. This benefit applies to persons retiring after July 1, 2001. The act also increases the benefit multiplier from 2.1% to 2.2% of final salary for benefit program 1 and increases the benefit multiplier from 1.1% to 1.2% of final salary for benefit program 2.

TRANSFER OF MUNICIPAL DEPARTMENT RETIREMENT SYSTEMS

Act 1541 (HB1328) - The act authorizes municipal police departments whose officers were members of the Public Employees' Retirement System to transfer to the Local Police and Fire Retirement System. If any municipality transfers benefits under this act, all officers hired after July 1, 1997 must be enrolled in the Local Police and Fire Retirement System.

MUNICIPALITIES AND COUNTIES

LOCAL GOVERNMENT SHORT-TERM FINANCING OBLIGATIONS ACT OF 2001

Act 1808 (HB1985) - The act allows local legislation regarding the issuance of short-term financing obligations by municipalities and counties. The act also provides for refunding obligations, security of obligations by lien, tax exemptions, and protection from liability for the legislative body of the issuing municipality or county. Obligations issued under this act are negotiable instruments.

POLICE AND FIRE PENSION FUNDS

DEPARTMENT BOUNDARY PROCEDURES REVISED

Act 1539 (HB1320) - The act revises the procedures used to determine the boundaries between fire and police departments when distributing premium taxes for local police and fire pension and relief funds. Previously, the boundaries were determined by legal descriptions only, and now the department boundaries will match physical feature descriptions where possible. Physical features will be the preferred description.

POLICEMEN'S PENSION SUPPLEMENT PROGRAM REVISED

Act 1543 (HB1347) - The act changes the allocation of insurance premium tax funds to the Arkansas Policemen's Pension Supplement program. It also increases from fifteen dollars (\$15.00) per month to fifty dollars (\$50.00) per month the supplement amount under the Policemen's Pension Supplement program. The act also allows Deferred Retirement Option Plan members of police pension funds to participate in the Policemen's Pension Supplement program.

PUBLIC WATER AUTHORITIES

Act 115 (HB1247) - The act provides for the creation of public water authorities.

REGIONAL WATER DISTRIBUTION DISTRICT ACT

NONPROFIT REGIONAL DISTRICTS

Act 618 (SB459) - The act provides that water districts in existence on January 1, 2001 and functioning for the purpose of handling sewage and liquid waste, excluding those subject to assessment, may be organized and have the same powers as nonprofit regional water distribution districts.

LOCAL LEGISLATION

SCHOOL DISTRICTS

CONSOLIDATION AND ANNEXATION

Act 1225 (SB896) - The act combines the existing laws regarding annexation and consolidation of public school districts.

SECOND JUDICIAL DISTRICT

NEW JUDGESHIP

Act 1186 (SB157) - The act creates, effective July 1, 2001, a new circuit judgeship in the Second Judicial District.

SHERIFF AND COLLECTOR

CHICOT COUNTY

Act 531 (HB1280) - The act separates the office of county sheriff-collector for Chicot County into 2 distinct elective offices for sheriff and collector. The act is effective with the 2002 general election and affects terms of office for the new officials beginning on January 1, 2003.

DALLAS COUNTY

Act 1719 (HB2261) - The act separates the office of county sheriff-collector for Dallas County into 2 distinct elective offices of county sheriff and county collector. The act is effective with the 2002 general election and affects the terms of office of the new officials beginning on January 1, 2003.

SIXTEENTH JUDICIAL DISTRICT

NEW JUDGESHIP

Act 816 (HB1416) - The act creates a new circuit judgeship, effective July 1, 2001, in the Sixteenth Judicial District.

PROSECUTING ATTORNEY

Act 249 (SB43) - The act makes the Sixteenth Judicial District Prosecuting Attorney full-time.

SOLID WASTE MANAGEMENT

LANDFILLS

Act 217 (SB114) - The act requires Class 1 and Class 3C landfills to install scales and commence weighing all solid waste received at the landfill.

STATEWIDE PLAN

Act 1376 (SB970) - Act 1376 entitled "The Statewide Solid Waste Management Plan Act" requires the Arkansas Department of Environmental Quality to develop a statewide solid waste management plan to establish minimum requirements for all regional solid waste management plans.

THIRD JUDICIAL DISTRICT

NEW JUDGESHIP

Act 114 (HB1219) - The act creates a new circuit-chancery judgeship, effective immediately, in the Third Judicial District.

TWENTY-THIRD JUDICIAL DISTRICT

PROSECUTING ATTORNEY

Act 199 (HB1151) - The act makes the Twenty-third Judicial District Prosecuting Attorney full-time.

VOLUNTEER FIRE DEPARTMENTS

DUES

Act 984 (HB1477) - The act provides that when a county quorum court receives a request, in the form required by the act, for the levy of volunteer fire department dues, the quorum court shall call an election on the issue of the levy of the voluntary dues. If the voters approve the levy the dues shall be listed annually on the personal property tax statements and collected at the same time and in the same manner as personal property taxes. The act also eliminated language from Arkansas Code 14-20-108 which allowed quorum courts to direct that property owners pay dues to a volunteer fire department and which provided that the dues would become a lien upon their property.

MANUFACTURED HOMES

MANUFACTURED HOME COMMISSION, ARKANSAS

ASSESSMENTS

Act 1263 (HB2227) - The act sets fees for manufacturers, retailers and installers of manufactured homes. The act authorizes the Arkansas Manufactured Home Commission to make annual assessments to maintain the Manufactured Housing Recovery Fund and to investigate claims against the fund involving participating manufacturers, retailers and installers.

INVESTIGATIONS AND SANCTIONS

Act 1067 (HB2226) - The act removes the definition of "dealer" from the Manufactured Homes Standards Act and includes definitions for "installer" and "retailer." The act authorizes the Arkansas Manufactured Home Commission to investigate disagreements among manufacturers, retailers, and installers of manufactured homes regarding responsibility for the correction or repair of construction or installation defects. The act authorizes the Arkansas Manufactured Home Commission to sue, collect fees from and fine manufacturers, retailers, and installers of manufactured homes who violate the Manufactured Homes Standards Act.

TITLE TO A MANUFACTURED HOME

CANCELLATION OF TITLE

Act 1118 (HB2517) - The act provides that if a manufactured home is to be affixed to real estate, the manufacturer's certificate or the original document of title may be surrendered to the Department of Finance and Administration for cancellation.

TOWING A MANUFACTURED HOME

MAXIMUM TOWING SPEED

Act 1136 (HB2510) - The act increases to fifty-five (55) miles per hour the maximum speed a vehicle which is towing a manufactured home may be operated.

MID-AMERICA MUSEUM

TRANSFER OF FUNDS

Act 621 (SB564) - The act authorizes the Department of Parks and Tourism to transfer cash funds of the Mid-America Museum to either the Garland County Community College or the Hot Springs Advertising and Promotion Commission.

MILITARY

ARMY RESERVE CENTERS

JURISDICTION CEDED

Act 1479 (HB2201) - The act cedes concurrent jurisdiction to the United States over all lands, waters, and buildings previously or hereafter acquired for the Oscar Finkbeiner Army Reserve Center in Little Rock and the United States Army Reserve Center in Hot Springs.

SELECTIVE SERVICE

REGISTRATION

Act 78 (SB83) - The act provides that any United States male citizen or immigrant who is between 18 and 26 years of age shall be registered for United States Selective Service when applying to the Department of Finance and Administration for the issuance or renewal of, or a duplicate copy of, a driver's license, a commercial driver's license, or an identification card.

VETERANS

PROPERTY TAXES

Act 361 (SB199) - The act provides that widowed spouses of disabled veterans are eligible for the homestead and personal property tax exemption upon termination of a subsequent marriage and until the surviving spouse remarries.

MINORITIES

DEFINITION

Act 1394 (HB2586) - The act entitled "Minorities in Arkansas Act of 2001" defines the term "minority" for purposes of Arkansas law to mean black American, Hispanic American, American Indian, Asian, and Pacific Islander.

HIGHER EDUCATION

MINORITY TEACHER SCHOLARSHIP PROGRAM

Act 1731 (HB1940) - The act creates the Critical Needs Minority Teacher Scholarship Program to be administered by the University of Arkansas at Pine Bluff to provide fifteen hundred dollar (\$1,500) scholarships to students who commit to teach in the Delta or in a geographical area of the state where there is a critical shortage of teachers.

MISSING CHILDREN INFORMATION CLEARINGHOUSE

NAME CHANGED

Act 80 (SB32) - The act renames the Missing Children Information Clearinghouse as the Missing Persons Information Clearinghouse and expands its duties.

MODULAR STRUCTURES

COMPLIANCE WITH CODES

Act 1182 (HB2230) - The act authorizes the Arkansas manufacturer of modular or factory built structures, other than manufactured housing governed by the United States Department of Housing and Urban Development, to contract with an individual third party compliance assurance or inspection agency for inspection of the modular or factory built structures destined for delivery within Arkansas for compliance with the Arkansas Fire Protection Code and applicable state and municipal electrical, plumbing, and mechanical codes. If the manufacturer contracts with the independent third party inspector no further inspection by state or local building officials may be required.

MOSAIC TEMPLARS OF AMERICA CENTER FOR AFRICAN-AMERICAN CULTURE

CREATED

Act 1176 (HB1923) - The act creates the Mosaic Templars of America Centers for African-American Culture and Business Enterprise as a Division of the Department of Arkansas Heritage. The act also creates the Mosaic Templars of America Center for African-American Culture and Business Enterprise Advisory Board.

MOTOR VEHICLES

ACCIDENT REPORTS

ELECTRONIC FILING

Act 1156 (HB1927) - The act provides that motor vehicle accident reports may be filed either electronically or on paper and that the existence of insurance must be proved by means of an insurance report which may be either electronic or paper.

ALL-TERRAIN CYCLES

REGISTRATION

Act 462 (SB285) - The act provides that all-terrain cycles and motorboats must be registered within 30 days after purchase.

MOTOR VEHICLES

ALTERNATE ROAD LIGHTING EQUIPMENT

REPEAL

Act 1713 (HB2187) - The act repeals Arkansas Code 27-36-213 concerning alternate road lighting equipment.

AUTOMOBILE LIABILITY INSURANCE

PROOF OF INSURANCE CARD

Act 1828 (HB2512) - The act requires all insurance companies issuing automobile liability insurance policies to furnish the insured a proof of insurance card which shall contain the name, address and telephone number of the insurer; the name and telephone number of the local agent through whom the policy was issued, if any, or a blank space where a local agent's name may be stamped or filled-in; the policy number; the effective date and expiration date of the insurance policy coverage; the vehicle identification number with a brief description of the insured vehicle; and the name and address of the insured person.

BACKING OF VEHICLES

PROHIBITIONS

Act 313 (HB1454) - The act prohibits the backing of vehicles if the backing can't be made with reasonable safety, and further prevents the backing of vehicles on access roads, entrance and exit ramps, shoulders, and the road surface of controlled access highways.

BUILDINGS, MOVING OF

PERMANENT OR PORTABLE BUILDING

Act 990 (HB2172) - The act permits moving, on state highways, of portable and permanent buildings in which persons may live, sleep, assemble, or conduct business or other callings.

CERTIFICATE OF TITLE

CLARIFIES JUNK VEHICLE DESIGNATION

Act 328 (HB1432) - The act clarifies procedures for certificates of title on junk motor vehicles. It provides that a dismantler must notify the Office of Motor Vehicle when intending to dismantle a vehicle. Previously, the owner obtained permission and a permit from the department to dismantle. The act also prohibits the issuance of an Arkansas certificate of title for any vehicle issued a junk or nonrepairable title in another state. Only authorities in that state can remove the junk or nonrepairable designation.

CHILD PASSENGER PROTECTION ACT

AGE AND WEIGHT REQUIREMENTS CHANGED

Act 470 (HB1124) - The act amends the Child Passenger Protection Act to require children under fifteen (15) years old to be restrained when riding in passenger vehicles. Previously, the age limit was under five (5) years old. The act also requires children who are under six (6) years old and who weigh less than sixty (60) pounds to be restrained in the vehicle in a child passenger safety seat. Formerly, the age and weight limits for children were 4 years old and 40 pounds.

COMMERCIAL

VIOLATIONS

Act 216 (HB1437) - The act requires disqualification of commercial motor vehicle drivers for violations of railroad crossing laws.

CONSUMER MOTOR VEHICLE LEASING ACT

Act 953 (HB1638) - The act repeals Arkansas Code 4-90-601 through 607 pertaining to leasing of motor vehicles and commonly referred to as the Consumer Motor Vehicle Leasing Act.

MOTOR VEHICLES

CONSUMER PROTECTION

AUTOMOBILE WARRANTY

Act 1134 (HB1771) - The act provides procedures for the consumer to receive replacement or a refund for vehicles not brought into conformity with the warranty during the motor vehicle quality assurance period. The act mandates informal dispute settlement prior to any legal action, sets forth notice and procedural requirements. It also provides a reasonable opportunity to repair. Motor homes are covered by this act.

COUNTY PURCHASING PROCEDURES

USED MOTOR VEHICLE OR EQUIPMENT REDEFINED

Act 219 (HB1434) - The act changes the definition of "used motor vehicles and equipment" under the county government purchasing procedures law to include vehicles that are over two (2) years old or which were driven 10,000 or more miles. Previously, used vehicles had to have over 18,000 miles. Used motor vehicles or equipment are exempt from competitive bidding requirements unless they were previously leased by the county.

DEALERS, USED MOTOR VEHICLES

CONTINUING EDUCATION

Act 93 (HB1008) - The act repeals the used motor vehicle dealer licensing requirement mandating educational seminar completion as a condition to renewal of a dealer's license.

DRIVER INSTRUCTION MANUAL

LITTERING AND WORK-ZONE SAFETY COVERED

Act 853 (HB1960) - The act adds to the items required to be covered in the State Police's Driver's Instruction Manual. The manual issued to persons preparing to take a driver's license exam must now include information on the hazards of litter on the highways and the effects of unsafe driving in highway work zones, and the penalties for violations of both laws.

DRIVER SERVICES, OFFICE OF

ADMINISTRATIVE HEARINGS

Act 1057 (HB1371) - The act permits administrative hearings concerning revocation or suspension of driver licenses to be scheduled in the county office where the licensee resides, or by agreement, at another location or to be conducted by phone.

DRIVER'S RECORDS

Act 1810 (HB2197) - The act authorizes the Office of Driver Services to furnish the driver confirmation record of any driver's record to any person or entity which may now receive a copy of the abstract of the driver's record.

SUSPENSION - FRAUDULENT USE

Act 744 (HB1380) - The act permits the Office of Driver Services to suspend driving privileges of persons using the license or identification of another or for using a fraudulent driver's license or identification card after a hearing.

DRIVER TRAINING INSTRUCTION

MINIMUM REQUIREMENTS

Act 1756 (HB2627) - The act prescribes the minimum number of hours and type of instruction required for driver training instruction for noncommercial motor vehicles. It lists minimums for both classroom and correspondence courses of instruction. The Private Career Education Board is given authority to regulate the driver training instruction programs.

DRIVER'S LICENSE

ADDITIONAL FEE

Act 1500 (HB1472) - The act levies an additional \$6.00 charge for the issuance and renewal of driver's licenses to help fund the health insurance program for uniformed employees of the Arkansas State Police.

MOTOR VEHICLES

DRIVER'S LICENSE

COMMERCIAL DRIVER DISQUALIFICATION

Act 216 (HB1437) - The act requires disqualification of commercial motor vehicle drivers for violations of railroad crossing laws.

MINORS

Act 1694 (SB916) - The act provides for intermediate driver's licenses for drivers under 18 and places graduated restrictions on driving privileges for drivers under 18.

PENALTIES

Act 1802 (SB934) - The act limits imprisonment for violations of the Uniform Motor Vehicle Driver's License Act to not more than 90 days.

PROOF OF IDENTITY REQUIRED

Act 1812 (HB2212) - The act requires a person applying for an initial Arkansas driver's license to furnish one (1) of the following documents: a birth certificate, a U. S. passport or entry visa; a Social Security Card; photo identification document from INS or the military; or other document prescribed by the Department of Finance and Administration. Identification is also required for driver's license renewal.

REGISTER FOR SELECTIVE SERVICE AT TIME OF APPLICATION

Act 78 (SB83) - The act provides that any United States male citizen or immigrant who is between 18 and 26 years of age shall be registered for United States Selective Service when applying to the Department of Finance and Administration for the issuance or renewal of, or a duplicate copy of, a driver's license, a commercial driver's license, or an identification card.

STUDENTS WITHOUT A "C" AVERAGE

Act 1609 (SB82) - The act provides that a student who does not have the required "C" average, may be issued a restricted license for the purpose of driving to and from work.

SUSPENSION - FRAUDULENT USE

Act 744 (HB1380) - The act permits the Office of Driver Services to suspend driving privileges of persons using the license or identification of another or for using a fraudulent driver's license or identification card after a hearing.

SUSPENSION - THEFT OF MOTOR FUEL

Act 745 (HB1468) - The act creates the offense of Theft of Motor Fuel, makes it a Class A misdemeanor, and allows an additional penalty of suspension of a person's driver's license for up to one (1) year. The act also requires motor fuel retailers to display a sign on each product dispenser advising customers of the penalties.

DRIVER'S RECORDS

Act 1810 (HB2197) - The act authorizes the Office of Driver Services to furnish the driver confirmation record of any driver's record to any person or entity which may now receive a copy of the abstract of the driver's record.

DRIVING WHILE INTOXICATED

.08

Act 1501 (HB1717) - The act lowers the DWI threshold from .10% to .08 and modifies the penalties for DWI.

MOTOR VEHICLES

DRIVING WHILE INTOXICATED

BLOOD ALCOHOL CONCENTRATION

Act 561 (HB1141) - The act reduces the presumptive intoxication level of blood alcohol concentration in a person's breath, blood, and urine from 0.10% to 0.08. The reduction applies to negligent homicide, driving while intoxicated, seizure, suspension, and revocation of license, fees for reinstating driving privileges suspended or revoked because of operating or controlling a motor vehicle while intoxicated, underage operators, implied consent to chemical testing to determine blood alcohol level if driving and arrested or involved in an accident, and operators of motorboats. The blood alcohol concentration giving rise to the presumption that a person was not under the influence of alcohol is lowered from 0.05% to 0.04 with respect to both automobile and motorboat offenses. Blood alcohol concentrations between 0.04 and 0.08 do not give rise to a presumption that the accused was or was not under the influence, but is still considered in determining guilt or innocence of an automobile or motorboat offense. With respect to operators of aircraft, breathalyzer tests are added to measure blood alcohol concentration.

DRIVING ON SUSPENDED LICENSE

Act 1715 (HB2234) - The act authorizes the courts to assess, in addition to jail time, a fine of not more than \$1,000 for driving on a license suspended for driving while intoxicated.

EMERGENCY VEHICLES

EXCEEDING SPEED LIMITS WHEN OPERATING EMERGENCY LIGHTS

Act 1415 (HB1482) - The act allows emergency vehicles when responding to an emergency call to exceed speed limitations when the driver is operating the vehicle's emergency lights, and if other vehicles are present, is also operating an audible signal by bell, siren, or exhaust whistle.

SPEED LIMITS

Act 332 (HB1480) - The act defines "emergency calls" for purposes of speed limits and their application to emergency vehicles and police vehicles when responding to an emergency call.

ESCORT VEHICLES

Act 1483 (HB2428) - The act requires escort vehicles for any vehicle or combination of vehicles which has a length in excess of 90 feet and authorizes the State Highway Commission to issue annual escort vehicle registrations.

FARM PRODUCT HAULING

CLASS EIGHT LICENSES

Act 1431 (HB2571) - The act repeals the provision under class 8 motor vehicle licenses which had said that the "hauling of unprocessed farm products shall be considered noncommercial hauling."

POULTRY LITTER LICENSING

Act 923 (HB1502) - The act includes poultry litter among the products eligible for class eight motor vehicle licenses.

FINANCE AND ADMINISTRATION

NO LIABILITY AFTER A BONA FIDE SALE OR TRANSFER OF OWNERSHIP

Act 450 (HB1019) - The act allows an owner of a motor vehicle who sells or transfers ownership of the vehicle and who notifies the Office of Motor Vehicle of the Department of Finance and Administration to avoid liability for any damages or negligence resulting from the use of the vehicle. It also prescribes the requirements for the notice of the sale or transfer by owners of motor vehicles upon the vehicle's sale or transfer of ownership.

FUNERAL VEHICLE LIGHTING

PURPLE FLASHING LIGHTS FOR FUNERALS

Act 322 (HB1284) - The act authorizes motor vehicles leading or escorting a funeral procession to use a purple flashing and rotating lights to warn other vehicles of the approach of the funeral procession. It amends the law regarding emergency vehicle lighting to prescribe a penalty for the unauthorized use of the purple flashing lights.

MOTOR VEHICLES

HEADLIGHTS

COVERINGS AND COATINGS

Act 623 (HB1449) - The act prohibits the covering, coating, or alteration of a motor vehicle's headlamps that reduces the illumination intensity during times the use of the headlamps is required.

INOPERABLE VEHICLES

Act 448 (SB239) - The act repeals obsolete Arkansas Code 27-14-2401 which provided a temporary permit for inoperable vehicles or vehicles under repair.

LARGE TRUCKS

SPEEDING

Act 740 (SB420) - The act amends Arkansas Code 27-50-311 to specify that it applies only to interstate highways and state highways which have a posted speed limit for trucks different than the posted speed limit for other motor vehicles. 27-50-311 provides an enhanced fine for large trucks speeding more than five miles per hour over the legal limit.

LEASED MOTOR VEHICLES

STATE AGENCIES

Act 588 (SB353) - The act provides that before any state agency may lease a motor vehicle for a period of 31 days or more, the agency must submit a written request to the Director of the Office of State Procurement.

LIABILITY INSURANCE

EXTRATERRITORIAL COVERAGE

Act 309 (HB1326) - The act requires motor vehicle liability insurers to cover Arkansas insureds in the minimum amounts required in any other state, U. S. possession, or Canada.

LICENSE PLATES

COMMITTED TO EDUCATION

Act 529 (SB213) - The act provides for the issuance of special "Committed to Education" motor vehicle license plates.

COVERS

Act 1378 (HB1546) - The act prohibits the placing of any type of cover over a license plate which makes the license plate more difficult to read or which reduces the reflective properties of the license plate.

DISTINGUISHED FLYING CROSS

Act 566 (HB1474) - The act creates a special automobile license plate for persons awarded the Distinguished Flying Cross. The Distinguished Flying Cross is awarded by the U.S. Air Force to those persons who exhibit extraordinary heroism or achievement in aerial flight.

RETIRED ARKANSAS STATE TROOPER LICENSE PLATE

Act 47 (HB1061) - The act creates a special "Retired Arkansas State Trooper" license plate.

SPECIAL COLLEGIATE PLATES - ADMINISTRATION CHANGED

Act 999 (HB2613) - The act moves the complete administration of the special collegiate license plates to the Department of Finance and Administration and the colleges and universities will continue to receive the \$25.00 contribution fee for the plates. Previously, the colleges and universities collected the fees and the department only issued the plates.

SURVIVING SPOUSE MAY RENEW CERTAIN SPECIAL PLATES

Act 1524 (HB2539) - The act provides that special license plates may be reissued, upon the payment of the normal registration fee, to the surviving spouses of deceased persons to whom special plates were issued for retired members of the U.S. Armed Forces, for Pearl Harbor Survivors, and for war veterans of World War II, Korean, Vietnam, and the Persian Gulf Wars. The surviving spouse may renew the special license plate annually.

MOTOR VEHICLES

LICENSE PLATES

VETERAN LICENSE PLATES

Act 725 (SB367) - The act provides for the issuance of special Armed Forces Veteran license plates.

MOTOR HOMES

WARRANTY

Act 1134 (HB1771) - The act provides procedures for the consumer to receive replacement or a refund for vehicles not brought into conformity with the warranty during the motor vehicle quality assurance period. The act mandates informal dispute settlement prior to any legal action, sets forth notice and procedural requirements. It also provides a reasonable opportunity to repair. Motor homes are covered by this act.

MOTOR VEHICLE COMMISSION

DISCLOSURE OF DOCUMENTARY FEES

Act 1600 (SB854) - The act requires new and used motor vehicle dealers to disclose documentary fees to purchasers of new and used motor vehicles. Documentary fees are fees for services rendered on behalf of a purchaser in preparing, handling, and processing documents relating to, and in closing a retail installment transaction, involving a new or used motor vehicle. A standard disclosure of the documentary fee must appear on the buyer's order form.

MOTOR VEHICLE COMMISSION ACT

OMNIBUS AMENDMENTS

Act 1053 (SB795) - The act amends various sections of the Arkansas Motor Vehicle Commission Act.

MOTOR VEHICLES DRAWING ANOTHER MOTOR VEHICLE

FOLLOWING DISTANCE

Act 998 (HB2279) - The act provides that any motor vehicle drawing another motor vehicle on a roadway outside of a business or residence district shall not follow within 200 feet of another motor vehicle.

MOTORBOATS

REGISTRATION

Act 462 (SB285) - The act provides that all-terrain cycles and motorboats must be registered within 30 days after purchase.

MOTORCOACH INCENTIVE ACT

FUNDS

Act 1674 (HB1949) - Section 44 of the act adds under the Miscellaneous Revolving Fund incentive payments to eligible applicants under the Motorcoach Incentive Act of 1999.

MOTORCYCLE OPERATOR'S LICENSE

ROAD TEST WAIVER

Act 908 (SB314) - The act provides that the road test part of the examination for a motorcycle operator's license shall be waived for applicants who have successfully completed the Motorcycle Safety Foundation's Motorcycle Rider Course: Riding and Street Skills or any successor curriculum. In order to qualify for this waiver, the applicant must submit proof of the course completion dated within ninety (90) days prior to the date of license application.

MOVING TRAFFIC VIOLATIONS

DOUBLED FINES IN HIGHWAY WORK ZONES

Act 1120 (HB1494) - The act provides for the doubling of the fines for all moving traffic violations committed in a highway work zone.

MOTOR VEHICLES

PASSING

AUDIBLE SIGNAL

Act 220 (HB1448) - The act removes the requirement that an audible signal be sounded by an overtaking vehicle when passing.

PROJECTING LOAD

ORANGE FLAGS

Act 1482 (HB2271) - The act provides that in certain circumstances a red or fluorescent orange flag or cloth must be attached to the extreme end of a load extending 4 or more feet beyond the bed or body of a motor vehicle.

RACING FACILITIES

LOCATION IN JEFFERSON COUNTY

Act 1413 (SB978) - The act establishes the procedure for the construction of motor vehicle racing facilities in Jefferson County.

RACING VEHICLES

MOTOR FUEL

Act 1035 (SB97) - The act provides that the definition of motor fuel under the Motor Fuel Tax Law does not include leaded gasoline with an octane rating of 110 or higher used solely for off-highway testing.

REGISTRATION

SUSPENSION OF REGISTRATION FOR NO INSURANCE

Act 1433 (HB1195) - The act requires the Department of Finance and Administration to compare current vehicle registrations against the insurance database to determine if a motor vehicle has not been insured for three (3) consecutive months. The Office of Motor Vehicles will then notify the vehicle owner of the noncompliance and the owner has thirty (30) days to provide proof that the vehicle is covered by insurance. If proof is not provided, the office will then suspend the registration of the vehicle and the owner must pay a reinstatement fee of fifty dollars (\$50.00) to renew the vehicle registration.

RENTAL VEHICLES

SALES AND USE TAX

Act 949 (SB581) - The act imposes an additional rental vehicle tax at the rate of 5% on the gross receipts or gross proceeds derived from the rentals of licensed motor vehicles leased for a period of less than 30 days. The first \$2,850,000 collected from the tax shall be deposited in the Arkansas Public Transit Trust Fund for the purpose of acquiring public transportation vehicles, transit equipment, or facilities. The remaining funds are to be used exclusively for teacher salaries.

RETIRED MILITARY LICENSE PLATES

ADMINISTRATIVE FEE

Act 1269 (HB1612) - The act levies a one-time ten dollar (\$10.00) handling and administrative fee for the issuance of a retired military license plate which replaces the annual five dollar (\$5.00) fee.

SAFETY

IRRIGATION WATERS PROHIBITED ON HIGHWAYS

Act 1753 (HB2568) - The act prohibits any person from intentionally permitting or causing any center pivot irrigation water to be discharged on the traveled portion of any interstate or state highway.

SALE OR TRANSFER OF OWNERSHIP

NO LIABILITY AFTER A BONA FIDE SALE OR TRANSFER OF OWNERSHIP

Act 450 (HB1019) - The act allows an owner of a motor vehicle who sells or transfers ownership of the vehicle and who notifies the Office of Motor Vehicle of the Department of Finance and Administration to avoid liability for any damages or negligence resulting from the use of the vehicle. It also prescribes the requirements for the notice of the sale or transfer by owners of motor vehicles upon the vehicle's sale or transfer of ownership.

MOTOR VEHICLES

SALES AND USE TAX

Act 1834 (SB871) - The act provides that the sale of a motor vehicle from the original franchise dealer to any other dealer, person, corporation, or other entity other than a franchise dealer of the same make of vehicle, which sale is reflected on the statement of origin shall be subject to gross receipts tax. The vehicle shall be considered a used motor vehicle which shall be registered and titled, and the tax shall be paid at the time of registration.

USED MOTOR VEHICLE CREDIT

Act 1047 (SB310) - The act requires the seller of a used motor vehicle claiming a sales or use tax credit on the purchase of a new or used vehicle to provide a copy of the bill of sale signed by all parties.

SLOWER MOVING TRAFFIC

USE OF DESIGNATED LANES

Act 312 (HB1453) - The act changes the term "slow-moving traffic" to "slower-moving traffic" regarding the use of a designated lane.

SPECIAL LICENSE PLATES

MINIMUM REQUIREMENTS

Act 1203 (SB632) - The act provides that the Department of Finance and Administration shall not order or issue any special license plate without first receiving a minimum of 500 applications for the plate. The act further provides that the department shall discontinue the issuance of any special license plate for which fewer than 500 plates are in use.

SPEED TRAP LAW

APPLICATION

Act 1425 (HB2292) - The act makes the Arkansas Speed Trap Law applicable to traffic offenses which are misdemeanors or a violation of state law or local ordinance.

THEFT OF MOTOR FUEL

CLASS A MISDEMEANOR

Act 745 (HB1468) - The act creates the offense of Theft of Motor Fuel, makes it a Class A misdemeanor, and allows an additional penalty of suspension of a person's driver's license for up to one (1) year. The act also requires motor fuel retailers to display a sign on each product dispenser advising customers of the penalties.

TOWING A MANUFACTURED HOME

MAXIMUM TOWING SPEED

Act 1136 (HB2510) - The act increases to fifty-five (55) miles per hour the maximum speed a vehicle which is towing a manufactured home may be operated.

TOWING OF ABANDONED VEHICLES

REMEDY

Act 1830 (HB2538) - The act amends various Arkansas Code sections concerning the towing and storage of unattended or abandoned vehicles and provides a remedy through the State Claims Commission when the towing and storage is at the direction of a state agency.

TOWING ROTATION LIST

STATE POLICE, DEPARTMENT OF ARKANSAS

Act 254 (SB345) - The act gives the Director, Department of Arkansas State Police the authority to establish, maintain, and enforce a towing rotation list to assist in clearing highways of motor vehicles which have been involved in accidents or abandoned.

MOTOR VEHICLES

TRAFFIC LAWS

CENTER LEFT-TURN LANES AUTHORIZED

Act 553 (HB1791) - The act authorizes drivers to use the center lanes of multi-laned streets and roads for left-turns to enter traffic from a lateral street or driveway. Currently, these center lanes are controlled traffic lanes intended as turn-only lanes and not for entering traffic.

DISABLED PERSON PARKING PENALTIES AND LICENSE PLATES

Act 609 (HB1196) - The act places an additional penalty of suspending the driver's license for 6 months for persons convicted of parking in disabled person parking spaces. It also reduces from 5 years to 2 years the period of time for which disabled person parking placards can be issued, and requires the placards and license plates be returned after the death of the person to whom the placards and plates were issued.

TRAFFIC-CONTROL DEVICES

DEFINITION OF "YELLOW" TRAFFIC LIGHT CHANGED

Act 1606 (HB2550) - The act amends Arkansas traffic laws to change the definition of "Yellow" signal light for traffic-control signals. It removes the language defining a "Yellow" traffic light to warn of "crossing" the intersection when the traffic light turns "Red".

TRAILERS

PERMANENT REGISTRATION

Act 330 (HB1452) - The act provides for the permanent registration of trailers drawn by automobiles and Class 1 trucks.

TRUCKS WITH OPEN BEDS

OPEN BEDS VEHICLES REQUIRED TO BE COVERED

Act 1706 (HB1492) - The act amends the law concerning the covering of certain loads of sand, gravel, and rock to require that all motor vehicles with open beds manufactured after September 30, 2001 must cover their loads of sand, gravel, or rock.

UNATTENDED OR ABANDONED VEHICLES

NONJUDICIAL SALE

Act 1820 (HB2383) - The act provides that should the nonjudicial sale of an unattended or abandoned vehicle produce more funds than the sum of all charges, the excess shall be paid as follows: If the vehicle was removed to a government-owned impound lot, the excess shall be maintained for a period of three (3) years by the governmental entity that operates the impound lot; If the excess is not claimed during this period by the person legally entitled thereto, the monies shall be paid into the general fund of the governmental entity operating the impound lot; or if the vehicle was removed to a private impound lot, the excess shall be paid to the county clerk to the account of the person legally entitled thereto. The Unclaimed Property Act applies to any unclaimed funds or excess monies derived from the nonjudicial sale of a vehicle impounded at a private impound.

REMOVAL

Act 1705 (HB1447) - The act provides for law enforcement officers to remove unattended vehicles causing an obstruction consistent with Arkansas Code 27-50-1207 which concerns the removal of unattended and abandoned vehicles.

UNINSURED MOTORISTS LIABILITY INSURANCE

REJECTION IN WRITING

Act 1276 (HB2003) - The act requires the rejection of uninsured motorists liability insurance coverage to be in writing by the insured.

MOTOR VEHICLES

USED MOTOR VEHICLE DEALERS

CONTINUING EDUCATION

Act 93 (HB1008) - The act repeals the used motor vehicle dealer licensing requirement mandating educational seminar completion as a condition to renewal of a dealer's license.

DISCLOSURE OF DOCUMENTARY FEES

Act 1600 (SB854) - The act requires new and used motor vehicle dealers to disclose documentary fees to purchasers of new and used motor vehicles. Documentary fees are fees for services rendered on behalf of a purchaser in preparing, handling, and processing documents relating to, and in closing a retail installment transaction, involving a new or used motor vehicle. A standard disclosure of the documentary fee must appear on the buyer's order form.

MOUNT MAGAZINE STATE PARK

LODGE AND CABIN COMPLEX

CONSTRUCTION

Act 1390 (HB2283) - The act authorizes the State Parks, Recreation, and Travel Commission to contract with the Arkansas Development Finance Authority to issue bonds to finance the construction of a lodge, cabins, and related facilities to be located on Mount Magazine State Park.

NATURAL HERITAGE COMMISSION, ARKANSAS

PROPERTY

DEDICATION

Act 959 (HB1922) - The act eliminates the requirement that an interest in real property less than fee held by the Arkansas Natural Heritage Commission must have been acquired and held by dedication.

NOTARIES PUBLIC

APPOINTMENT AND COMMISSION

Act 1274 (HB1930) - The act updates existing law governing notaries public. The act amends the law in detail with respect to appointment and commission, application, surety, acknowledgements and authentication, seals and signatures, expiration, resignation, and renewal.

PETROLEUM PRODUCTS

TESTING

Act 586 (SB330) - The act is entitled The Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Act of 2001 and creates the State Petroleum Products Division within the Arkansas Bureau of Standards of the State Plant Board as the enforcement agency under the act.

PLUMBING

PLUMBING EXAMINERS, COMMITTEE OF

LICENSES

Act 1293 (HB2631) - The act makes discretionary with the Committee of Plumbing Examiners the decision to issue master or journeyman plumber licenses on the basis of prescribed experience.

PORT AUTHORITIES

INFRASTRUCTURE

Act 1546 (HB1696) - The act is entitled the "Arkansas Port Priority Improvement Program Act". The act provides that the Arkansas Waterways Commission, working in partnership with the Arkansas Department of Economic Development, may establish by regulation the criteria of eligibility for awarding funds to any public port authority to aid in the development of port infrastructure, including the engineering and construction costs.

PRIVATE INVESTIGATORS

PRIVATE SECURITY AGENCIES

SINGLE STATION ALARMS SYSTEMS COMPANIES

Act 1474 (SB827) - The act defines "Single Station Alarms Systems Company" and provides for licensing classification and training requirements. It further provides exemption from National Burglar and Fire Alarm Association Level 1 and 2 certification for Single Station Alarms Systems Companies.

PROFESSIONAL BAIL BOND COMPANY AND BONDSMAN LICENSING BOARD

MEMBERSHIP

FEMALES

Act 1817 (HB2347) - The act requires one (1) member of the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board to be female.

PROPERTY

ASSESSMENTS

CLASS B MISDEMEANOR

Act 1369 (SB862) - The act makes it unlawful for any person to knowingly place the assessment of property under the name of another person in order to avoid the payment of fees associated with the property. A violation of this act is a Class B misdemeanor.

COLLECTION OF PERSONAL PROPERTY TAXES WITH REAL ESTATE TAXES

EXCEPTION

Act 1286 (HB2392) - The act allows a purchaser in a foreclosure sale to pay the real estate taxes on the property without having to pay the personal property taxes due.

CONDEMNATION

HIGHWAY AND TRANSPORTATION DEPARTMENT, ARKANSAS STATE

Act 1135 (HB2401) - The act authorizes the Arkansas State Highway and Transportation Department, on acquiring whole taxable parcels of property to collect from the owner or owners of the condemned property taxes or assessments owed. The act makes discretionary with courts whether to deduct taxes or assessments owed before issuing any orders regarding compensation by the department or commission to the owner.

CRIMINAL LAW AND PROCEDURE

FORFEITURE AND SALE OF PROPERTY

Act 1690 (SB533) - The Prosecuting Attorney shall mail a copy of the complaint resulting in forfeiture to the Arkansas Drug Director within 5 calendar days after filing the complaint. An itemized accounting shall be prepared for forfeitures in excess of \$250,000, from which expenses have been paid for the proceedings for forfeiture and sale. Moneys received as a result of forfeiture shall be distributed by the Arkansas Alcohol and Drug Abuse Coordinating Council for law enforcement and prosecutorial purposes related to drug interdiction and eradication efforts. The Arkansas Drug Director shall, in cooperation with the Department of Finance and Administration, perform financial monitoring of each drug task force of the state to ensure that grant funds are being expended according to law, and to ensure that the drug task force's financial record system provides clear, timely and accurate accounting of all asset forfeitures, revenues and expenditures.

PROPERTY

CUTTING OF TIMBER

BOUNDARIES TO BE ASCERTAINED

Act 544 (SB544) - The act requires that before any person cuts and removes timber from land in this state, that the land be surveyed, or reliance be placed on existing lines and established corners, or the person obtains a signed document from the landowner and adjoining landowners indicating agreement with the boundaries. The act exempts utilities maintaining a right of way.

DRAINAGE DISTRICTS

DISTRICT'S PROPERTY NOT SUBJECT TO ADVERSE POSSESSION

Act 1312 (SB509) - The act provides that the real property or easements of drainage improvement districts are not subject to claims of adverse possession. The real property rights of a drainage district cannot be defeated by a claim of adverse possession commenced after the effective date of the act.

EMINENT DOMAIN

ELECTRIC UTILITIES

Act 1291 (HB2456) - The act makes numerous technical changes to the Arkansas Code concerning the eminent domain powers of electric utilities. It also changes the word "corporation" throughout those sections of the code to "electric utility" and then defines the term.

FORECLOSURE

NOTICE

Act 1196 (HB2317) - The act amends the Arkansas law regarding statutory foreclosure to authorize the mortgagee or trustee to publish the notice by employing a third party Internet foreclosure sale notice information service provider.

LANDLORDS AND TENANTS

REFUSAL TO VACATE UPON NOTICE

Act 1733 (HB2291) - The act requires a tenant charged with refusal to vacate upon notice who enters a plea of not guilty, and who continues to inhabit the premises, to deposit into the registry of the court a sum equal to the amount of rent due on the premises. The act requires that the rental payments shall continue to be paid into the registry of the court during the tendency of the proceedings in accordance with the rental agreement.

LIENS AND JUDGMENTS

PERSON AUTHORIZED TO RELEASE

Act 1125 (HB1185) - The act provides that any attachment, claim, encumbrance, financing statement, lien, mortgage or security agreement filed of record against any real or personal property, and any judgment filed of record against any person, firm or corporation, shall display the name, address, and telephone number of the claim holder, lien holder or the judgment creditor, together with the name and title of the person authorized to release the claim, lien or judgment, or the person's successor.

MOBILE HOMES

PROPERTY TAX

Act 410 (HB1120) - The act provides that mobile homes and manufactured homes are real property for property taxation purposes.

MUNICIPAL RIGHT-OF-WAY EMINENT DOMAIN

ELECTRIC TRANSMISSION SYSTEMS

Act 1795 (SB857) - The act authorizes municipal corporations to condemn property for lawful purposes, including the installation, extension, addition or improvement of electric transmission systems.

PROPERTY

MUNICIPAL SALES AND USE TAXES

CAPITAL IMPROVEMENTS

Act 1561 (HB2329) - The act limits the amount of taxes which may be collected for capital improvements as a result of a municipal sales or use tax levied, provides a method to compute the municipal use tax on property brought into the state, clarifies that each subchapter is supplemental, and provides enforcement of a municipal sales or use taxes.

PROPERTY TAX

ACT 9 BONDS

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

AMENDMENT 79

Act 1544 (HB1664) - Section 1 of the act provides that disabled veterans who are currently exempt from paying property taxes shall not be entitled to claim the property tax credit. Section 2 of the act provides for the distribution of the Property Tax Relief Trust Fund if the Chief Fiscal Officer has not received all of the certifications from the county collectors. Section 3 of the act defines property owner to mean a person who is the owner of record of the real property, or the mortgagee of the property, a buyer under a recorded contract to purchase the real property, or a person holding a recorded life estate in the real property. Section 4 provides that the penalty for claiming more than one homestead property tax credit is the repayment of the homestead property tax credit in addition to a 10% penalty of the amount of the homestead property tax credit. Section 5 of the act provides that when a disabled person or a person 65 years or older sells his or her real property, the purchaser shall not be entitled to claim any reduction to the property's assessed value, and the county assessor shall assess the property at its full market value, unadjusted for assessment limitations required by Amendment 79 to the Arkansas Constitution.

ASSESSMENT RATIOS

Act 1131 (HB1230) - The act makes various changes in the law pertaining to assessment ratios.

ASSESSMENTS

Act 1793 (SB823) - This act clarifies for purposes of Amendment 79 and Article 16, Section 14, that the rollback of millage rates be based upon the adjusted taxable assessed value of the real property in the current year compared to the adjusted taxable assessed value of the real property in the preceding year

CLERICAL ERRORS

Act 901 (HB2202) - The act provides that if a county court determines that the levy of taxes by the quorum court is incorrect due to clerical errors, scrivener's errors, or failure of a taxing entity to report the correct millage rate to the quorum court, the county court shall issue an order directing the county clerk to correct the error in order to correct the millage levy.

COLLECTION OF REVENUES

Act 1275 (HB1971) - The act provides that county collectors may receive a commission of up to 4% of the amount of real property tax reduction certified to the state.

CREDIT

Act 1598 (HB2590) - The act provides the procedures for registering with the county assessor proof of eligibility for the property tax credit.

MOBILE HOMES

Act 410 (HB1120) - The act provides that mobile homes and manufactured homes are real property for property taxation purposes.

PROPERTY

PROPERTY TAX

REAPPRAISALS

Act 204 (HB1222) - The act provides that countywide reappraisals of property shall be deemed to have been completed on the date the tax collector's books are open for collection on the newly appraised values.

Act 1058 (HB1053) - The act provides for the frequency of real property reappraisals. Specifically, counties shall reappraise property under a five-year cycle. If the new market value real estate assessment is greater than 15% from the previous market value real estate assessment in the county, the county shall be required to complete its next reappraisal at a minimum of once every 3 years. An exception to the three-year reappraisal cycle exists if the increased market value real estate assessment is a result of a single property improvement.

TAX DELINQUENT LAND

Act 423 (HB1496) - The act provides that the Commissioner of State Lands shall charge a \$25.00 collection fee against all tax delinquent land redeemed or sold by the Commissioner.

REAL ESTATE COMMISSION, ARKANSAS

REAL ESTATE LICENSE FEES

Act 535 (HB1565) - The act increases license fees for real estate brokers and salespersons.

RIGHTS OF SURVIVING FAMILY MEMBERS

HOMESTEAD

Act 952 (SB786) - The act repeals Arkansas Code 28-39-206 concerning appeals from a court having probate jurisdiction over homestead rights as they relate to the surviving spouse or children claiming the homestead.

STATE REGISTERED APPRAISER

QUALIFICATIONS

Act 1256 (HB2416) - The act makes numerous technical changes to the Arkansas Code regarding appraisers, sets the qualifications for a "state registered appraiser", and gives the Arkansas Appraiser Licensing and Certification Board the power to enjoin and restrain persons without a license from performing certain acts or practices as an appraiser.

TENANTS

REFUSAL TO VACATE UPON NOTICE

Act 1733 (HB2291) - The act requires a tenant charged with refusal to vacate upon notice who enters a plea of not guilty, and who continues to inhabit the premises, to deposit into the registry of the court a sum equal to the amount of rent due on the premises. The act requires that the rental payments shall continue to be paid into the registry of the court during the tendency of the proceedings in accordance with the rental agreement.

TITLE OPINIONS

PURCHASE OF PROPERTY FOR STATE

Act 534 (HB1548) - The act requires a seller of real property, when selling real property to the state, to provide at the seller's expense, a commitment to issue a title insurance policy acceptable to the purchasing state entity. The Attorney General shall provide an opinion upon request.

UNSIGHTLY PROPERTY

COSTS RECOVERY

Act 1538 (HB1293) - The act provides that municipalities may recover attorneys' fees and costs incurred in enforcing liens acquired by the municipality for work done on unsafe or unsightly property.

VETERANS

PROPERTY TAXES

Act 361 (SB199) - The act provides that widowed spouses of disabled veterans are eligible for the homestead and personal property tax exemption upon termination of a subsequent marriage and until the surviving spouse remarries.

PUBLIC DEFENDER COMMISSION, ARKANSAS

APPOINTED ATTORNEYS AND PUBLIC DEFENDERS

COMPENSATION

Act 1799 (SB878) - The act amends various sections of the Arkansas Code concerning the Arkansas Public Defender Commission, the appointment of attorneys for indigent defendants, determination of compensation for those attorneys, and the selection of public defenders, their assignments and duties.

COURT APPOINTED ATTORNEY

COMPENSATION DETERMINATION AND PAYMENT

Act 1343 (SB707) - The act provides for the setting and paying of the compensation for court appointed attorneys by the Arkansas Public Defender Commission based upon guidelines developed by the commission provided sufficient funds are available.

JUVENILE OMBUDSMAN DIVISION

REVISION OF DUTIES

Act 1797 (SB864) - The act revises the duties and the role of the Juvenile Ombudsman Division of the Arkansas Public Defender Commission which provides independent oversight of the Division of Youth Services facilities and programs.

PUBLIC DEFENDERS

COMPENSATION FROM APPELLATE COURTS

Act 1370 (SB874) - The act allows part-time public defenders to receive compensation from the appellate court for appellate work, and full-time public defenders who are not provided a state funded secretary to receive compensation from the appellate court for appellate work.

PUBLIC EMPLOYEES

AGENCY COMPUTERS AND ELECTRONICS

PURCHASING

Act 1410 (SB807) - This act provides a mechanism by which Arkansas can begin to address its growing computer and electronic solid waste stream. The Computer and Electronic Recycling Fund is established and funded by sales of surplus computer and electronic equipment to owning agency employees. The fund will provide grants for the development of means, technologies and businesses providing efficient methods to collect, transport, process and otherwise recycle computer and electronic solid waste. The act provides a target date for a landfill ban of computer and electronic waste.

ALEXANDER YOUTH SERVICE CENTER

PRIVATIZATION

Act 1794 (SB839) - The act provides that any employee of the Alexander Youth Service Center who is placed in a lower graded position because his or her original position has expired due to the privatization of the center, may continue to be paid at the same rate as the employee was being paid in the higher graded position upon approval of the Chief Fiscal Officer of the State after seeking the review of the Arkansas Legislative Council or Joint Budget Committee.

BUS DRIVERS

INSURANCE

Act 1253 (SB833) - The act makes certain school bus drivers eligible to participate in public school employee insurance. Drivers who qualify are those who contract with a public school district to operate a school bus and are designated as full-time drivers.

CITIES OF THE FIRST CLASS

NONUNIFORMED EMPLOYEES TO PREPARE ACCIDENT REPORTS

Act 250 (SB140) - The act authorizes cities of the first class to employ individuals who are not law enforcement officers to investigate and prepare accident reports and to issue traffic citations at accidents. Previously, the law allowed only cities with a population of over 100,000 to hire nonuniformed persons to perform these duties.

PUBLIC EMPLOYEES

COMMUNITY CORRECTION EMPLOYEES, DEPARTMENT OF

DEATH BENEFITS

Act 113 (HB1192) - This act provides scholarships to children of deceased or disabled employees of the Department of Community Correction and provides death benefits to survivors of employees of the Department of Community Correction.

COMPENSATION

ACCUMULATED SICK LEAVE

Act 991 (HB2210) - The act provides compensation for accumulated unused sick leave for Arkansas State Employees or their beneficiaries upon retirement or death.

COURT REPORTERS AND CASE COORDINATORS

SALARIES

Act 1295 (SB960) - The act requires the annual salaries of court reporters and case coordinators to be paid in twenty-four (24) equal semi-monthly installments.

DEATH BENEFITS

EXTENSION OF BENEFITS

Act 356 (SB73) - The act provides death benefits for certain former members of the Arkansas Public Employees' Retirement System with 5 or more years of actual service. This will not apply to former members who terminated employment prior to July 1, 1997, with fewer than 10 years of service or whose death occurred prior to July 1, 2001.

DEFERRED COMPENSATION

Act 1596 (HB2367) - The act allows state and local employees to elect a variety of investment options under a deferred compensation plan.

DUAL FULL-TIME EMPLOYMENT

RETIREMENT

Act 764 (SB200) - The act provides a service credit for persons who have dual full-time employment in separate positions covered by the Arkansas Public Employees' Retirement System and the Arkansas Local Police and Fire Retirement System. Such dual full-time employees shall, on July 1, 2001, become members of both systems. The person may receive a credit for service rendered to a participating public employer before that date.

EDUCATION

COLLECTIVE BARGAINING

Act 1765 (SB979) - The act prohibits school boards or their representatives from taking or threatening actions which interfere with, restrain, or coerce a teacher in the exercise of the teacher's right to have an organization represent a majority of the teachers in negotiations.

EMPLOYEES OF HIGHER EDUCATION INSTITUTIONS

NURSING SERVICES

Act 1232 (HB1729) - The act provides that the Department of Human Services may contract with employees of higher education institutions for nursing services without complying with Arkansas Code 19-4-1701(2) which requires the prior approval of the Chief Fiscal Officer of the State and provides that the higher education institution employees shall not receive more than 125% of the employee's maximum annual salary as a result of the contract.

ETHICS

MEMBERS OF ENTITIES RECEIVING STATE FUNDS

Act 1244 (HB2254) - The act provides that members of entities receiving state funds shall not participate in, vote on, influence, or attempt to influence, official decisions if the member has a pecuniary interest in the matter, or if the member would benefit from a proposed rule or regulation. Members of entities receiving state funds shall not use or attempt to use their position to secure privileges or exemptions; nor may members of entities receiving state funds disclose or use confidential information acquired as a member.

PUBLIC EMPLOYEES

FAMILY SERVICE WORKERS

SCHOOL PLACEMENT

Act 1280 (HB2380) - The act creates a pilot program to place family service workers into public schools.

FREEDOM OF INFORMATION ACT

STATE EMPLOYEE ADDRESSES EXEMPT

Act 1336 (SB689) - The act exempts state employee home addresses from being made public information under the Freedom of Information Act

GENERAL ACCOUNTING AND BUDGETARY PROCEDURES LAW

WITHHOLDINGS

Act 166 (SB183) - The act authorizes withholding from state employee payrolls of contributions to the Correction Peace Officers Foundation, and dues to the Arkansas Department of Correction employee association.

HIGHWAY EMPLOYEES' RETIREMENT SYSTEM

BENEFIT MULTIPLIER INCREASED

Act 539 (SB198) - The act increases the benefit formula multiplier from 2.1% to 2.2% for each year of service credit with the State Highway Employees' Retirement System. It also gives retirants, beneficiaries, and Deferred Retirement Option Plan participants an annuity increase of 4.8%.

NOTARIES PUBLIC

APPOINTMENT AND COMMISSION

Act 1274 (HB1930) - The act updates existing law governing notaries public. The act amends the law in detail with respect to appointment and commission, application, surety, acknowledgements and authentication, seals and signatures, expiration, resignation, and renewal.

POLICE AND FIRE RETIREMENT SYSTEM, LOCAL

ANNUITY OPTIONS FOR SPOUSES

Act 769 (SB231) - The act increases the annuity options for spousal coverage under the Local Police and Fire Retirement System.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

ADMINISTRATIVE ACCOUNTING

Act 67 (SB63) - The act provides benefit enhancements allowing retirement plan payments to be deducted at a level amount over a reasonable period of years.

ALTERNATIVE AUTHORIZED RETIREMENT PLANS

Act 1299 (SB205) - The act provides that employers who have state-authorized plans in existence on July 1, 1999, in addition to that of the Arkansas Public Employees' Retirement System, shall not be prohibited from changing vendors, adding employees, or modifying a plan under federal guidelines. Should an employer merge with another employer and either have a plan in existence on July 1, 1999, the merged entity may continue to provide the employee plan.

ANNUITY OPTIONS

Act 438 (SB69) - The act provides that benefits for surviving spouses of members of the Public Employees Retirement System will receive benefits equal to those of Option B75 if the member died within 12 months of retirement and the spouse applies within 12 months of the member's death. The act also increases various annuity reduction rates. The act applies only to benefits with an effective date after July 1, 2001. The act will not be implemented if it would cause the publicly supported retirement system's unfunded actuarial accrued liabilities to exceed a 30 year amortization.

PUBLIC EMPLOYEES

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BENEFITS

Act 151 (SB99) - The act provides for technical corrections and revisions to the Arkansas Code concerning public employees' retirement plans. The act provides investment authority, limitations, standards, ethics, and tax exemption for state employee retirement systems. The act repeals the uniform benefits specifications and minimum financing, accounting, and reported standards set forth in Arkansas Code Title 24, Chapter 3. The act extensively amends definitions and excludes part-time employees from membership. The act defines credited service and provides for reciprocity of credited service. The act determines benefits for wildlife officers. All benefit enhancements provided under the act shall not exceed a thirty (30) year amortization.

BENEFITS INCREASE

Act 355 (SB72) - The act increases the benefit multiplier for each year of past service in the Arkansas Public Employees' retirement system and also provides an increase in benefit payments for retirants and beneficiaries.

DEFERRED RETIREMENT OPTION PLAN

Act 762 (SB64) - The act provides that participation in the plan not exceed seven (7) years.

EARLY RETIREMENT PENALTY REDUCED

Act 1297 (SB26) - The act reduces the early retirement penalty for members of the Public Employees' Retirement System. If a member has at least 25 years of actual service, but fewer than 28 years of actual service, and has not reached age 65, the member may take early retirement and shall receive an annuity of 100% reduced by 1% per month until the lesser of either age 65 or 28 years would be reached.

INCREASE IN BENEFITS

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INSURANCE

Act 1752 (HB2561) - The act amends Arkansas Code 21-5-411 regarding the eligibility of retired employees of institutions of higher education to continue coverage in the group health insurance program.

PARTIAL ANNUITY WITHDRAWAL

Act 357 (SB74) - The act provides that any member who does not terminate employment and retire on the date that member meets the age and service requirements of Arkansas Code 24-4-508 for an unreduced annuity and who has not elected to participate in the Deferred Retirement Option Plan may elect at the time of retirement to participate in the Arkansas Public Employees' Retirement Partial Annuity Withdrawal Plan.

PURCHASE OF SERVICE FOR FORMER DUAL FULL-TIME EMPLOYMENT

Act 1614 (SB181) - The act provides that a member of the Arkansas Public Employees' Retirement System may purchase service credit for former dual full-time employment. If the person was employed in a job included in the system while at the same time employed full-time in another position covered under a municipal police pension and relief fund, and if the member was disqualified from the system due to the dual coverage, then the member may purchase the lost system service if the member again becomes employed in a position covered by the system.

TERMINATION FROM EMPLOYMENT - 90 DAYS

Act 154 (SB206) - The act revises the requirement that a member must be terminated from employment before being eligible to retire under the Public Employees' Retirement System. It extends the termination period to 90 days for members who earn 2 or more years of credited service for each year of actual service. Previously, it was 30 days for all system members.

RECRUITING, HIRING AND APPOINTMENT

EQUAL OPPORTUNITY REPORTS

Act 1226 (HB1297) - The act requires that equal employment hiring reports be filed with Legislative Council on June 30 of each year.

PUBLIC EMPLOYEES

RETIREMENT AND SURVIVORS BENEFITS

RETIRED JUDGES ELECTED OR APPOINTED TO STATE JUDICIAL OFFICE

Act 626 (SB98) - The act provides that retired judges under the age of seventy (70) receiving retirement benefits who are elected or appointed to state judicial office may resume receiving previous retirement benefits upon termination of the subsequent service. A judge's or justice's survivors are entitled to the benefits should the retired judge or justice elected or appointed to state judicial office terminate service by reason of death.

SALARIES

Act 963 (HB1602) - The act provides that when a special rate of compensation has been approved for a specific classification due to prevailing market rates or there is an acute shortage of qualified applicants, current employees in Grade 13 and below shall be adjusted to the new rate if sufficient revenues exist and current employees in Grade 14 and above shall not be adjusted to the new pay rate until the agency receives approval from the Office of Personnel Management after seeking the review of the Legislative Council.

SCHOLARSHIPS

SURVIVORS, DEPARTMENT OF COMMUNITY PUNISHMENT EMPLOYEES

Act 113 (HB1192) - This act provides scholarships to children of deceased or disabled employees of the Department of Community Punishment and provides death benefits to survivors of employees of the Department of Community Punishment.

SELF-INSURED FIDELITY BOND PROGRAM

COVERAGE CLARIFIED

Act 1383 (HB2002) - The act clarifies the fidelity bond coverage provided by the Self-Insured Fidelity Bond Program which shall be the lesser of three hundred thousand dollars (\$300,000) or the amount of the bond.

STATE BOARD MEMBERS

INCREASED STIPENDS

Act 1650 (SB867) - The act provides the authority to state boards to vote for an increase in stipends of \$10.00.

STATE EMPLOYEES

ANNUAL FRINGE BENEFITS STATEMENT

Act 1818 (HB2362) - The act requires each state agency and institution of higher education to develop an informational program on employee benefits and to present it to all new employees at a new employee's orientation meeting. Annually, each state agency and institution of higher education shall also provide each employee with a benefits statement, which summarizes the status of the benefit plans in which the employee participates.

STATE EMPLOYEES' HEALTH INSURANCE

HEALTH INSURANCE AFTER RETIREMENT

Act 1171 (SB30) - The act amends the law concerning the State Employees and Public School Health Insurance program to allow public retirees to participate in state employee's health insurance program after retirement, if they were previously covered under another program of health insurance when they retired. Previously, a retiree could only be covered under state employee's health insurance if they chose to be covered when they first retired.

MAXIMUM STATE CONTRIBUTION

Act 185 (HB1290) - The act increases the maximum amount the state may contribute for each state employee for state employee health benefits to \$350.

STATE HOLIDAYS

DAISY BATES DAY

Act 304 (HB1204) - The act provides for the establishment of Daisy Gatson Bates Day as an official state holiday.

PUBLIC EMPLOYEES

SURVIVOR SCHOLARSHIPS

Act 158 (SB19) - The act authorizes scholarships to technical institutes for family members of law enforcement officers, full-time or volunteer firemen, state highway employees, state correction employees, state parks employees, teachers, and state forestry employees who are killed or permanently and totally disabled on duty.

UNIFORMS

MAINTENANCE AND GENERAL OPERATION EXPENSES

Act 163 (SB77) - The act provides that uniforms an agency may require its employees to wear as part of the job may be subclassified as an operating expense. However, clothing items purchased for agency employees, but not required to be worn during working hours or purchased for the promotion of the agency shall not be subclassified as an operating expense.

PUBLIC PROPERTY

ACCEPTED-WORK DOCTRINE

Act 1119 (HB1383) - The act reinstates the accepted-work doctrine for publicly owned improvements to public property.

ARMY RESERVE CENTERS

JURISDICTION CEDED

Act 1479 (HB2201) - The act cedes concurrent jurisdiction to the United States over all lands, waters, and buildings previously or hereafter acquired for the Oscar Finkbeiner Army Reserve Center in Little Rock and the United States Army Reserve Center in Hot Springs.

LAND

DIVISION OF LAND SURVEYS

Act 1417 (HB1515) - The act transfers the Division of Land Surveys from the Arkansas Geological Commission to the office of the Commissioner of State Lands.

PROPERTY SALE

SPONSOR PROHIBITED FROM PROFIT

Act 1100 (HB1953) - The act prohibits profit from sponsorship of an initiative, referendum, or constitutional amendment proposing the sale of county or municipal property.

PUBLIC WORKS

EDUCATION, STATE BOARD OF

Act 1204 (SB818) - The act provides that the State Board of Education shall establish regulations applicable to public education entities for all public works projects in instances where the public education entity uses its own employees or acts as the general contractor.

SURETY BONDS

Act 980 (HB2322) - The act allows both resident and non-resident agents to execute surety bonds for public works contracts.

UNIVERSITIES

Act 961 (SB512) - The act provides that public works projects of the University of Arkansas, Arkansas State University, University of Central Arkansas, Henderson State University, Arkansas Tech University, and Southern Arkansas University are not subject to the jurisdiction of Arkansas State Building Services.

PUBLIC PROPERTY

PURCHASING LAWS

PURCHASING CARD PROGRAM

Act 1309 (SB457) - The act authorizes the State Procurement Director to implement and administer a purchasing card program.

VARIOUS CHANGES

Act 1237 (SB358) - The act changes the name of the Arkansas Purchasing Law to the Arkansas Procurement Law and makes various changes to that law.

SALE OF COUNTY PROPERTY

MINIMUM INCREASED

Act 1050 (SB656) - The act amends the procedures for the sale of county property. It increases from five hundred dollars (\$500) to one thousand dollars (\$1,000) the minimum appraised value under which the property is not required to be sold by sealed bids.

SCHOOL PROPERTY

DISPOSAL

Act 1224 (SB819) - The act requires the State Board of Education to promulgate regulations regarding the disposition of public property owned by public educational entities. The act prohibits public educational entities from retroactively raising the salary, granting stipends, or providing other compensation for an administrator beyond the current fiscal year.

STATE AGENCY REAL PROPERTY

SALE, PURCHASE OR ACCEPTANCE OF DONATION

Act 741 (HB1062) - The act sets out which state agencies may sell state lands or purchase lands for the state, to be held for the benefit of the agency. The act excludes transfers of land between state entities if the Governor has approved. If the Governor approves, state lands may be sold for less than the appraisal if sale is by bid and the agency director and the Director of State Building Services recommend. The Legislative Council is to review the sale before finalization. With respect to donated land, the Director of State Building Service shall provide a recommendation concerning acceptance of the donated land. The Governor must approve acceptance of donations of land to the state.

RACING

ADVERTISING

ALCOHOLIC BEVERAGES

Act 1838 (HB2638) - The act permits a manufacturer or wholesaler of alcoholic beverages to pay for advertising or promotional materials on premises owned by the holder of a franchise granted by the Arkansas Racing Commission.

DOG RACING

DISTRIBUTION OF PASSES

Act 408 (HB1436) - Dog racing passes may be accepted by members of the General Assembly for distribution to constituents and distribution to persons outside the state for purposes of promoting tourism and advancement of economic interest of the state. The racing passes do not constitute gifts or compensation to members of the General Assembly. Members of the General Assembly are not prohibited from redistributing racing passes to other members of the General Assembly or other state constitutional officers.

HORSE AND GREYHOUND RACING

PARI-MUTUEL WAGERING

Act 1294 (SB602) - The act amends horse and greyhound racing law as it pertains to the state privilege tax rate on pari-mutuel wagering. The act clarifies the use and administration of the purse, construction, patronage and tourism promotion funds, and permits authorized franchise holders to accept wagers on horse and greyhound racing by telephone or other electronic means from patrons with monies on deposit.

RACING

PRIVILEGE TAX

SIMULCAST AND REBROADCAST RACES

Act 1837 (HB2636) - The act provides that a race track franchise holder shall withhold and pay to the Arkansas Racing Commission for the use and benefit of the State of Arkansas, as a privilege tax, one percent (1%) of all moneys wagered on races simulcast & rebroadcast on the grounds of the franchise holder's Arkansas race track.

TAX REVENUES

MID-SOUTH COMMUNITY COLLEGE NURSING PROGRAM

Act 1488 (SB156) - The act provides that each year, the first eighty-five thousand dollars (\$85,000) of the pari-mutuel tax revenue derived from Arkansas Code 23-111-505 (a) shall be remitted directly to Mid-South Community College for facilities, programming, and personnel in the support of a nursing program. The revenue received by Mid-South Community College under this act is considered local taxes. One hundred thousand dollars (\$100,000) of the balance of the Indigent Patient's Fund on the effective date of this act shall be transferred by the Chief Fiscal Officer of the State to the Mid-South Community College Fund.

RADIO BROADCASTING

CITIZEN BAND RADIO

REGULATIONS

Act 1432 (HB2599) - The act prohibits, in accordance with federal law, the use of citizen band radio equipment which violates regulations of the Federal Communications Commission.

RAILROADS

RAILROAD CROSSINGS

TRAINS TO SOUND HORNS UPDATED

Act 1804 (HB1103) - The act changes and updates the requirement for trains to sound a horn at all railroad crossings with public streets and highways. Previously, the trains were required to sound a bell or a steam whistle. The previous language originated from Act 71 of 1868.

REAL ESTATE

REALTORS

CONTINUING EDUCATION REQUIREMENTS

Act 748 (HB1658) - The act requires establishment of post-licensure education requirements for first year licensees and timely compliance by first year licensees with those education requirements.

TEMPORARY OPERATION OF REAL ESTATE FIRMS

DEATH OF PRINCIPAL BROKER OR CLOSING OF REAL ESTATE FIRM

Act 1172 (HB1566) - The act allows the Arkansas Real Estate Commission to protect consumers by continuing the temporary operation of a real estate firm upon the death, resignation, termination, or incapacity of the principal broker, or the closing of a real estate firm.

RETIREMENT

HIGHWAY EMPLOYEES' RETIREMENT SYSTEM

BENEFIT MULTIPLIER INCREASED

Act 539 (SB198) - The act increases the benefit formula multiplier from 2.1% to 2.2% for each year of service credit with the State Highway Employees' Retirement System. It also gives retirants, beneficiaries, and Deferred Retirement Option Plan participants an annuity increase of 4.8%.

LUMP-SUM DEATH BENEFIT

Act 482 (SB196) - The act provides a retired member of the State Highway Employees' Retirement System with a lump-sum death benefit of \$7,500 upon the death of the retiree or Deferred Retirement Option Plan participant.

RETIREMENT

JUDGES OR JUSTICES

ELECTED OR APPOINTED AFTER RETIREMENT

Act 626 (SB98) - The act provides that retired judges under the age of seventy (70) receiving retirement benefits who are elected or appointed to state judicial office may resume receiving previous retirement benefits upon termination of the subsequent service. A judge's or justice's survivors are entitled to the benefits should the retired judge or justice elected or appointed to state judicial office terminate service by reason of death.

JUDICIAL RETIREMENT SYSTEM

ANNUITY BENEFITS INCREASED

Act 763 (SB166) - The act increases benefits for the Judicial Retirement System. Tier I benefits for judges are increased from 50% to 60% of final pay. The Tier II annuity multiplier is increased from 3% to 3.2% of final salary, and the maximum benefit is increased from 75% to 80% of final salary of the judge. The act also reduces the state's contributions to the retirement system.

LEGISLATION AFFECTING RETIREMENT SYSTEMS

INTRODUCTION DEADLINE CORRECTION

Act 147 (SB70) - The act corrects an overlooked reference in the 15-day deadline for the introduction of public retirement legislation. Act 1026 of 1999 set the original 15-day deadline.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

DISABILITY ANNUITY INCREASED

Act 1132 (HB1251) - The act provides for an optional increased disability annuity for members of the Local Police and Fire Retirement System. Disabled members with fewer than twenty-five (25) years service can receive an annuity of sixty-five percent (65%) of final salary. Previously, disabled members were assumed to have at least twenty-five (25) years of service in the event of a disability claim (approximately fifty percent (50%) of final salary).

PENSION REVIEW BOARD MEMBERS

Act 1542 (HB1334) - The act allows retired members and Deferred Retirement Option Plan participants of a police or fire pension and relief fund to serve on the Arkansas Fire and Police Pension Review Board. Previously, Deferred Retirement Option Plan participants could not serve on the Board after they retired.

TEMPORARY ANNUITY EXTENDED TO AGE 65 AND MULTIPLIERS INCREASED

Act 1536 (HB1253) - The act extends from age 62 to age 65 the temporary annuity benefits paid under the Local Police and Fire Retirement System. This benefit applies to persons retiring after July 1, 2001. The act also increases the benefit multiplier from 2.1% to 2.2% of final salary for benefit program 1 and increases the benefit multiplier from 1.1% to 1.2% of final salary for benefit program 2.

TRANSFER OF MUNICIPAL DEPARTMENT RETIREMENT SYSTEMS

Act 1541 (HB1328) - The act authorizes municipal police departments whose officers were members of the Public Employees' Retirement System to transfer to the Local Police and Fire Retirement System. If any municipality transfers benefits under this act, all officers hired after July 1, 1997 must be enrolled in the Local Police and Fire Retirement System.

VOLUNTEER FIRE FIGHTER ANNUITY INCREASED

Act 1133 (HB1254) - The act increases the annuity rate from three dollars (\$3.00) to four dollars (\$4.00) per month for each year of service for volunteer firefighters under the Local Police and Fire Retirement System retiring after July 1, 2001. The maximum monthly volunteer annuity benefit was increased from one hundred twenty dollars (\$120.00) to one hundred sixty dollars (\$160.00).

RETIREMENT

MAYOR'S RETIREMENT BENEFIT

CREDIT FOR SERVICE AS ELECTED CITY OFFICIAL OR CITY EMPLOYEE

Act 1615 (SB215) - The act authorizes a first class city, by ordinance, to provide that a mayor may receive credit toward a retirement benefit for service as an elected city official or as a city employee. A mayor with twenty (20) years of mayor's service may earn one (1) year of a mayor's retirement benefit for each two (2) years served as an elected official or, as an employee of that city, up to a maximum of three (3) additional years' credit towards a mayor's retirement benefit, and may retire if the person is at least fifty-two (52) years of age. The mayor with twenty (20) years of mayor's service may earn one (1) year of a mayor's retirement benefit for each two (2) years served as an elected official or, as an employee of that city, up to a maximum of four (4) additional years' credit towards a mayor's retirement benefit, and may retire if the person is at least fifty-four (54) years of age.

MAYORS OF FIRST CLASS CITIES

AGE OF RETIREMENT

Act 1700 (HB1278) - The act allows the governing body of a city of the first class to provide, by ordinance, that any person who has served as mayor for a period of not less than ten (10) years may retire upon reaching age fifty-five (55).

MUNICIPAL JUDGES' RETIREMENT SYSTEMS

BENEFITS, SURVIVOR BENEFITS FOR CLERKS, AND A TRANSITION GROUP FOR AMENDMENT 80

Act 1613 (SB144) - The act authorizes a retirement benefit for a municipal judge who is age fifty (50) and who has twenty (20) years service, with at least ten (10) years service as municipal judge and at least ten (10) years service as a juvenile referee. The act also provides that the governing body of the municipality or the county may, by ordinance, continue retirement benefits for a surviving spouse of a clerk after the death of the municipal court clerk. The act also creates the Municipal Court Retirement Transition Group to review the transition of municipal courts to district courts under Amendment 80 and to study the impact this transition will have on those retirement benefit plans run by cities and counties.

MUNICIPAL RETIREES

HEALTH INSURANCE COVERAGE FOR EARLY RETIREES

Act 241 (SB211) - The act clarifies that cities may include municipal retirees under age fifty-five (55) or with less than twenty (20) years of municipal service in the municipality's health insurance plan.

POLICE AND FIRE PENSION FUNDS

100% OF SALARY CAP REMOVED

Act 1140 (SB51) - The act removes the maximum benefit limit for police officers who continue to work beyond 25 years. Previously, this incentive to continue working was capped at 100% of the final salary. The act eliminates the 100% cap on the benefit.

DEPARTMENT BOUNDARY PROCEDURES REVISED

Act 1539 (HB1320) - The act revises the procedures used to determine the boundaries between fire and police departments when distributing premium taxes for local police and fire pension and relief funds. Previously, the boundaries were determined by legal descriptions only, and now the department boundaries will match physical feature descriptions where possible. Physical features will be the preferred description.

DISABILITY BENEFIT INCREASE EXTENDED RETROACTIVELY TO 1983

Act 1806 (HB1322) - The act provides that disabled fire fighters who are being paid by a municipal firemen's pension and relief fund and who are injured in the line of duty before January 1, 1987 but after January 1, 1983 may receive increased disability benefits (sixty-five percent (65%) of the final salary). It requires the board of trustees to adopt a resolution to extend the benefit retroactively back to those fire fighters and provides that the fund must remain actuarially sound.

RETIREMENT

POLICE AND FIRE PENSION FUNDS

FIRE DEPARTMENT'S PORTION OF PREMIUM TAXES REALLOCATED

Act 1540 (HB1321) - The act changes the order of calculation of the Fire Protection Fund's portion of the insurance premium taxes used for local police and fire pension relief funds. It moves the allocation of funds for volunteer fire departments (Fire Protection Fund) from the portion of premium taxes allocated to pension and relief funds to the portion of the premium tax allocated to general revenues.

GENERAL REVENUE PORTION OF PREMIUM TAXES REALLOCATED

Act 1701 (HB1319) - The act makes administrative corrections to the laws distributing insurance premium taxes to fund local police and fire pension and relief funds. The act changes the allocation of premium taxes that are sent to general revenues to first send a portion of them to the Arkansas Fire and Police Pension Guarantee Fund and to the Policemen's Pension Supplement Program Fund and then to general revenues.

POLICEMEN'S PENSION SUPPLEMENT PROGRAM REVISED

Act 1543 (HB1347) - The act changes the allocation of insurance premium tax funds to the Arkansas Policemen's Pension Supplement program. It also increases from fifteen dollars (\$15.00) per month to fifty dollars (\$50.00) per month the supplement amount under the Policemen's Pension Supplement program. The act also allows Deferred Retirement Option Plan members of police pension funds to participate in the Policemen's Pension Supplement program.

POLICE AND FIRE RETIREMENT SYSTEM

ANNUITY OPTIONS FOR SPOUSES

Act 769 (SB231) - The act increases the annuity options for spousal coverage under the Local Police and Fire Retirement System.

CONCERNING PROCEEDS DERIVED FROM THE SALE OF CONFISCATED GOODS

Act 1832 (HB2564) - The act provides that in all cities and towns, until the pension and retirement fund is actuarially sound as determined by the actuary under contract with the Arkansas Fire and Police Pension Review Board, all monies confiscated by a police officer of the city, or by the sheriff or Arkansas State Police within the city, shall be deposited in the city's policemen's pension and retirement fund. However, at the time that the pension and retirement fund is actuarially sound, all monies derived from the sale of the confiscated goods shall be retained by the city.

TEMPORARY ANNUITIES FOR DISABLED MEMBERS RESTORED

Act 1703 (HB1341) - The act allows a disabled member of the Local Police and Fire Retirement System who lost a temporary annuity because of an award of disability payments from the federal Social Security Administration to have that temporary annuity restored on July 1, 2001.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

ADMINISTRATIVE ACCOUNTING

Act 67 (SB63) - The act provides benefit enhancements allowing retirement plan payments to be deducted at a level amount over a reasonable period of years.

ALTERNATIVE AUTHORIZED RETIREMENT PLANS

Act 1299 (SB205) - The act provides that employers who have state-authorized plans in existence on July 1, 1999, in addition to that of the Arkansas Public Employees' Retirement System, shall not be prohibited from changing vendors, adding employees, or modifying a plan under federal guidelines. Should an employer merge with another employer and either have a plan in existence on July 1, 1999, the merged entity may continue to provide the employee plan.

ANNUITY OPTION PROVISIONS

Act 438 (SB69) - The act provides that benefits for surviving spouses of members of the Public Employees Retirement System will receive benefits equal to those of Option B75 if the member died within 12 months of retirement and the spouse applies within 12 months of the member's death. The act also increases various annuity reduction rates. The act applies only to benefits with an effective date after July 1, 2001. The act will not be implemented if it would cause the publicly supported retirement system's unfunded actuarial accrued liabilities to exceed a 30 year amortization.

RETIREMENT

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BENEFITS

Act 151 (SB99) - The act provides for technical corrections and revisions to the Arkansas Code concerning public employees' retirement plans. The act provides investment authority, limitations, standards, ethics, and tax exemption for state employee retirement systems. The act repeals the uniform benefits specifications and minimum financing, accounting, and reported standards set forth in Arkansas Code Title 24, Chapter 3. The act extensively amends definitions and excludes part-time employees from membership. The act defines credited service and provides for reciprocity of credited service. The act determines benefits for wildlife officers. All benefit enhancements provided under the act shall not exceed a 30 year amortization.

DEFERRED RETIREMENT OPTION PLAN

Act 762 (SB64) - The act provides that participation in the plan not exceed seven (7) years.

DUAL FULL-TIME EMPLOYMENT

Act 764 (SB200) - The act provides a service credit for persons who have dual full-time employment in separate positions covered by the Arkansas Public Employees' Retirement System and the Arkansas Local Police and Fire Retirement System. Such dual full-time employees shall, on July 1, 2001, become members of both systems. The person may receive a credit for service rendered to a participating public employer before that date.

EARLY RETIREMENT PENALTY REDUCED

Act 1297 (SB26) - The act reduces the early retirement penalty for members of the Public Employees' Retirement System. If a member has at least 25 years of actual service, but fewer than 28 years of actual service, and has not reached age 65, the member may take early retirement and shall receive an annuity of 100% reduced by 1% per month until the lesser of either age 65 or 28 years would be reached.

EXTENSION OF DEATH BENEFITS

Act 356 (SB73) - The act provides death benefits for certain former members of the Arkansas Public Employees' Retirement System with 5 or more years of actual service. This will not apply to former members who terminated employment prior to July 1, 1997, with fewer than 10 years of service or whose death occurred prior to July 1, 2001.

INCREASE IN BENEFITS

Act 355 (SB72) - The act increases the benefit multiplier for each year of past service in the Arkansas Public Employees' retirement system and also provides an increase in benefit payments for retirants and beneficiaries.

INSTITUTIONS OF HIGHER EDUCATION

Act 1752 (HB2561) - The act amends Arkansas Code 21-5-411 regarding eligibility of retired employees of institutions of higher education to continue coverage in the group health insurance program.

PARTIAL ANNUITY WITHDRAWAL

Act 357 (SB74) - The act provides that any member who does not terminate employment and retire on the date that member meets the age and service requirements of Arkansas Code 24-4-508 for an unreduced annuity and who has not elected to participate in the Deferred Retirement Option Plan may elect at the time of retirement to participate in the Arkansas Public Employees' Retirement Partial Annuity Withdrawal Plan.

POLICE OFFICER, DEFINITION REVISED

Act 1616 (SB216) - The act revises the definition of "police officer" under the Public Employees' Retirement System. The term police officer now includes an officer who, although assigned to administrative duties, is still subject to service at patrol duty, duty in the field, or service in emergency situations requiring the officer to be armed with a firearm. This allows the officer to qualify for "public safety" status under the system.

PURCHASE OF SERVICE FOR FORMER DUAL FULL-TIME EMPLOYMENT

Act 1614 (SB181) - The act provides that a member of the Arkansas Public Employees' Retirement System may purchase service credit for former dual full-time employment. If the person was employed in a job included in the system while at the same time employed full-time in another position covered under a municipal police pension and relief fund, and if the member was disqualified from the system due to the dual coverage, then the member may purchase the lost system service if the member again becomes employed in a position covered by the system.

RETIREMENT

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

TERMINATION FROM EMPLOYMENT - 90 DAYS

Act 154 (SB206) - The act revises the requirement that a member must be terminated from employment before being eligible to retire under the Public Employees' Retirement System. It extends the termination period to 90 days for members who earn 2 or more years of credited service for each year of actual service. Previously, it was 30 days for all system members.

RETIREMENT SYSTEMS IN GENERAL

HEALTH INSURANCE AFTER RETIREMENT

Act 1171 (SB30) - The act amends the law concerning the State Employees and Public School Health Insurance program to allow public retirees to participate in state employee's health insurance program after retirement, if they were previously covered under another program of health insurance when they retired. Previously, a retiree could only be covered under state employee's health insurance if they chose to be covered when they first retired.

STATE AUTHORIZED RETIREMENT PLANS

LIMITATIONS

Act 1299 (SB205) - The act provides that employers who have state-authorized plans in existence on July 1, 1999, in addition to that of the Arkansas Public Employees' Retirement System, shall not be prohibited from changing vendors, adding employees, or modifying a plan under federal guidelines. Should an employer merge with another employer and either have a plan in existence on July 1, 1999, the merged entity may continue to provide the employee plan.

TEACHER RETIREMENT SYSTEM

ADJUSTMENTS FOR EARLY RETIREES PRIOR TO 1997

Act 1300 (SB232) - The act adjusts the annuities of members of the Teacher Retirement System who took early retirement when the years of service required for an unreduced annuity was thirty (30) or more years. On July 1, 2001, the annuities of those members will be adjusted to the amount they would have received if the full annuity had been twenty-eight (28) years on the date of their retirement.

CONFORM TO FEDERAL TAX LAW

Act 155 (SB208) - The act makes technical changes in the Arkansas Teacher Retirement System law to ensure it conforms to federal Internal Revenue Code.

DEADLINE FOR OPTING OUT OF ALTERNATE PLANS EXTENDED

Act 1784 (SB233) - The act extends the time period for staff members of technical and community colleges, vocational schools, and the Division of Workforce Education to become members of the Teacher Retirement System instead of the alternate retirement plans offered to other staff members. Previously, staff members had to choose before December 31, 1999, and the deadline is now extended to December 31, 2001.

DEFINES "NORMAL RETIREMENT AGE"

Act 461 (SB170) - The act defines "normal retirement age" for the Teacher Retirement System as age 65 years. It eliminates the reduction in the amount of contribution made to a member's account when the member reaches normal retirement age.

LUMP-SUM DEATH BENEFIT INCREASED

Act 359 (SB167) - The act increases the lump-sum death benefit for members of the Teacher Retirement System. It provides for a \$15,000 payment for contributory members and a \$10,000 payment for noncontributory members. Previously, the death benefit was \$10,000 for contributory and \$6,667 for noncontributory members.

MAXIMUM ADDITIONAL MONTHLY STIPEND INCREASED

Act 360 (SB171) - The act increases the maximum amount of the additional monthly stipend which the Board of Trustees of the Teacher Retirement System can award retirees. The amount is increased to a maximum two hundred dollars (\$200) from the current one-hundred twenty-five dollars (\$125) per month.

RETIREMENT

TEACHER RETIREMENT SYSTEM

NATIONAL GUARD SERVICE CREDIT

Act 1296 (SB25) - The act provides a member of the Arkansas Teacher Retirement System with an option to purchase service credit for National Guard service time. The member may purchase 1 year of credited service in the system for each 5 years of National Guard service time.

NONTEACHING EMPLOYEES COVERED AFTER JULY 1, 2001

Act 742 (HB1078) - The act authorizes nonteaching employees of school districts, such as bus drivers, cafeteria workers, and school custodians, who are members of the Public Employees' Retirement System to have their service after July 1, 2001, covered under the Teacher Retirement System.

PURCHASE OF PRIVATE SCHOOL CREDIT INCREASED

Act 1534 (HB1077) - The act increases from ten (10) years to fifteen (15) years the maximum amount of private school service which can be purchased in the Teacher Retirement System.

RETIREEES RETURN TO T-DROP

Act 481 (SB194) - The act allows retirees of the Teacher Retirement System to return as an active member of the system and to participate in the Teacher Deferred Retirement Option Plan (T-DROP) when qualified.

RETIREMENT OF BOARD MEMBERS

Act 156 (SB209) - The act allows a member of the Board of Trustees of the Teacher Retirement System to continue to serve on the board after retirement.

TERMINATION FROM EMPLOYMENT FOR 30 DAYS REQUIRED

Act 1146 (HB1272) - The act requires that a member of the Arkansas Teacher Retirement System must have been terminated from covered employment for at least 30 days to be eligible for retirement. It also allows for a waiver of the earnings limitation after retirement if the retiree is hired by a school district due to a shortage of certified teachers in a critical academic area. The Department of Education must certify the critical academic areas for the waivers.

SECRETARY OF STATE

LIBRARY

BINDING

Act 791 (HB1700) - The act repeals statutory requirements that the librarian of the library of the Secretary of State bind the acts of each session of Congress, acts of other states, and state papers and documents of the United States. Acts of the General Assembly shall continue to be bound in accord with the statute. The act repeals the statutory requirement that all books owned by the state be placed in a convenient room in the State Capitol. The act repeals of the statutory requirement that the librarian, under the direction of the Governor, purchase books, maps, and charts as directed by the General Assembly.

SENTENCING COMMISSION, ARKANSAS

SENTENCING GUIDELINES

PROBATION REVOCATION PROCEEDINGS

Act 1179 (HB2180) - The act clarifies the fact that the sentencing guidelines developed by the Arkansas Sentencing Commission do not apply to probation revocation proceedings.

STATE AGENCIES GENERALLY

ADMINISTRATIVE PROCEDURE ACT, ARKANSAS

VARIOUS PROVISIONS AMENDED

Act 1648 (SB837) - The act amends provisions of the Arkansas Administrative Procedure Act.

STATE AGENCIES GENERALLY

ATHLETIC COMMISSION, ARKANSAS STATE

BOXING

Act 631 (SB369) - The act exempts boxing elimination contests from the jurisdiction of the State Athletic Commission. The act lists competitions not affected by the act and promoter requirements. The act requires that a breathalyzer test be given as a part of the physical examination before the contest. Breathalyzer test results shall be made available to law enforcement and records of the test shall be maintained.

AUDITS BY THE OFFICE OF INTERNAL AUDIT, DEPARTMENT OF FINANCE AND

CONFIDENTIALITY OF INFORMATION

Act 1083 (SB781) - The act provides that all internal audit information gathered in the preparation of internal audit reports of state agencies by the Office of Internal Audit, Department of Finance and Administration, are privileged and confidential until a final report of the internal audit has been presented to the Chief Fiscal Officer of the State and to the Governor or Governor's designee.

BACKGROUND CHECKS

HEALTH CARE PERSONNEL

Act 995 (HB1703) - The act requires background checks for persons who work with or apply to work with mentally ill or developmentally disabled persons. The act disqualifies persons who are listed in the central registry as having abused a child or adult from working with mentally ill or developmentally disabled persons.

BANK COMMISSIONER, STATE

DISCLOSURE OF RECORDS

Act 1056 (SB842) - The act authorizes the State Bank Commissioner to disclose records to state and federal regulatory agencies with jurisdiction over financial institutions and entities engaging in financial activities, including insurance, security brokerage and underwriting.

BANKS

PUBLIC FUNDS HELD BY BANKS - PERMITTED SECURITIES

Act 310 (HB1370) - If an Arkansas depository or state bank must furnish security for the deposit of public funds, or if security must be granted to a public official in connection with public funds, the type of security given is limited to those identified by the act.

BOARDS AND COMMISSIONS

ABOLISHED

Act 783 (HB1359) - The act abolishes various obsolete boards and commissions.

LEGISLATIVE APPOINTMENTS

Act 1288 (HB2410) - The act amends various laws pertaining to various boards and commissions to replace legislative members with non-legislators.

REMOVAL OF MEMBERS

Act 453 (HB1358) - The act provides that members of certain boards and commissions may be removed for unexcused absences at three successive regular board meetings.

BUILDING SERVICES, ARKANSAS STATE

CAPITAL IMPROVEMENTS CONTRACTS PROCEDURE

Act 214 (HB1276) - The act provides that state agency contracts for capital projects are not required to be filed with the State Building Services if the contract is exempt from State Building Services' jurisdiction by law or regulation and decreases the amount of bond required on such contracts.

MAINTENANCE AND OPERATION APPROPRIATIONS CARRY OVER

Act 71 (HB1233) - The act provides that state agencies may carry over from the first fiscal year of any biennium to the second fiscal year of the biennium any unexpended maintenance and operation appropriations and funds to the extent necessary to pay for renovation and minor and major repairs under the jurisdiction of State Building Services which were under contract at least 90 days prior to the end of the first fiscal year but which will not be completed until after the end of the first fiscal year and are substantiated by a written contract.

STATE AGENCIES GENERALLY

BUILDING SERVICES, ARKANSAS STATE

REAL ESTATE FUND

Act 307 (HB1220) - The act authorizes the State Building Services Real Estate Fund to receive funds from proceeds from bond issues, leases, service charges, or fees and interagency transfers of funds and to use funds to acquire, either by deed or by lease, own and operate, maintain, repair, and renovate real properties for use by state agencies.

CAPITAL IMPROVEMENTS

Act 1626 (SB525) - The act provides that in the event funds from any sources are provided to state agencies for projects which exceed five million dollars (\$5,000,000) excluding the cost of land, the provisions of the General Accounting and Budgetary Procedures Law and all other provisions of the Arkansas Code governing construction of public facilities shall, at the election of state agencies or the institutions of higher education, not be applicable to the projects if the selection and contracting process set forth in the act is followed.

CONTRACTS PROCEDURE

Act 214 (HB1276) - The act provides that state agency contracts for capital projects are not required to be filed with the State Building Services if the contract is exempt from State Building Services' jurisdiction by law or regulation and decreases the amount of bond required on such contracts.

CIVIL SERVICE COMMISSION

SELECTION AND PROMOTION EXAMINATIONS

Act 1597 (HB2388) - The act provides for the adoption of rules by the Civil Service Commission to protect the confidentiality of selection and promotion examinations of municipal police and fire department personnel.

COMMISSIONER OF STATE LANDS

DIVISION OF LAND SURVEYS

Act 1417 (HB1515) - The act transfers the Division of Land Surveys from the Arkansas Geological Commission to the office of the Commissioner of State Lands.

CONTRACTING PROCEDURES - EMERGENCY

PUBLIC WORKS

Act 162 (SB189) - The act provides that emergency contracting procedures for public works may include sole sourcing or competitive quote bids.

CONTRACTORS' LICENSING

EXAMINATIONS - CERTIFICATION

Act 583 (HB1741) - The act exempts manufacturers who produce equipment to be installed in the State of Arkansas from having a contractor's license, if the installation is performed by a licensed contractor. Also, the act permits any person desiring to apply for a contractor's license to take an examination to determine the person's qualifications.

DISABLED ACCESS SIGNS

INTERNATIONAL SYMBOL DISPLAYED

Act 992 (SB565) - The act requires that state agencies which require the displaying of signs for the disabled shall require display of only the blue and white international symbol of access.

DRIVER SERVICES, OFFICE OF

ADMINISTRATIVE HEARINGS

Act 1057 (HB1371) - The act permits administrative hearings concerning revocation or suspension of driver licenses to be scheduled in the county office where the licensee resides, or by agreement, at another location or to be conducted by phone.

STATE AGENCIES GENERALLY

EMPLOYEES

DEFERRED COMPENSATION

Act 1596 (HB2367) - The act allows state and local employees to elect a variety of investment options under a deferred compensation plan.

SALARIES

Act 963 (HB1602) - The act provides that when a special rate of compensation has been approved for a specific classification due to prevailing market rates or there is an acute shortage of qualified applicants, current employees in Grade 13 and below shall be adjusted to the new rate if sufficient revenues exist and current employees in Grade 14 and above shall not be adjusted to the new pay rate until the agency receives approval from the Office of Personnel Management after seeking the review of the Legislative Council.

ETHICS

MEMBERS OF ENTITIES RECEIVING STATE FUNDS

Act 1244 (HB2254) - The act provides that members of entities receiving state funds shall not participate in, vote on, influence, or attempt to influence, official decisions if the member has a pecuniary interest in the matter, or if the member would benefit from a proposed rule or regulation. Members of entities receiving state funds shall not use or attempt to use their position to secure privileges or exemptions; nor may members of entities receiving state funds disclose or use confidential information acquired as a member.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

DIRECTOR'S MEMBERSHIP ON BOARDS

Act 243 (SB288) - The act provides that the Director of the Department of Finance and Administration may appoint a designee to appear on the director's behalf at meetings of any board or commission of which the director is an ex-officio member.

RECOMMENDATIONS

Act 1711 (HB1872) - The act requires state agencies to ensure the cost effectiveness and efficient use of state-owned automobiles. Agencies are required to provide the Department of Finance and Administration with a report regarding agency vehicles, and in turn the Department of Finance and Administration is to report its recommendations regarding continued agency ownership of vehicles to the Legislative Council. The act does not apply to institutions of higher education and Vocational Technical Institutes.

REVENUE DIVISION ATTORNEY

Act 456 (HB1567) - The act amends the code mandating that, if deemed necessary and reduced expense will result, the Director of the Department of Finance and Administration shall employ 1 or more attorneys to represent the revenue division of the department in administrative proceedings and litigation matters concerning taxes, fees, or licenses administered by the director or the division.

FIREFIGHTERS

TRAINING EXPENSES

Act 66 (SB48) - The act provides that when any city or county pays the costs for training a firefighter at the Arkansas Firefighter Training Academy or other like program and another city, county, or state agency employs that firefighter within 18 months after completion of the training, the city, county, or state agency employing the firefighter shall reimburse the city or county for the expenses incurred by the city or county for training the firefighter.

FREEDOM OF INFORMATION ACT

EXEMPTIONS

Act 1259 (SB866) - The act exempts from the Freedom of Information Act materials, information, examinations and answers to examinations utilized by state boards and commissions for purposes of testing applicants for licensure. The act also authorizes state boards and commissions to meet in executive session for purposes of preparing examination materials and answers to examination materials.

STATE AGENCIES GENERALLY

FREEDOM OF INFORMATION ACT

PUBLIC RECORDS AND INFORMATION

Act 1653 (SB897) - The act amends various provisions of the Freedom of Information Act with respect to public records, information for public guidance, and special requests for electronic information.

STATE EMPLOYEE ADDRESSES EXEMPT

Act 1336 (SB689) - The act exempts state employee home addresses from being made public information under the Freedom of Information Act

GENERAL ACCOUNTING AND BUDGETARY PROCEDURES LAW

WITHHOLDINGS

Act 166 (SB183) - The act authorizes withholding from state employee payrolls of contributions to the Correction Peace Officers Foundation, and dues to the Arkansas Department of Correction employee association.

GEOGRAPHIC INFORMATION OFFICE

Act 1250 (SB580) - The act prescribes the powers and duties of the Arkansas Geographic Information Office under the Arkansas State Land Information Board and defines the terms "Arkansas Spatial Data Infrastructure" and " State of Arkansas Shared Technical Architecture".

GRANTS

EVALUATION

Act 1518 (HB2452) - The act requires the Department of Finance and Administration to promulgate regulations establishing criteria and procedures for evaluating state and federal grants administered by the various state agencies.

REPORTS TO LEGISLATIVE COUNCIL

Act 319 (HB1144) - The act requires every state agency that receives grants in excess of \$25,000 to report certain information to the Legislative Council within 45 days.

HUMANS SERVICES, DEPARTMENT OF

ADOPTION REGISTRY

Act 409 (HB1043) - The act requires the Department of Human Services to include the affidavit form for placement in the mutual adoption registry internet site and to keep records of every adoptee and birth parent reunited through the registry.

INFORMATION TECHNOLOGY

EXECUTIVE CHIEF INFORMATION OFFICER

Act 1042 (HB1624) - The act creates the State Executive Chief Information Officer and assigns to him or her the power to direct the formulation of policies for information technology in the state, review procurements to ensure conformity with the information technology policies, and perform other duties prescribed by the act.

INTERNET POLICY OF EACH STATE AGENCY

Act 1287 (HB2403) - The act requires each state agency to include a policy regarding the use of the Internet in their biennial information technology plan.

INSURANCE COMMISSIONER

COORDINATION AGREEMENTS

Act 1239 (HB1871) - The act authorizes the State Insurance Commissioner to promulgate regulations required to comply with federal laws, to coordinate regulatory activities with other states and the federal government, and to enter into regulatory cooperation and coordination agreements with other governmental regulatory agencies whether within or without this state.

STATE AGENCIES GENERALLY

INSURANCE COMMISSIONER

SHARING OF INFORMATION

Act 538 (HB1650) - The act allows the Insurance Commissioner to share documents, materials, or other information, including confidential and privileged documents, materials, or information, with other state, federal, and international regulatory and legislative agencies, with the National Association of Insurance Commissioners, its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities, provided that the recipient maintains the confidentiality and privileged status of the document, material, communication, or other information.

LEASED VEHICLES

Act 588 (SB353) - The act provides that before any state agency may lease a motor vehicle for a period of 31 days or more, the agency must submit a written request to the Director of the Office of State Procurement.

LEGISLATIVE COUNCIL

REVIEW OF AGENCY REGULATION

Act 983 (HB1018) - The act provides for review of agency rules and regulations by the Legislative Council. The council may also investigate complaints from the public about agency rules and regulations, make nonbinding comments on proposed rules and regulations, request agency response to those comments, and recommend laws to improve agency operations. The council shall give notice to the agency of any rule or regulation considered beyond agency authority and maintain such notices as public records.

MAINTENANCE AND GENERAL OPERATION EXPENSES

UNIFORMS

Act 163 (SB77) - The act provides that uniforms an agency may require its employees to wear as part of the job may be subclassified as an operating expense. However, clothing items purchased for agency employees, but not required to be worn during working hours or purchased for the promotion of the agency shall not be subclassified as an operating expense.

MAINTENANCE AND OPERATION APPROPRIATIONS

CARRY OVER

Act 71 (HB1233) - The act provides that state agencies may carry over from the first fiscal year of any biennium to the second fiscal year of the biennium any unexpended maintenance and operation appropriations and funds to the extent necessary to pay for renovation and minor and major repairs under the jurisdiction of State Building Services which were under contract at least 90 days prior to the end of the first fiscal year but which will not be completed until after the end of the first fiscal year and are substantiated by a written contract.

NONAGENCY STATE ENTITIES

LEASING AGENT - STATE BUILDING SERVICES, ARKANSAS

Act 238 (HB1381) - The act provides that State Building Services may act as the leasing agent for any nonagency state entity if requested in writing by the nonagency state entity.

OUACHITA RIVER COMMISSION

DALLAS AND HOT SPRING COUNTIES

Act 314 (HB1493) - The act includes Hot Spring and Dallas Counties in the scope of the Ouachita River Commission's powers and duties. This act increases the commission membership to nine, one of whom must be a resident and elector of Hot Spring County and one of whom must be a resident and elector of Dallas County.

HOT SPRING COUNTY MEMBERSHIP

Act 7 (SB88) - The act includes Hot Spring County in the scope of the Ouachita River Commission's powers and duties. This act increases the commission members to eight, one of whom must be a resident and elector of Hot Spring County.

STATE AGENCIES GENERALLY

PERFORMANCE-BASED EFFICIENCY CONTRACTS

PROCUREMENT AND FINANCING

Act 1547 (HB1874) - The act permits agencies to enter into performance-based efficiency contracts for professional services under specific guidelines.

PRIVATE ACTIVITY BOND ACT

REVISED TO CONFORM TO FEDERAL TAX LAW

Act 1044 (HB1952) - The act amends the Private Activity Bond Act to set rules for the allocation of the state volume cap to conform it to recent changes in federal tax law. It prescribes new duties and responsibilities for the Arkansas Development Finance Authority for private activity bonds and repeals the Arkansas Private Activity Bond Act of 1985.

PROCUREMENT, OFFICE OF STATE

PROPERTY, DISPOSITION OF

Act 589 (SB355) - The act provides that all state agencies, colleges, and universities are required to utilize and all counties, municipalities, and other tax supported institutions are authorized to utilize the services of the marketing and redistribution section of the Office of State Procurement.

PROPERTY

SALE, PURCHASE OR ACCEPTANCE OF DONATION

Act 741 (HB1062) - The act sets out which state agencies may sell state lands or purchase lands for the state, to be held for the benefit of the agency. The act excludes transfers of land between state entities if the Governor has approved. If the Governor approves, state lands may be sold for less than the appraisal if sale is by bid and the agency director and the Director of State Building Services recommend. The Legislative Council is to review the sale before finalization. With respect to donated land, the Director of State Building Service shall provide a recommendation concerning acceptance of the donated land. The Governor must approve acceptance of donations of land to the state.

PUBLIC FUNDS

PUBLIC FUND DEPOSITORIES

Act 1436 (HB1772) - The act defines "bank" and "banking institution" concerning depositories of public funds.

PUBLIC FUNDS HELD BY BANKS - PERMITTED SECURITIES

Act 310 (HB1370) - If an Arkansas depository or state bank must furnish security for the deposit of public funds, or if security must be granted to a public official in connection with public funds, the type of security given is limited to those identified by the act.

PUBLIC SERVICE ANNOUNCEMENTS

CAPTIONING

Act 813 (HB1292) - The act requires all state agencies which make televised public service announcements to ensure that those announcements are either closed or open captioned.

PUBLIC WORKS

CONSTRUCTION BONDS

Act 496 (SB447) - The act extends the statute of limitations on public works construction bonds from 6 months to 1 year.

EMERGENCY CONTRACTING PROCEDURES

Act 162 (SB189) - The act provides that emergency contracting procedures for public works may include sole sourcing or competitive quote bids.

PUBLISHED NOTICES

Act 1051 (SB770) - The act provides that no public works contract by any state agency, county, municipality, school district, or other local taxing unit may be entered into with any contractor where all estimated cost of work exceeds \$20,000 (currently \$10,000 for counties and municipalities and \$50,000 for school districts), unless prior notice is published in a newspaper.

STATE AGENCIES GENERALLY

PUBLIC WORKS

SUBCONTRACTORS

Act 989 (HB1965) - The act adds ventilation and refrigeration subcontractors to the list of those who must be licensed by the Contractors Licensing Board when performing work for a prime contractor on a state project if the subcontractor's portion of the project is at least \$20,000.

PUBLIC WORKS CONSTRUCTION BONDS

STATUTE OF LIMITATIONS

Act 496 (SB447) - The act extends the statute of limitations on public works construction bonds from 6 months to 1 year.

PURCHASING LAWS

PURCHASING CARD PROGRAM

Act 1309 (SB457) - The act authorizes the State Procurement Director to implement and administer a purchasing card program.

VARIOUS CHANGES

Act 1237 (SB358) - The act changes the name of the Arkansas Purchasing Law to the Arkansas Procurement Law and makes various changes to that law.

WORK CENTER-MADE PRODUCTS

Act 1718 (HB2250) - The act establishes a work center-made products program.

REAL ESTATE FUND, STATE BUILDING SERVICES

RECEIPT AND USE OF FUNDS

Act 307 (HB1220) - The act authorizes the State Building Services Real Estate Fund to receive funds from proceeds from bond issues, leases, service charges, or fees and interagency transfers of funds and to use funds to acquire, either by deed or by lease, own and operate, maintain, repair, and renovate real properties for use by state agencies.

RECORDS MANAGEMENT

Act 1252 (SB814) - The act repeals the Arkansas State Records Management and Archives Act of 1995.

RETIREMENT SYSTEM

ADMINISTRATIVE ACCOUNTING

Act 67 (SB63) - The act provides benefit enhancements allowing retirement plan payments to be deducted at a level amount over a reasonable period of years.

SCHOLARSHIPS

SURVIVORS

Act 158 (SB19) - The act authorizes scholarships to technical institutes for family members of law enforcement officers, full-time or volunteer firemen, state highway employees, state correction employees, state parks employees, teachers, and state forestry employees who are killed or permanently and totally disabled on duty.

SELF-INSURED FIDELITY BOND PROGRAM

Act 1038 (SB778) - The act clarifies the type of financial examination reports required under the self-insured fidelity bond program for the state and local government.

COVERAGE CLARIFIED

Act 1383 (HB2002) - The act clarifies the fidelity bond coverage provided by the Self-Insured Fidelity Bond Program which shall be the lesser of three hundred thousand dollars (\$300,000) or the amount of the bond.

STATE AGENCIES GENERALLY

SELF-INSURED FIDELITY BOND PROGRAM

PARTICIPATING GOVERNMENTAL ENTITIES

Act 208 (HB1289) - The act specifically authorizes cities, counties, public school districts and the state to participate in the self-insured fidelity bond program.

STATE BUILDING SERVICES, ARKANSAS

PARKING DECKS

Act 736 (SB518) - The act authorizes State Building Services to construct a parking deck on the State Capitol grounds.

REAL PROPERTY DATABASE

Act 325 (HB1033) - The act requires Arkansas State Building Services to compile a record of all real property owned by the state, and to create and maintain a database containing a description of each parcel of real property owned by the state.

STATE CONTRACTS

DEBARMENT OR SUSPENSION

Act 1762 (SB848) - The act provides for the debarment or suspension of persons from consideration for award of state contracts based upon deficient services as defined by regulations to be promulgated by the Chief Fiscal Officer of the State.

STATE EMPLOYEES

ANNUAL FRINGE BENEFITS STATEMENT

Act 1818 (HB2362) - The act requires each state agency and institution of higher education to develop an informational program on employee benefits and to present it to all new employees at a new employee's orientation meeting. Annually, each state agency and institution of higher education shall also provide each employee with a benefits statement, which summarizes the status of the benefit plans in which the employee participates.

INSURANCE

Act 1814 (HB2266) - The act expands the authority of the Employee Benefits Division of the Department of Finance and Administration over employee benefit programs and amends the law regarding the eligibility of state employees to participate in the programs.

STATE LANDS, COMMISSIONER OF

CIRCUIT CLERKS EXTEND CREDIT

Act 854 (HB1967) - The act allows circuit clerks, sheriffs, and other elected county officials to extend credit for the payment of recording fees to the Commissioner of State Lands.

STATE-OWNED AUTOMOBILES

EFFICIENT USE

Act 1711 (HB1872) - The act requires state agencies to ensure the cost effectiveness and efficient use of state-owned automobiles. Agencies are required to provide the Department of Finance and Administration with a report regarding agency vehicles, and in turn the Department of Finance and Administration is to report its recommendations regarding continued agency ownership of vehicles to the Legislative Council. The act does not apply to institutions of higher education and vocational technical institutes.

SURPLUS COMPUTERS AND ELECTRONICS

SALE TO AGENCY EMPLOYEES PERMITTED

Act 1410 (SB807) - This act provides a mechanism by which Arkansas can begin to address its growing computer and electronic solid waste stream. The Computer and Electronic Recycling Fund is established and funded by sales of surplus computer and electronic equipment to owning agency employees. The fund will provide grants for the development of means, technologies and businesses providing efficient methods to collect, transport, process and otherwise recycle computer and electronic solid waste. The act provides a target date for a landfill ban of computer and electronic waste.

STATE AGENCIES GENERALLY

SURVIVORS' DEATH BENEFITS

ACCUMULATED SICK LEAVE

Act 991 (HB2210) - The act provides compensation for accumulated unused sick leave for Arkansas State Employees or their beneficiaries upon retirement or death.

TELECOMMUNICATIONS

ARKANSAS WIRELESS INFORMATION NETWORK

Act 746 (HB1527) - The act creates the Arkansas Wireless Information Network Work Group to guide the development and implementation of a statewide wireless information network to be available for use by all municipal, county, and state entities.

TOWING OF ABANDONED VEHICLES

CLAIMS COMMISSION REMEDY

Act 1830 (HB2538) - The act amends various Arkansas Code sections concerning the towing and storage of unattended or abandoned vehicles and provides a remedy through the State Claims Commission when the towing and storage is at the direction of a state agency.

UNIFORMS

MAINTENANCE AND GENERAL OPERATION EXPENSES

Act 163 (SB77) - The act provides that uniforms an agency may require its employees to wear as part of the job may be subclassified as an operating expense. However, clothing items purchased for agency employees, but not required to be worn during working hours or purchased for the promotion of the agency shall not be subclassified as an operating expense.

STATE CAPITOL

CAPITOL ZONING DISTRICT

EXPANSION

Act 1798 (SB877) - The act expands the boundaries of the Capitol Zoning District.

FALLEN FIREFIGHTERS MONUMENT

CAPITOL ARTS AND GROUNDS COMMISSION, ARKANSAS

Act 504 (HB1541) - The act provides for construction and maintenance of a monument on State Capitol grounds honoring Arkansas firefighters who have died in the line of duty.

GROUNDS AND MONUMENTS

PRESERVATION FUND

Act 1652 (SB888) - The act creates the Arkansas Capitol Grounds Monument and Memorial Preservation Fund.

STATE HOLIDAYS

DAISY GATSON BATES DAY

Act 304 (HB1204) - The act provides for the establishment of Daisy Gatson Bates Day as an official state holiday.

MEMORIAL DAYS

NATIVE AMERICAN HERITAGE WEEK

Act 1117 (HB2350) - The act designates the third week of September of each year for observance of Native American Heritage Week in Arkansas (not a legal holiday). It calls upon the Governor to issue a proclamation to remind the citizens of the state to observe Native American Heritage Week and to commemorate the Native American's cultural contributions to Arkansas' history and heritage.

SENATOR HATTIE CARAWAY DAY

Act 1218 (HB2504) - The act adds a new state memorial day, not a legal holiday, to commemorate December 19th for Senator Hattie Caraway of Arkansas as the first woman elected to the United States Senate.

STATE POLICE, DEPARTMENT OF ARKANSAS

FAMILY PROTECTION UNIT

CHANGE OF NAME

Act 441 (SB346) - The act changes the name of the Department of Arkansas State Police Family Protection Unit to the Crimes Against Children Division.

POWERS AND DUTIES

TOWING ROTATION LIST

Act 254 (SB345) - The act gives the Director, Department of Arkansas State Police the authority to establish, maintain, and enforce a towing rotation list to assist in clearing highways of motor vehicles which have been involved in accidents or abandoned.

STATE POLICE COMMISSION, ARKANSAS AND DIRECTOR

POWERS AND DUTIES

Act 1697 (HB2513) - The act makes numerous changes to the Arkansas Code concerning the powers and duties of the Arkansas State Police Commission; the Director, Arkansas State Police; the qualifications for employment as an Arkansas State Police officer; the transfer, removal, suspension and discharge of Arkansas State Police officers; and their spouse's and children's death benefits.

UNIFORM TRAFFIC CITATION FORM

CASH REGISTER VALIDATION

Act 331 (HB1479) - The act removes the requirement that the uniform traffic citation form provide a space for cash register validation.

TAXES

ADVERTISING AND PROMOTIONS TAX

COUNTIES

Act 1647 (SB821) - The act provides that any county in which there is located a city that levies a 2% gross receipts tax on hotels, motels, and restaurants as authorized in Arkansas Code 26-75-701 - 26-75-705 may, by ordinance of the county quorum court, levy a like tax at the same rate as the levying city or at a lesser rate upon the furnishing of hotel and motel accommodations, the admission price to tourist attractions as defined in § 26-52-1001, the gross receipts of gift shops referred to in § 26-75-701, and restaurants and similar establishments located within any township in the county outside the boundaries of the levying municipality.

BORDER GAS TAX RATE

Act 1498 (HB1059) - The act provides that the border tax gas rate applies to territories included within the limits of a city, incorporated town, or planned community on July 1, 2001, but not to territory added or annexed after that date.

CAPITAL IMPROVEMENTS

COUNTY SALES AND USE TAXES

Act 1560 (HB2328) - The act limits the amount of taxes which may be collected for capital improvements as a result of a county sales or use tax, provides a method to compute the county use tax on property brought into the state, clarifies that each subchapter is supplemental, and provides enforcement of county sales or use taxes.

COLLECTION OF PERSONAL PROPERTY TAXES WITH REAL ESTATE TAXES

EXCEPTION

Act 1286 (HB2392) - The act allows a purchaser in a foreclosure sale to pay the real estate taxes on the property without having to pay the personal property taxes due.

TAXES

COUNTY TAX COLLECTORS

FEES

Act 1816 (HB2278) - The act authorizes tax collectors to retain a collection fee for prepayments of certain improvement district assessments.

DEDUCTIONS

MEDICAL SAVINGS ACCOUNTS

Act 634 (HB1021) - The act provides for the adoption of Section 220 of the Internal Revenue Code of 1986 as in effect on January 1, 2001, regarding the deductibility of contributions made to a medical savings account.

DELIQUENCY OF PROPERTY TAX

NOTICE

Act 985 (HB1513) - The act amends the publishing requirements for notice of delinquent real and personal property taxes.

ECONOMIC DEVELOPMENT

COAL MINING

Act 1065 (SB776) - The act includes coal mining operations under the Enterprise Zone Act and the Economic Investment Tax Credit Act.

INCOME TAX

Act 737 (SB528) - The act includes defense industry projects in the Economic Investment Tax Credit Act. As a result, defense industry projects are eligible for an income tax credit equal to 100% of the sales and use tax liability for the reporting period. The act also amends the definition of distribution center in the Economic Investment Tax Credit Act to include a facility for the reception, storage, or shipping of products if 75% of the sales revenue is from out-of-state-customers.

ECONOMIC DEVELOPMENT OF ARKANSAS FUND

DISPOSITION AND ALLOCATION OF FUNDS RECEIVED FROM ESTATE TAXES

Act 1681 (HB2354) - The act abolishes the Economic Development of Arkansas Fund Commission and transfers all remaining and prospective funds generated by estate taxes to the General Improvement Fund.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

CREDIT FOR HOUSEHOLD AND DEPENDENT CARE SERVICES

Act 413 (HB1206) - The act provides that upon certification of childcare facilities, the Division of Childcare and Early Childhood Education shall provide a listing of the facilities and their certification numbers to the Director of the Department of Finance and Administration for the purpose of the income tax credit or refund provided for in Arkansas Code 26-51-502 and 26-51-507.

REVENUE DIVISION ATTORNEY

Act 456 (HB1567) - The act amends the code mandating that, if deemed necessary and reduced expense will result, the Director of the Department of Finance and Administration shall employ 1 or more attorneys to represent the revenue division of the department in administrative proceedings and litigation matters concerning taxes, fees, or licenses administered by the director or the division.

FIRE PROTECTION FUND

FIRE DEPARTMENT'S PORTION OF PREMIUM TAXES REALLOCATED

Act 1540 (HB1321) - The act changes the order of calculation of the Fire Protection Fund's portion of the insurance premium taxes used for local police and fire pension relief funds. It moves the allocation of funds for volunteer fire departments (Fire Protection Fund) from the portion of premium taxes allocated to pension and relief funds to the portion of the premium tax allocated to general revenues.

TAXES

FRANCHISE TAXES

NONPAYMENT

Act 1549 (HB1931) - The act provides that corporations or limited liability companies owing franchise taxes to the Secretary of State shall not be allowed to file any forms or documentation related to that corporation or company. Persons substantially related to a corporation or company owing franchise taxes shall not be allowed to create a legal entity or obtain authority to do business in the state.

HOME MANUFACTURE OF WINE

EXEMPT

Act 1813 (HB2219) - The act exempts the home manufacture of wine from license fees, taxes and permit requirements levied on commercial manufacturers.

HOSPITAL GIFT SHOPS

SALES TAX EXEMPTION

Act 628 (SB248) - The act provides that gift shops operated by a charitable organization at a for-profit hospital shall receive the same sales tax treatment as gift shops at a nonprofit hospital.

INCOME TAX

APPORTIONMENT OF INCOME WITH OTHER STATES

Act 1228 (HB1462) - The act provides that for purposes of apportionment of income for tax purposes, a taxpayer is taxable in another state if: (1) in that state the taxpayer is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax; and the taxpayer files the requisite tax return in the other state; or (2) that state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not.

CAPITAL GAINS

Act 1584 (SB906) - The act provides that if a taxpayer has a net capital gain from a venture capital investment, 100% of the gain shall be exempt from the Income Tax Act of 1929.

CHECKOFF

Act 1556 (HB2267) - The act establishes an income tax checkoff for the Arkansas School for the Blind and the Arkansas School for the Deaf.

CONSOLIDATED CORPORATE RETURNS

Act 1227 (HB1439) - The act provides that consolidated corporate income tax return deductions for charitable contributions must be calculated on a separate company basis. The act also provides that each member of the affiliated group filing a consolidated corporate return must calculate income separately.

CREDIT

Act 975 (HB2057) - The act amends the Arkansas Economic Development Act to redefine terms and to make various changes in the tax credit provisions of the act.

Act 1819 (HB2366) - This act adjusts the personal income tax credit based upon the annual cost of living adjustment. This is determined using the Consumer Price Index.

CREDIT - EMERGING TECHNOLOGY

Act 1284 (HB2237) - The act renames the Arkansas Emerging Energy Technology Development Act of 1999 as the Arkansas Emerging Technology Development Act of 1999 and expands its applications to nanotechnology, microturbines, and Stirling engines and expands the carryover of any tax credit from 6 years to 14 years.

CREDIT - PAPER MANUFACTURER

Act 1661 (SB972) - The act grants a credit against the state income tax liability of any person engaged in manufacturing paper and allied products and who has been in continuous operation in Arkansas for at least 2 years prior to the initial application for the income tax credit.

TAXES

INCOME TAX

CREDIT FOR HOUSEHOLD AND DEPENDENT CARE SERVICES

Act 413 (HB1206) - The act provides that upon certification of childcare facilities, the Division of Child Care and Early Childhood Education shall provide a listing of the facilities and their certification numbers to the Director of the Department of Finance and Administration for the purpose of the income tax credit or refund provided for in Arkansas Code 26-51-502 and 26-51-507.

DEDUCTIONS

Act 1558 (HB2298) - The act provides that in computing net income for Arkansas income tax purposes, there shall be allowed as a deduction the amount paid during a taxable year to the United States Small Business Administration as a guaranty fee associated with the acquisition of Small Business Administration financing.

INCENTIVES FOR BIOTECHNOLOGY COMPANIES

Act 900 (HB2189) - The act makes various changes in the law granting tax incentives to biotechnology companies.

TECHNICAL CORRECTIONS

Act 773 (SB308) - The act amends various sections of the Arkansas Income Tax Act to adopt recent changes to the Federal Internal Revenue Code.

TOURISM DEVELOPMENT

Act 899 (HB2182) - The act amends the Arkansas Tourism Development Act to define the term "high unemployment", to remove the requirement that 25% of visitors be from out-of-state, and to clarify income tax credits in high unemployment counties.

WATER RESOURCE CONSERVATION AND DEVELOPMENT INCENTIVES

Act 727 (HB1714) - The act redefines the term "Project" to broaden the water conservation projects for which a tax credit may be taken.

MID-SOUTH COMMUNITY COLLEGE

TAX REVENUE FUNDS

Act 1488 (SB156) - The act provides that each year, the first eighty-five thousand dollars (\$85,000) of the pari-mutuel tax revenue derived from Arkansas Code 23-111-505 (a) shall be remitted directly to Mid-South Community College for facilities, programming, and personnel in the support of a nursing program. The revenue received by Mid-South Community College under this act is considered local taxes. One hundred thousand dollars (\$100,000) of the balance of the Indigent Patient's Fund on the effective date of this act shall be transferred by the Chief Fiscal Officer of the State to the Mid-South Community College Fund.

MOBILE HOMES

PROPERTY TAX

Act 410 (HB1120) - The act provides that mobile homes and manufactured homes are real property for property taxation purposes.

MOTOR AND DISTILLATE FUEL TAXES

DYED DIESEL FUEL

Act 777 (SB530) - The act eliminates the requirement that sellers of dyed diesel fuel identify each purchaser in monthly motor fuel tax reports.

FIRE DEPARTMENTS

Act 419 (HB1444) - The act provides that any fire department that purchases motor fuel or distillate special fuel for use in fire trucks shall be entitled to a refund of the motor fuel tax or distillate special motor fuel tax paid. The act also provides for the procedures for reporting the tax and collecting the taxes paid.

RACING VEHICLES

Act 1035 (SB97) - The act provides that the definition of motor fuel under the Motor Fuel Tax Law does not include leaded gasoline with an octane rating of 110 or higher used solely for off-highway testing.

TAXES

MUNICIPAL SALES AND USE TAXES

CAPITAL IMPROVEMENTS

Act 1561 (HB2329) - The act limits the amount of taxes which may be collected for capital improvements as a result of a municipal sales or use tax levied, provides a method to compute the municipal use tax on property brought into the state, clarifies that each subchapter is supplemental, and provides enforcement of a municipal sales or use taxes.

NURSING HOMES

QUALITY ASSURANCE FEE

Act 635 (HB1274) - The act levies a quality assurance fee upon nursing home facilities and provides a formula for determining those fees.

PRIVILEGE TAX

PARI-MUTUEL WAGERING

Act 1837 (HB2636) - The act provides that a race track franchise holder shall withhold and pay to the Arkansas Racing Commission for the use and benefit of the State of Arkansas, as a privilege tax, one percent (1%) of all moneys wagered on races simulcast & rebroadcast on the grounds of the franchise holder's Arkansas race track.

PROPERTY TAX

ACT 9 BONDS

Act 1629 (SB570) - The act requires municipalities and counties to negotiate in-lieu-of-tax payments when negotiating a contract for sale of property or lease of property to a private for-profit entity. Affected school districts must be given notice. The act requires the Senate and House Interim Committees on Education, Insurance and Commerce, and Revenue and Taxation to conduct a study of the impact of in-lieu-of-tax payments on state funding of public schools.

AMENDMENT 79

Act 1544 (HB1664) - Section 1 of the act provides that disabled veterans who are currently exempt from paying property taxes shall not be entitled to claim the property tax credit. Section 2 of the act provides for the distribution of the Property Tax Relief Trust Fund if the Chief Fiscal Officer has not received all of the certifications from the county collectors. Section 3 of the act defines property owner to mean a person who is the owner of record of the real property, or the mortgagee of the property, a buyer under a recorded contract to purchase the real property, or a person holding a recorded life estate in the real property. Section 4 provides that the penalty for claiming more than one homestead property tax credit is the repayment of the homestead property tax credit in addition to a 10% penalty of the amount of the homestead property tax credit. Section 5 of the act provides that when a disabled person or a person 65 years or older sells his or her real property, the purchaser shall not be entitled to claim any reduction to the property's assessed value, and the county assessor shall assess the property at its full market value, unadjusted for assessment limitations required by Amendment 79 to the Arkansas Constitution.

APPRAISERS

Act 590 (SB365) - The act repeals obsolete Arkansas Code 26-26-601 through 607 which established a procedure for hiring professional appraisers to appraise property for tax purposes.

ASSESSMENT RATIOS

Act 1131 (HB1230) - The act makes various changes in the law pertaining to assessment ratios.

ASSESSMENTS

Act 1369 (SB862) - The act makes it unlawful for any person to knowingly place the assessment of property under the name of another person in order to avoid the payment of fees associated with the property. A violation of this act is a Class B misdemeanor.

Act 1567 (HB2413) - The act provides for documentation by the Board of Equalization for the increase or decrease in the valuation of real property. The act also provides the procedures for requesting from the Board of Equalization an adjustment of the county assessor's assessment.

TAXES

PROPERTY TAX

ASSESSMENTS

Act 1793 (SB823) - This act clarifies for purposes of Amendment 79 and Article 16, Section 14, that the rollback of millage rates be based upon the adjusted taxable assessed value of the real property in the current year compared to the adjusted taxable assessed value of the real property in the preceding year

CHANGE OF OWNERSHIP

Act 79 (SB21) - The act provides that when any owner of realty located in a road improvement district notifies any member of the district board that the property owner has transferred ownership of the property, the board shall, within 30 days, instruct the county official in possession of the tax books of the county as to the change of ownership and if the property was divided the amount of assessment of benefits levied against each resulting portion of the property.

CIRCUIT BREAKER

Act 979 (HB2206) - The act repeals Arkansas Code 26-51-609 which required county tax collectors to notify property owners of the availability of a property tax refund under the circuit breaker law.

CLERICAL ERRORS

Act 901 (HB2202) - The act provides that if a county court determines that the levy of taxes by the quorum court is incorrect due to clerical errors, scrivener's errors, or failure of a taxing entity to report the correct millage rate to the quorum court, the county court shall issue an order directing the county clerk to correct the error in order to correct the millage levy.

COLLECTION OF REVENUES

Act 1275 (HB1971) - The act provides that county collectors may receive a commission of up to 4% of the amount of real property tax reduction certified to the state.

COUNTY EQUALIZATION BOARDS

Act 505 (HB1554) - The act modifies the membership of county equalization boards.

CREDIT

Act 1598 (HB2590) - The act provides the procedures for registering with the county assessor proof of eligibility for the property tax credit.

DISABLED VETERANS

Act 361 (SB199) - The act provides that widowed spouses of disabled veterans are eligible for the homestead and personal property tax exemption upon termination of a subsequent marriage and until the surviving spouse remarries.

INFORMATION REPORTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION

Act 565 (HB1457) - The act provides that the Department of Finance and Administration may disclose to county tax assessors information which may affect personal property assessments, including information obtained during the course of audits or investigations concerning motor vehicles, boats, trailers, airplanes, or other items of personal property.

MOBILE HOMES

Act 410 (HB1120) - The act provides that mobile homes and manufactured homes are real property for property taxation purposes.

REAPPRAISALS

Act 204 (HB1222) - The act provides that countywide reappraisals of property shall be deemed to have been completed on the date the tax collector's books are open for collection on the newly appraised values.

Act 1058 (HB1053) - The act provides for the frequency of real property reappraisals. Specifically, counties shall reappraise property under a five-year cycle. If the new market value real estate assessment is greater than 15% from the previous market value real estate assessment in the county, the county shall be required to complete its next reappraisal at a minimum of once every 3 years. An exception to the three-year reappraisal cycle exists if the increased market value real estate assessment is a result of a single property improvement.

TAXES

PROPERTY TAX

SCHOOL MILLAGE RATE

Act 1202 (SB604) - The act clarifies the process for defining "average daily membership" for school funding purposes.

TAX DELINQUENT LAND

Act 423 (HB1496) - The act provides that the Commissioner of State Lands shall charge a \$25.00 collection fee against all tax delinquent land redeemed or sold by the Commissioner.

ROAD IMPROVEMENT DISTRICT

PROPERTY TAX

Act 79 (SB21) - The act provides that when any owner of realty located in a road improvement district notifies any member of the district board that the property owner has transferred ownership of the property, the board shall, within 30 days, instruct the county official in possession of the tax books of the county as to the change of ownership and if the property was divided the amount of assessment of benefits levied against each resulting portion of the property.

SALES AND USE TAX

ALCOHOL

Act 1841 (SB576) - This act levies a special alcoholic beverage excise tax of three percent (3%) upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund with twenty percent (20%) of the funds to be used for subsidized child care for low-income families and eighty percent (80%) of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education. The excise tax on beer shall expire on June 30, 2003.

BONDS

Act 1168 (HB2320) - The act permits a municipality or county to levy multiple taxes by ordinance provided that the aggregate rate of the taxes does not exceed 1%.

CIGARETTES

Act 1173 (HB1591) - The act amends Arkansas Code 26-57-802 regarding the additional tax on cigarettes in border cities to make this provision of the code consistent with Arkansas Code 26-57-803.

CITIES

Act 1657 (SB930) - The act provides that any city of the first class having a population of less than 5,000 inhabitants, a portion of which has been designated as a historic district and is included on the National Register of Historic Places, may levy a tax not to exceed 2% upon the gross receipts or gross proceeds from the admission price to tourist attractions.

COUNTIES

Act 1796 (SB863) - The act authorizes certain counties to levy a sales and use tax to provide for capital improvements to or maintenance and operation of a community college that will be merged into a four-year institution and establishes an alternative method for dissolution of a community college district.

EXEMPTIONS

Act 1375 (SB967) - The act exempts from sales and use tax the sales of electricity and natural gas used in the process of manufacturing wall and floor tile by manufacturers of tile classified in Standard Industrial Classification 3253.

Act 1683 (HB2372) - The act exempts the gross receipts or gross proceeds derived from the sale of fuel packaging materials to a person engaged in the business of processing hazardous and non-hazardous waste materials into fuel products at a facility permitted by the Arkansas Department of Environmental Quality for hazardous waste treatment and the gross receipts or gross proceeds derived from the sale of machinery and equipment including analytical equipment and chemicals used directly in processing and packaging of hazardous and non-hazardous waste materials into fuel products at a facility permitted by the Arkansas Department of Environmental Quality for hazardous waste treatment.

TAXES

SALES AND USE TAX

MOTOR VEHICLES

Act 1834 (SB871) - The act provides that the sale of a motor vehicle from the original franchise dealer to any other dealer, person, corporation, or other entity other than a franchise dealer of the same make of vehicle, which sale is reflected on the statement of origin shall be subject to gross receipts tax. The vehicle shall be considered a used motor vehicle which shall be registered and titled, and the tax shall be paid at the time of registration.

REFUNDS

Act 1401 (SB304) - The act provides that expenditures for replacements of items previously purchased as part of a project and routine operating expenditures are not eligible for benefits under the Arkansas Enterprise Zone Act of 1993 or the Arkansas Economic Development Act of 1995.

RENTAL VEHICLES

Act 949 (SB581) - The act imposes an additional rental vehicle tax at the rate of 5% on the gross receipts or gross proceeds derived from the rentals of licensed motor vehicles leased for a period of less than 30 days. The first \$2,850,000 collected from the tax shall be deposited in the Arkansas Public Transit Trust Fund for the purpose of acquiring public transportation vehicles, transit equipment, or facilities. The remaining funds are to be used exclusively for teacher salaries.

REPORTS OF BUSINESSES REMITTING TAX TO STATE

Act 1040 (SB806) - The act requires the Department of Finance and Administration to provide reports listing all businesses remitting sales and use taxes within a city, town, or county upon the request of the mayor or county judge. The municipality or county may request the sales and use tax report no more than quarterly.

TELECOMMUNICATIONS

Act 907 (SB309) - The act adopts the Federal Mobile Telecommunications Sourcing Act as of January 1, 2001; provides that the state sales tax applies to long distance messages which originate and terminate outside this state made by mobile telecommunications services which are charged to a customer who maintains a place of primary use in this state; levies the commercial radio service emergency telephone service charge on users of mobile telecommunications services; and for purposes of assessing the Arkansas Universal Service Fund charge against mobile telecommunications services, the charge shall be assessed only on Arkansas intrastate retail telecommunications service revenues to the extent authorized by the Federal Mobile Telecommunications Sourcing Act.

Act 1064 (SB775) - The act provides that charges for nontaxable services, that are aggregated with other charges for communications services that are taxable and are not separately stated on the bill or invoice, shall not be subject to the gross receipts tax if the seller can reasonably identify the nontaxable charges on the seller's books and records kept in the regular course of business.

TIMBER HARVESTING EQUIPMENT

Act 622 (HB1109) - The act perpetually exempts timber harvesting equipment from the Arkansas Gross Receipts Act and the Arkansas Compensating Tax.

UNIFORM SALES AND USE TAX ADMINISTRATION ACT

Act 1279 (HB2170) - The act adopts the "Uniform Sales and Use Tax Administration Act".

USED MOTOR VEHICLE CREDIT

Act 1047 (SB310) - The act requires the seller of a used motor vehicle claiming a sales or use tax credit on the purchase of a new or used vehicle to provide a copy of the bill of sale signed by all parties.

VENDOR'S RESPONSIBILITY

Act 922 (HB1440) - The act provides that the processing of orders for goods electronically, by fax, telephone, the Internet, or other electronic ordering process, or the processing of orders by nonelectric means, by mail order, fax, telephone, or otherwise does not relieve a vendor of responsibility for collection of the use tax if the vendor holds a substantial ownership interest in a retailer in Arkansas and the vendor sells the same or substantially similar products as the Arkansas retailer under the same or substantially similar business name or the facilities or employees of the Arkansas retailer are used to advertise or promote sales by the out-of-state vendor to Arkansas purchasers.

TAXES

SPECIAL ELECTION

COUNTY LIBRARY TAX

Act 1377 (HB1073) - The act provides that when a petition is filed as authorized in Amendment 38 to the Arkansas Constitution as amended, asking that the question of the levy, increase, decrease or repeal of a county library tax be submitted to the electors and the petition or the sponsor of the petition requests that the question be submitted at a special election, the county quorum court may require the sponsor of the petition to pay a fee not to exceed \$2,000 which shall be used to offset a portion of the cost of calling and conducting a special election.

STATE LANDS, COMMISSIONER OF

TAX DELINQUENT LAND

Act 423 (HB1496) - The act provides that the Commissioner of State Lands shall charge a \$25.00 collection fee against all tax delinquent land redeemed or sold by the Commissioner.

STEEL MANUFACTURERS

INCENTIVES

Act 541 (SB474) - The act provides tax credits and tax exemptions to qualified manufacturers of steel.

TOBACCO

BREAST CANCER RESEARCH FUND

Act 1698 (HB2522) - This act amends the distribution of the additional tobacco tax to provide that twenty-nine percent of the moneys collected from this tax shall be deposited as special revenues in the Aging and Adult Services Fund Account to be used for the Meals-on-Wheels program and in the Department of Human Services Grant Fund to be used to implement a Prescription Drug for the Elderly Waiver Program. The remaining moneys are to be deposited as special revenues for the Breast Cancer Research Fund.

TOBACCO CONTROL BOARD, ARKANSAS

Act 1368 (SB858) - The act authorizes the disclosure of the list required by Arkansas Code 26-57-257(q)(2), reporting to the Arkansas Tobacco Control Board those taxpayers who hold a permit to sell tobacco products and cigarettes and who are delinquent in state taxes; provides that the Arkansas Tobacco Control Board shall cooperate with the Revenue Division of the Department of Finance and Administration in the enforcement of the tax laws affecting the sale of tobacco products in this state and in the enforcement of all other state and local tax laws; provides that failure to pay state and local taxes shall prevent the issuance or renewal of cigarette and tobacco permits; and provides that the board shall immediately require that the following additional information be provided by all applicants for permit issuance or renewal: (1) Federal tax identification numbers issued by the Internal Revenue Service; (2) Social Security numbers; and (3) State sales tax account numbers assigned by the Department of Finance and Administration, if applicable.

TOBACCO PRODUCTS

SALE OF EXPORT CIGARETTES

Act 1545 (HB1665) - The act provides that cigarettes manufactured, packaged, or imported must be in compliance with federal law in order for a tax stamp to be affixed. Persons licensed to affix the state tax stamp must file copies of customs certificates as required under federal law. Tax stamps shall be designed and furnished so as to permit identification of the person affixing the stamp. This identification is a public record to be kept on file for at least 3 years.

TOBACCO TAXES

MEALS-ON-WHEELS, DRUGS, CANCER

Act 1669 (HB1643) - Section 33 of the act provides that a portion of tobacco taxes be special funds for the Meals-on-Wheels program and a Prescription Drug for the Elderly Waiver Program. If federal moneys become available for Elderly Waiver drugs, the designated funds shall be used for the Breast Cancer Control Fund and the Breast Cancer Research Fund.

TERRITORIAL CAPITOL RESTORATION COMMISSION, ARKANSAS

NAME CHANGED

Act 69 (SB117) - The act changes the name of the Arkansas Territorial Capitol Restoration Commission to the Historic Arkansas Museum Commission.

TOBACCO

HEALTH, DEPARTMENT OF

GREAT STRIDES PROGRAM

Act 1750 (HB2540) - The act requires the Department of Health to use funds from the Tobacco Settlement Proceeds Act to establish the Great Strides Grant Program.

KIDS-FOR-HEALTH

Act 1749 (HB2528) - The act requires the Department of Health to use moneys from The Tobacco Settlement Proceeds Act to establish a Kids-for-Health program. The act authorizes each school district to design its own version of the program.

SETTLEMENT MONEY

Act 1570 (HB1746) - The act provides that the Arkansas Tobacco Settlement Commission shall hire an independent third party, not receiving tobacco settlement funding in any other contract or grant, to perform monitoring and evaluation of program expenditures made from tobacco settlement funds, and prepare a biennial report to be delivered to the General Assembly and the Governor by each August 1 preceding a general session of the General Assembly. The report shall be accompanied by a recommendation from the Arkansas Tobacco Settlement Commission as to the continued funding for each program.

TAXES

BORDER CITIES

Act 1173 (HB1591) - The act amends Arkansas Code 26-57-802 regarding the additional tax on cigarettes in border cities to make this provision of the code consistent with Arkansas Code 26-57-803.

BREAST CANCER RESEARCH

Act 1698 (HB2522) - This act amends the distribution of the additional tobacco tax to provide that twenty-nine percent of the moneys collected from this tax shall be deposited as special revenues in the Aging and Adult Services Fund Account to be used for the Meals-on-Wheels program and in the Department of Human Services Grant Fund to be used to implement a Prescription Drug for the Elderly Waiver Program. The remaining moneys are to be deposited as special revenues for the Breast Cancer Research Fund.

SALE OF EXPORT CIGARETTES

Act 1545 (HB1665) - The act provides that cigarettes manufactured, packaged, or imported must be in compliance with federal law in order for a tax stamp to be affixed. Persons licensed to affix the state tax stamp must file copies of customs certificates as required under federal law. Tax stamps shall be designed and furnished so as to permit identification of the person affixing the stamp. This identification is a public record to be kept on file for at least 3 years.

TOBACCO CONTROL BOARD, ARKANSAS

CONFISCATED TOBACCO PRODUCTS

Act 966 (HB1762) - The act repeals the requirement that the Director of the Arkansas Tobacco Control Board sell confiscated tobacco products.

TOBACCO

TOBACCO CONTROL BOARD, ARKANSAS

DUTIES

Act 1368 (SB858) - The act authorizes the disclosure of the list required by Arkansas Code 26-57-257(q)(2), reporting to the Arkansas Tobacco Control Board those taxpayers who hold a permit to sell tobacco products and cigarettes and who are delinquent in state taxes; provides that the Arkansas Tobacco Control Board shall cooperate with the Revenue Division of the Department of Finance and Administration in the enforcement of the tax laws affecting the sale of tobacco products in this state and in the enforcement of all other state and local tax laws; provides that failure to pay state and local taxes shall prevent the issuance or renewal of cigarette and tobacco permits; and provides that the board shall immediately require that the following additional information be provided by all applicants for permit issuance or renewal: (1) Federal tax identification numbers issued by the Internal Revenue Service; (2) Social Security numbers; and (3) State sales tax account numbers assigned by the Department of Finance and Administration, if applicable.

ENFORCEMENT OFFICERS

Act 1699 (HB2628) - The act authorizes the Director of the Arkansas Tobacco Control Board to designate as specialized law enforcement officers those personnel who conduct investigations of violations of the state's tobacco laws.

LICENSE REVOCATION

Act 965 (HB1761) - The act authorizes the Director of the Arkansas Tobacco Control Board to use his or her discretion concerning revocation of licenses or permits to deal in tobacco products of second time violators of tobacco laws or regulations.

TOBACCO TAXES

MEALS-ON-WHEELS, DRUGS, CANCER

Act 1669 (HB1643) - Section 33 of the act provides that a portion of tobacco taxes be special funds for the Meals-on-Wheels program and a Prescription Drug for the Elderly Waiver Program. If federal moneys become available for Elderly Waiver drugs, the designated funds shall be used for the Breast Cancer Control Fund and the Breast Cancer Research Fund.

TOURISM

AMUSEMENT ATTRACTIONS

REGULATIONS BY DEPARTMENT OF LABOR

Act 1365 (SB752) - The act expands the definition of amusement ride to include bungee rides, go-carts, inflatable attractions, and wave pools, water slides, and similar attractions. The act amends various sections of the Amusement Ride and Amusement Attraction Safety Insurance Act.

CABINS AND COTTAGES

COMPLIMENTARY WINE

Act 1487 (SB974) - The act authorizes cabins and cottages to give a complimentary bottle of wine to their guests.

DELTA CULTURAL CENTER POLICY ADVISORY BOARD

MEMBERSHIP

Act 1260 (SB926) - The act adds 2 members as representatives of Main Street Helena to the Delta Cultural Center Policy Advisory Board.

MID-AMERICA MUSEUM

TRANSFER OF FUNDS

Act 621 (SB564) - The act authorizes the Department of Parks and Tourism to transfer cash funds of the Mid-America Museum to either the Garland County Community College or the Hot Springs Advertising and Promotion Commission.

TOURISM

MOTORCOACH INCENTIVE ACT

FUNDS

Act 1674 (HB1949) - Section 44 of the act adds under the Miscellaneous Revolving Fund incentive payments to eligible applicants under the Motorcoach Incentive Act of 1999.

MOUNT MAGAZINE STATE PARK

Act 1390 (HB2283) - The act authorizes the State Parks, Recreation, and Travel Commission to contract with the Arkansas Development Finance Authority to issue bonds to finance the construction of a lodge, cabins, and related facilities to be located on Mount Magazine State Park.

MUSEUMS

TRANSFER OF DUTIES

Act 802 (SB472) - The act abolishes the Arkansas Museum Services Division of the Department of Parks and Tourism and places its programs within the State Parks Division. The act renames the Arkansas Museum Services Review Panel as the Arkansas Museum Services Panel.

RAFTING AND FLOATING

TRASH DISPOSAL

Act 803 (SB507) - The act prohibits vessels which tip over easily from carrying glass objects on the state's waterways and requires those vessels to carry equipment for protecting and disposing of refuse, waste, and trash and sets penalties for violations.

SALES AND USE TAX

CITIES

Act 1657 (SB930) - The act provides that any city of the first class having a population of less than 5,000 inhabitants, a portion of which has been designated as a historic district and is included on the National Register of Historic Places, may levy a tax not to exceed 2% upon the gross receipts or gross proceeds from the admission price to tourist attractions.

TOURISM DEVELOPMENT

Act 899 (HB2182) - The act amends the Arkansas Tourism Development Act to define the term "high unemployment", to remove the requirement that 25% of visitors be from out-of-state, and to clarify income tax credits in high unemployment counties.

TOURIST MEETING AND ENTERTAINMENT FACILITIES

STATE ASSISTANCE PAYMENTS

Act 1073 (SB516) - The act amends the city-county tourist meeting and entertainment facilities assistance law to provide state assistance to eligible facilities including War Memorial Stadium, the Fayetteville Continuing Education Center, the Fort Smith Convention Center, the Texarkana Four States Fair, the Hot Springs Advertising and Promotion Commission, the City of Little Rock Convention and Visitors Bureau, the Arkansas Livestock Show, the Pine Bluff Civic Auditorium, and the Alltel Arena.

TRANSPORTATION

SCHOOL BUSES

SEATING

Act 1744 (HB2464) - The act prohibits a school bus driver from operating the school bus until every passenger is seated, and requires school superintendents to be responsible for ensuring that no school bus is scheduled to transport more children than can reasonably be seated. Violation by a school superintendent shall be a misdemeanor.

UTILITIES

ELECTRIC UTILITIES

DEREGULATION POSTPONED

Act 324 (SB236) - The act postpones implementation of the Electric Consumer Choice Act of 1999.

JOINT MUNICIPAL ELECTRIC POWER GENERATION ACT

Act 988 (HB1811) - The act amends various sections of the Joint Municipal Electric Power Generation Act.

EMINENT DOMAIN

ELECTRIC UTILITIES

Act 1291 (HB2456) - The act makes numerous technical changes to the Arkansas Code concerning the eminent domain powers of electric utilities. It also changes the word "corporation" throughout those sections of the code to "electric utility" and then defines the term.

MUNICIPAL RIGHT-OF-WAY

ELECTRONIC TRANSMISSION SYSTEMS

Act 1795 (SB857) - The act authorizes municipal corporations to condemn property for lawful purposes, including the installation, extension, addition or improvement of electric transmission systems.

NATURAL GAS PIPELINE OWNERS

ANNUAL ASSESSMENT FEES

Act 766 (SB618) - The act changes the way annual assessment fees are determined on natural gas pipelines from gross earnings from the transporting of natural gas to the proportion that the number of miles of natural gas pipeline the transporter, owner, or operator operates bears to the total miles of natural gas pipeline in the state. The act also sets a different assessment fee for transporters, owners, and operators with less than 50 miles of natural gas pipeline.

OIL AND GAS COMMISSION, ARKANSAS

STUDY

Act 1519 (HB2468) - The act requires the Oil and Gas Commission to conduct a study to address the issue of the level of noise resulting from the operation and maintenance of natural gas wells, pipelines, compressors or any appurtenances to those wells, pipelines, compressors, or from the distribution, transportation, gathering, processing, or storage of natural gas.

PETROLEUM REFINERIES

Act 153 (SB110) - The act defines the term petroleum refinery for purposes of the Natural Gas Pipeline Safety Act.

PUBLIC SERVICE COMMISSION

CALLING PLAN

Act 1769 (HB2426) - The act authorizes the Arkansas Public Service Commission to establish a calling plan in the state.

RURAL AND COMMUNITY LIAISON

Act 1586 (HB1578) - The act provides that the Rural and Community Liaison of the Arkansas Public Service Commission will serve as a two-way communication link between the Commission and utility customers, particularly those in rural areas; is responsible for providing information to communities and rural utility customers concerning utility matters within the jurisdiction of the Commission; and is also responsible for identifying questions and concerns that rural utility customers may have concerning utility issues and relaying those concerns to the Commissioners and the Commission Staff.

UTILITIES

TELECOMMUNICATIONS

CALLING PLAN

Act 1769 (HB2426) - The act authorizes the Arkansas Public Service Commission to establish a calling plan in the state.

INTERCEPTION AND RECORDING COMMUNICATIONS

Act 1773 (HB2594) - The act amends the criminal offense of intercepting and recording communications. It makes it unlawful for a person to intercept a wire, oral, or telephonic communication utilizing the wire, cable, or landline telephone facilities or telecommunications networks. Previously, the criminal law applied only to the interception and recording of wireless or cellular telephone communications.

INTERCEPTION AND RECORDING WIRELESS COMMUNICATIONS

Act 1823 (HB2397) - The act adds wireless communications to those communications for which it is unlawful to intercept and record without prior consent.

MOBILE TELECOMMUNICATIONS

Act 907 (SB309) - The act adopts the Federal Mobile Telecommunications Sourcing Act as of January 1, 2001; provides that the state sales tax applies to long distance messages which originate and terminate outside this state made by mobile telecommunications services which are charged to a customer who maintains a place of primary use in this state; levies the commercial radio service emergency telephone service charge on users of mobile telecommunications services; and for purposes of assessing the Arkansas Universal Service Fund charge against mobile telecommunications services, the charge shall be assessed only on Arkansas intrastate retail telecommunications service revenues to the extent authorized by the Federal Mobile Telecommunications Sourcing Act.

SALES AND USE TAX

Act 1064 (SB775) - The act provides that charges for nontaxable services, that are aggregated with other charges for communications services that are taxable and are not separately stated on the bill or invoice, shall not be subject to the gross receipts tax if the seller can reasonably identify the nontaxable charges on the seller's books and records kept in the regular course of business.

SPECIAL TERMINATION ACCESS AGREEMENTS

Act 1824 (HB2425) - The act authorizes eligible telecommunications carriers to enter into agreements for the purpose of developing special termination access agreements to encourage calling plans.

WIRELESS INFORMATION NETWORK, ARKANSAS

Act 746 (HB1527) - The act creates the Arkansas Wireless Information Network Work Group to guide the development and implementation of a statewide wireless information network to be available for use by all municipal, county, and state entities.

TIMBER CUTTING EXEMPTION

EXEMPTION

Act 544 (SB544) - The act requires that before any person cuts and removes timber from land in this state, that the land be surveyed, or reliance be placed on existing lines and established corners, or the person obtains a signed document from the landowner and adjoining landowners indicating agreement with the boundaries. The act exempts utilities maintaining a right of way.

UNIVERSAL SERVICE ACT, ARKANSAS

GRANT PROGRAM FOR PRESERVATION AND PROMOTION OF UNIVERSAL SERVICE

Act 1771 (HB2570) - The act amends the Arkansas Universal Service Act by establishing a grant program to benefit eligible telecommunications carriers for extension of facilities to unserved citizens.

VITAL RECORDS

STATE REGISTRAR

FEES

Act 957 (HB1795) - The act increases until August 15, 2003, fees collected by the State Registrar of Vital Records for making, certifying, searching, or examining any certificate of record.

WATER RESOURCES

CONSOLIDATED WATERWORKS AUTHORITY

Act 982 (SB311) - The act is entitled the "Consolidated Waterworks Authorization Act". The act allows 2 or more public entities to enter into an interlocal cooperation agreement for the purpose of consolidating their waterworks systems.

GROUNDWATER

Act 1426 (HB2422) - The act amends various sections of the Arkansas Groundwater Protection and Management Act.

INCOME TAX

WATER RESOURCE CONSERVATION AND DEVELOPMENT INCENTIVES

Act 727 (HB1714) - The act redefines the term "Project" to broaden the water conservation projects for which a tax credit may be taken.

MARINE SANITATION ADVISORY COMMITTEE

DUTIES

Act 1608 (HB2630) - The act modifies the membership of the Marine Sanitation Advisory Committee and clarifies and simplifies processes for the proper disposal of marine sewage.

OUACHITA RIVER COMMISSION

MEMBERSHIP

Act 7 (SB88) - The act includes Hot Spring County in the scope of the Ouachita River Commission's powers and duties. This act increases the commission members to eight, one of whom must be a resident and elector of Hot Spring County.

PORT AUTHORITIES

INFRASTRUCTURE

Act 1546 (HB1696) - The act is entitled the "Arkansas Port Priority Improvement Program Act". The act provides that the Arkansas Waterways Commission, working in partnership with the Arkansas Department of Economic Development, may establish by regulation the criteria of eligibility for awarding funds to any public port authority to aid in the development of port infrastructure, including the engineering and construction costs.

PUBLIC WATER AUTHORITIES

Act 115 (HB1247) - The act provides for the creation of public water authorities.

REGIONAL WATER DISTRIBUTION DISTRICT ACT

NONPROFIT REGIONAL DISTRICTS

Act 618 (SB459) - The act provides that water districts in existence on January 1, 2001 and functioning for the purpose of handling sewage and liquid waste, excluding those subject to assessment, may be organized and have the same powers as nonprofit regional water distribution districts.

WATER RESOURCES

RIVERS

TOURIST TRASH DISPOSAL

Act 803 (SB507) - The act prohibits vessels which tip over easily from carrying glass objects on the state's waterways and requires those vessels to carry equipment for protecting and disposing of refuse, waste, and trash and sets penalties for violations.

STORM WATER MANAGEMENT

Act 986 (HB1737) - The act expands the application of the municipal sewage law found in Arkansas Code 14-235-201 through 225 to include storm water management.

WATER RESOURCES COST SHARE FINANCE ACT

Act 1039 (SB798) - The act amends the Arkansas Water Resources Cost Share Finance Act to authorize the Arkansas Soil and Water Conservation Commission to make a loan or grant to a local government for up to 50% (currently 25%) of the total project cost for a water resources development project. The act also provides that if the commission provides assistance without execution of a cooperative agreement, the commission may provide up to 65% of the total project cost in the form of a loan or grant to the local government.

WATER WELL CONSTRUCTION, COMMISSION ON

PUMP INSTALLERS

Act 1184 (HB2296) - The act changes the definition of "pump installer" and adds definitions of "abandoned well" and "well construction" for the Arkansas Water Well Construction Act. The act requires approval by the Commission on Water Well Construction before substitution of 40 hours of instruction for 2 years of experience. The act changes the application process, testing and fees for pump installer applications.

WELL CONSTRUCTION

PUMP INSTALLERS

Act 1184 (HB2296) - The act changes the definition of "pump installer" and adds definitions of "abandoned well" and "well construction" for the Arkansas Water Well Construction Act. The act requires approval by the Commission on Water Well Construction before substitution of 40 hours of instruction for 2 years of experience. The act changes the application process, testing and fees for pump installer applications.

WEIGHTS AND MEASURES

Act 587 (SB331) - The act adopts a model law drafted by the National Conference on Weights and Measures and creates the State Division on Weights and Measures within the Arkansas Bureau of Standards of the State Plant Board to enforce the act.

WELFARE REFORM

RECOVERY OF BENEFITS FROM RECIPIENTS' ESTATES

ESTATE ASSETS

Act 1480 (HB2248) - The act clarifies which estate assets are subject to recovery.

TRANSITIONAL EMPLOYMENT BOARD, ARKANSAS

DUTIES AND RESPONSIBILITIES

Act 1264 (HB2527) - The act requires the Arkansas Transitional Employment Board to coordinate with the Arkansas Workforce Investment Board on job training and expands and clarifies the TEA board's oversight of TEA child care and local TEA coalitions. The act requires the Department of Human Services to develop and maintain the indicators for the program outcomes and to make reports to the board and the legislature. The act simplifies and clarifies various of the board's annual reporting requirements. The act clarifies and expands the board's authority to oversee child care and child safety for children of sanctioned recipients.

PROPOSED CONSTITUTIONAL AMENDMENTS

SECRET BALLOT

House Joint Resolution 1004. The proposed amendment to the Arkansas Constitution would repeal Section 3 of Amendment 50 of the Arkansas Constitution, which requires the numbering and recording of ballots. The result of the repealer will be to guarantee the right to a secret ballot.

EXECUTIVE BRANCH

Senate Joint Resolution 16. This proposed amendment would repeal and replace Article 6 of the Arkansas Constitution, concerning the executive department of state government. The proposal would revise provisions such as the qualifications, powers, duties, terms, and salaries of elected officers of the executive department. The elected officers are the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands.

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
59 th	1953	January 12 - March 12	60
60 th	1955	January 10 - March 10	60
61 st	1957	January 14 - March 1	60
61 st - FES	1957	March 25 - March 27	3
61 st - SES	1958	August 26 - September 12	18
62 nd	1959	January 12 - March 12	60
62 nd - FES	1960	January 19 - January 21	3
63 rd	1961	January 9 - March 9	60
63 rd - FES	1961	August 24 - September 1	9
63 rd - SES	1961	September 18 - September 21	4
64 th	1963	January 14 - March 14	60
64 th - FES	1964	March 24 - March 27	4
65 th	1965	January 11 - March 11	60
65 th - FES	1965	May 24 - June 8	16
65 th - SES	1965	November 2 - November 4	2½
65 th - TES	1965	November 4 - November 6	2½
66 th	1967	January 9 - Recessed March 9, Reconv. March 27, Adjourned March 31	65
66 th - FES	1968	February 5 - February 21	17
66 th - SES	1968	May 20 - May 30	11
67 th	1969	January 13 - Recessed April 11, Reconv. May 5 - Adjourned May 8	93
67 th - FES	1970	March 2 - March 7	6
68 th	1971	January 11 - Recessed April 2, Reconv April 19 - Adjourned April 19	82
68 th - FES	1972	February 7 - February 16	10
69 th	1973	January 8 - Recess on April 5 until April 24- Recess until Jan 14, 1974 - Adjourned Jan 14, 1974	88
69 th - FES	1974	June 24 - Recessed July 12 - Reconv. Aug. 1 - Adjourned Aug 1	19
70 th	1975	January 13 - March 27 - Recess Until Apr. 9 - Adjourned Apr. 9	74
70 th - Exten	1976	January 12 - January 28	17

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
70 th - FES	1976	September 8 - September 10	3
71 st	1977	January 10 - Recessed March 18 Until Apr 6 - Recessed Apr 6 until Aug 14 - Adjourned Aug 14	68
71 st - FES	1977	August 2 - August 5	4
72 nd	1979	January 8 - Recessed April 4, Reconv. Apr. 20 - Adjourned Apr 20	87
72 nd - EXT.	1980	January 7 - January 17	10½
72 nd - FES	1980	January 17 - January 24	7½
72 nd - SES	1980	April 15 - April 18	4
73 rd	1981	January 12, - March 18	66
73 rd - FES	1981	November 16 - November 25	10
74 th	1983	January 10 - Recessed on March 18, Reconv April 4 - Adjn. Apr. 4	68
74 th - FES	1983	October 4 - November 10	37
75 th	1985	January 14 - Recessed March 22, Reconv. March 29 - Adjn. March 29	68
75 th - FES	1985	June 17 - June 21	5
75 th - SES	1986	April 28 - May 1	4
76 th	1987	January 12 - Recessed April 3 - Reconv. April 20 - Adjn. April 20	82
76 th - FES	1987	June 2 - June 5	4
76 th - SES	1987	October 6 - October 9	4
76 th - TES	1988	January 26 - February 5	11
76 th - 4thES	1988	July 11 - July 14, 1988	4
77 th	1989	January 9 - March 17 - Recess until April 3 - Adjn. April 3	68
77 th - FES	1989	June 20 - June 23	4
77 th - SES	1989	July 25 - July 27	3
77 th - TES	1989	October 23 - November 3	12
78 th	1991	January 14 - March 27 - Recess until April 15 - Adjn. April 15	73
78 th - FES	1992	February 24 - February 27 - Recess until March 4 - Adjn March 4	4
78 th - SES	1992	December 14 - December 18	5
79 th	1993	January 11 - April 8 - Recess until May 14 - Adjn May 14	88

GENERAL ASSEMBLY - MEETING DATES

<u>General Assembly</u>	<u>Year</u>	<u>Dates in Session</u>	<u>Total Days</u>
79 th - FES	1994	February 28 - March 2	3
79 th - SES	1994	August 15 - August 24	10
80 th	1995	January 9 - April 7 - Recess until April 28 - Adjn April 28	89
80 th - FES	1995	October 17 - October 20	4
81 st	1997	January 13 - April 17 - Recess until May 2 - Adjn. May 2	96
82 nd	1999	January 11 – April 9 – Recess until April 30 – Adjn. April 30	89
82 nd – FES	2000	April 3 – April 7	5
SES	2000	December 13 – 15	3
83 RD	2001	January 8 – April 13 – Recess until May 14 – Adjn May 14	97

INDEX

ABANDONED PESTICIDE ADVISORY BOARD ...(See <i>AGRICULTURE</i>)	2
ABANDONED SITE CLEANUP ...(See <i>ENVIRONMENTAL LAW</i>)	111
ABORTIONS	1
ABSENTEE VOTING ...(See <i>ELECTION LAWS</i>)	105
ACCEPTED-WORK DOCTRINE ...(See <i>CIVIL LAW AND PROCEDURE</i>)	36
ACCIDENT AND HEALTH INSURANCE ...(See <i>INSURANCE</i>)	149
ACCIDENT REPORTS ...(See <i>MOTOR VEHICLES</i>)	166
ACT 9 BONDS ...(See <i>TAXES / PROPERTY TAX</i>)	208
ADJACENT CITIES ...(See <i>COUNTIES</i>)	48
ADMINISTRATIVE OFFICE OF THE COURTS ...(See <i>COURTS</i>)	60-61
ADMINISTRATIVE PROCEDURE ACT, ARKANSAS ...(See <i>STATE AGENCIES GENERALLY</i>)	194
ADOPTION	1
ADULT ABUSE	1
ADULT ABUSE CAREGIVERS ...(See <i>HEALTH / CRIMINAL RECORDS CHECKS</i>)	129
ADULT EDUCATION PROGRAMS ...(See <i>EDUCATION / WORKFORCE EDUCATION</i>)	104
ADULT OFFENDER SUPERVISION, INTERSTATE COMPACT FOR ...(See <i>CORRECTIONS</i>)	45
ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY, JOINT COMMITTEE ON ...(See <i>GENERAL ASSEMBLY</i>)	121
ADVERTISING AND PROMOTIONS TAX ...(See <i>TAXES</i>)	204
AGRICULTURE	2-4
AIDS	5
AIR POLLUTION STUDY ...(See <i>GENERAL ASSEMBLY / LEGISLATIVE COUNCIL</i>)	123
AIR POLLUTION ...(See <i>ENVIRONMENTAL LAW</i>)	111
AIRPORTS	5
ALCOHOL ABUSE ...(See <i>HEALTH</i>)	127
ALCOHOLIC BEVERAGES	5
ALEXANDER YOUTH SERVICE CENTER ...(See <i>PUBLIC EMPLOYEES</i>)	181
ALL-TERRAIN CYCLES ...(See <i>MOTOR VEHICLES</i>)	161
ALZHEIMER'S AND RELATED DEMENTIA ...(See <i>HEALTH / LONG-TERM CARE, OFFICE OF</i>)	137
AMENDMENT 79 ...(See <i>TAXES / PROPERTY TAX</i>)	208
AMUSEMENT ATTRACTIONS	6
ANIMAL CONTROL OFFICERS, SHELTERS AND HUMANE SOCIETIES ...(See <i>ANIMALS</i>)	6
ANIMAL CRUELTY ...(See <i>ANIMALS</i>)	6
ANIMALS	6
ANNEXATION BY ELECTION ...(See <i>CITIES</i>)	26
APPLICATOR'S LICENSURE ...(See <i>HEALTH / PESTICIDES</i>)	141
APPOINTED ATTORNEYS AND PUBLIC DEFENDERS ...(See <i>COURTS</i>)	61
APPORTIONMENT OF INCOME WITH OTHER STATES ...(See <i>TAXES / INCOME TAX</i>)	206
APPRAISER LICENSING AND CERTIFICATION BOARD, ARKANSAS	6
APPREHENSION OF DEFENDANTS ON BOND ...(See <i>BAIL BONDS</i>)	8
ARKANSAS CODE	7
ARKIDS FIRST ...(See <i>HEALTH</i>)	127
ARMY RESERVE CENTERS ...(See <i>MILITARY</i>)	165
ART AND MUSIC ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	93
ASSESSORS	7
ASSISTED LIVING ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>)	134
ASU-BRANCHES ...(See <i>EDUCATION / HIGHER EDUCATION</i>)	98
ATHLETE AGENTS	7
ATHLETIC COMMISSION, STATE	7
ATHLETIC TRAINING, ARKANSAS STATE BOARD OF	8
ATTORNEY FEES ...(See <i>COURTS</i>)	61
ATTORNEY GENERAL	8
AUCTIONEERS	8
AUDITS BY THE OFFICE OF INTERNAL AUDIT, DEPARTMENT OF FINANCE AND ADMINISTRATION .. <i>(See STATE AGENCIES GENERALLY)</i>	195
AUTOMATED ACCOUNTING SYSTEMS ...(See <i>COUNTIES / COUNTY COLLECTORS</i>)	51

AUTOMOBILE LIABILITY INSURANCE ...(See <i>INSURANCE</i>)	149
AUTOMOBILE WARRANTY ...(See <i>MOTOR VEHICLES / CONSUMER PROTECTION</i>)	168
BAIL BONDS	8-9
BAILIFFS ...(See <i>COURTS / EIGHTEENTH JUDICIAL DISTRICT- EAST</i>).....	63
BALLISTIC TESTING ...(See <i>CRIMINAL LAW AND PROCEDURE / CRIME LABORATORY, STATE</i>)	72
BALLOT TITLES ...(See <i>GENERAL ASSEMBLY / TITLES-PROPOSED CONSTITUTIONAL AMENDMENTS</i>)	125
BALLOT ...(See <i>ELECTION LAWS</i>).....	105
BANK COMMISSIONER, STATE ...(See <i>BUSINESS LAW</i>).....	10
BANK REORGANIZATIONS ...(See <i>BUSINESS LAW / BANKS</i>)	10
BANKS ...(See <i>BUSINESS LAW</i>).....	10-11
BATES HOLIDAY, DAISY GATSON ...(See <i>STATE HOLIDAYS / DAISY GATSON BATES DAY</i>)	203
BEER TAX ...(See <i>EDUCATION / BETTER CHANCE PROGRAM</i>)	90
BENTON SERVICES CENTER	9
BETTER CHANCE PROGRAM ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	93
BIOTECHNOLOGY ...(See <i>ECONOMIC DEVELOPMENT</i>)	88
BLIND, ARKANSAS SCHOOL FOR THE ...(See <i>EDUCATION</i>).....	90
BLUE RIBBON COMMISSION ON PUBLIC EDUCATION ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	93
BOARDS OF ELECTION ...(See <i>COUNTIES</i>)	49
BOATING WHILE INTOXICATED ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	70
BODY PIERCING AND TATTOOING REGULATED ...(See <i>HEALTH</i>).....	127
BOILER OWNER-USER INSPECTION PROGRAMS ...(See <i>LABOR / DEPARTMENT OF LABOR</i>)	156
BOILERS ...(See <i>LABOR</i>)	156
BORDER CITIES ...(See <i>TOBACCO / TAXES</i>)	213
BORDER GAS TAX RATE ...(See <i>TAXES</i>)	204
BOXING ...(See <i>STATE AGENCIES GENERALLY / ATHLETIC COMMISSION, ARKANSAS STATE</i>)	195
BRANCH BANKING ...(See <i>BUSINESS LAW / BANKS</i>)	10
BREAST CANCER RESEARCH FUND ...(See <i>TAXES / TOBACCO</i>).....	212
BRINE ...(See <i>ENVIRONMENTAL LAW</i>).....	112
BUILDING FIRE STATIONS OUTSIDE CITY LIMITS ...(See <i>COUNTIES / FIRE DEPARTMENTS</i>)	53
BUILDING SERVICES, ARKANSAS STATE	9
BUILDING SERVICES, ARKANSAS STATE ...(See <i>STATE AGENCIES GENERALLY</i>).....	195
BUILDINGS, MOVING OF ...(See <i>HIGHWAYS</i>)	146
BUS DRIVERS ...(See <i>EDUCATION</i>)	91
BUSINESS CORPORATION ACT OF 1987 ...(See <i>BUSINESS LAW</i>)	11
BUSINESS LAW	9-19
CAMPAIGN FINANCE ...(See <i>ELECTION LAWS</i>)	105
CANCELLATION OF INSURANCE ...(See <i>CONSUMER PROTECTION</i>)	41
CANCELLATION OF TITLE ...(See <i>MANUFACTURED HOMES / TITLE TO A MANUFACTURED HOME</i>)	165
CANCER AWARENESS ...(See <i>HEALTH</i>)	127
CANDIDATE NAMES AND TITLES ...(See <i>ELECTION LAWS / BALLOTS</i>).....	105
CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT ...(See <i>ELECTION LAWS</i>).....	105
CAPITAL GAINS ...(See <i>TAXES / INCOME TAX</i>)	206
CAPITAL IMPROVEMENT BONDS ...(See <i>COUNTIES / SALES AND USE TAX</i>)	58
CAPITAL IMPROVEMENTS CONTRACTS PROCEDURE ...(See <i>STATE AGENCIES GENERALLY / BUILDING SERVICES, STATE</i>)	195
CAPITAL IMPROVEMENTS TAXES ...(See <i>COUNTIES</i>).....	50
CAPITAL OFFENSES ...(See <i>CRIME LABORATORY, STATE / RECORD RETENTION</i>)	70
CAPITOL ARTS AND GROUNDS COMMISSION, ARKANSAS ...(See <i>STATE CAPITOL / FALLEN FIREFIGHTERS MONUMENT</i>).....	203
CAPITOL ZONING DISTRICT ...(See <i>STATE CAPITOL</i>)	203
CAPTIONING ...(See <i>DISABLED PERSONS / PUBLIC SERVICE ANNOUNCEMENTS</i>).....	86
CAPTIVE INSURANCE COMPANIES ...(See <i>INSURANCE</i>)	150
CATFISH PROMOTION FUND ...(See <i>AGRICULTURE / CATFISH</i>).....	2
CATFISH ...(See <i>AGRICULTURE</i>).....	2
CEMETERY BOARD, ARKANSAS ...(See <i>HEALTH</i>).....	128
CENTER LEFT-TURN LANES AUTHORIZED ...(See <i>MOTOR VEHICLES / TRAFFIC LAWS</i>).....	175
CERTIFIED FOREIGN LANGUAGE INTERPRETERS ...(See <i>COURTS / ADMINISTRATIVE OFFICE OF THE COURTS</i>).....	60
CERTIFIED LAW ENFORCEMENT OFFICERS FROM OTHER STATES ...(See <i>LAW ENFORCEMENT</i>)	158
CHARTER SCHOOLS ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	93
CHECK-CASHERS ...(See <i>CONSUMER PROTECTION</i>)	41

CHICOT COUNTY ...(See <i>COUNTIES / SHERIFF AND COLLECTOR</i>).....	59
CHILD ABUSE ...(See <i>CHILDREN</i>).....	20
CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION ...(See <i>CHILDREN</i>).....	20
CHILD AND ADOLESCENT SERVICE SYSTEM PROGRAM ...(See <i>CHILDREN / MENTALLY ILL</i>)	25
CHILD CARE-ALCOHOL TAX ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>).....	134
CHILD CARE AND EARLY CHILDHOOD EDUCATION, DIVISION OF ...(See <i>HEALTH</i>)	128
CHILD CUSTODY ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>)	135
CHILD HOME VISITATION ...(See <i>HEALTH / HEALTH, DEPARTMENT OF</i>)	133
CHILD MALTREATMENT REGISTRY ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	71
CHILD PASSENGER PROTECTION ACT ...(See <i>MOTOR VEHICLES</i>)	167
CHILD PROTECTION VIDEOTAPING ...(See <i>HEALTH / HOSPITALS</i>).....	134
CHILD SUPPORT ...(See <i>CHILDREN</i>)	21
CHILD WELFARE AGENCY REVIEW BOARD ...(See <i>CHILDREN</i>).....	21
CHILD WELFARE AGENCY ...(See <i>CHILDREN</i>).....	21
CHILDCARE FACILITIES LOAN GUARANTEE TRUST FUND ...(See <i>HEALTH / CHILD CARE AND EARLY CHILDHOOD EDUCATION, DIVISION OF</i>).....	128
CHILDREN	19-26
CHILDREN AND FAMILY SERVICES ...(See <i>HEALTH</i>)	128
CHILDREN AND PERSONS WITH CHILDREN IN COMMON ...(See <i>DOMESTIC RELATIONS / DOMESTIC ABUSE</i>)	87
CHIROPRACTIC EXAMINERS, ARKANSAS STATE BOARD OF ...(See <i>HEALTH</i>).....	128
CIGARETTES ...(See <i>TAXES / SALES AND USE TAX</i>)	210
CIRCUIT BREAKER NOTICES ...(See <i>COUNTIES / TAX COLLECTORS</i>).....	60
CIRCUIT CLERKS ...(See <i>COUNTIES</i>).....	50
CIRCUIT COURT DIVISION DESIGNATIONS ...(See <i>COURTS / ELECTION LAWS</i>)	63
CITIES	26-35
CITIZEN BAND RADIO ...(See <i>RADIO BROADCASTING</i>).....	188
CITY ADMINISTRATION OF JUSTICE FUND ...(See <i>CITIES</i>).....	27
CITY ATTORNEYS ...(See <i>CITIES</i>).....	27
CITY COUNCIL MEETINGS ...(See <i>CITIES</i>)	27
CITY COURTS ...(See <i>CITIES</i>).....	27
CITY MANAGER FORM OF GOVERNMENT ...(See <i>CITIES</i>)	28
CITY OFFICIALS ...(See <i>CITIES</i>).....	28
CITY ORDINANCES ...(See <i>CITIES</i>).....	28
CIVIL LAW AND PROCEDURE	36-40
CIVIL RIGHTS PROTECTION ...(See <i>HOUSING / FAIR HOUSING COMMISSION</i>).....	148
CIVIL SERVICE COMMISSION ...(See <i>STATE AGENCIES GENERALLY</i>)	196
CLAIMS COMMISSION, ARKANSAS STATE	40
CLARIFIES JUNK VEHICLE DESIGNATION ...(See <i>MOTOR VEHICLES / CERTIFICATE OF TITLE</i>)	167
COAL MINING ...(See <i>ECONOMIC DEVELOPMENT</i>)	88
CODE REVISION COMMISSION	40
COLLECTION AGENCIES, STATE BOARD OF	40
COMMEMORATIVE COMMISSION, ARKANSAS	40
COMMERCIAL DRIVER DISQUALIFICATION ...(See <i>MOTOR VEHICLES / DRIVER'S LICENSES</i>).....	169
COMMISSIONER OF STATE LANDS ...(See <i>STATE AGENCIES GENERALLY</i>)	196
COMMUNICATING A FALSE ALARM ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	93
COMMUNITY COLLEGES ...(See <i>EDUCATION</i>).....	91
COMMUNITY CORRECTION EMPLOYEES, DEPARTMENT OF ...(See <i>PUBLIC EMPLOYEES</i>).....	182
COMMUNITY PUNISHMENT FACILITY ...(See <i>CORRECTIONS</i>)	45
COMMUNITY CORRECTION, DEPARTMENT OF ...(See <i>CORRECTIONS</i>)	45
COMMUNITY REDEVELOPMENT ...(See <i>CITIES</i>)	28
COMMUNITY-BASED EDUCATION CENTERS ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	93
COMPUTER CRIMES ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	71
COMPUTER USE BY STUDENTS ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	93
CONCEALED HANDGUNS ...(See <i>LAW ENFORCEMENT / CERTIFIED LAW ENFORCEMENT OFFICERS FROM OTHER STATES</i>)	158
CONCEALING BIRTH ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	72
CONFISCATED TOBACCO PRODUCTS ...(See <i>TOBACCO / TOBACCO CONTROL BOARD, ARKANSAS</i>)	213
CONGRESSIONAL DISTRICTS	40
CONSOLIDATED WATERWORKS AUTHORITY ...(See <i>WATER RESOURCES</i>)	218
CONSTITUTIONAL OFFICERS	41

CONSTRUCTION BONDS ...(See <i>STATE AGENCIES GENERALLY / PUBLIC WORKS</i>)	200
CONSUMER MOTOR VEHICLE LEASING ACT ...(See <i>CONSUMER PROTECTION</i>).....	41
CONSUMER PROTECTION	41-44
CONTRACTORS	44-45
CONTROLLED SUBSTANCES ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	72
CORPORATIONS ...(See <i>BUSINESS LAW</i>)	11
CORRECTION AND COMMUNITY PUNISHMENT, BOARD OF ...(See <i>CORRECTIONS</i>).....	46
CORRECTION, DEPARTMENT OF ...(See <i>CORRECTIONS</i>).....	46-47
CORRECTIONAL OFFICER ...(See <i>CRIMINAL LAW AND PROCEDURE / SEXUAL ABUSE</i>)	81
CORRECTIONS	45-48
CORRECTIONS COOPERATIVE ENDEAVORS AND PRIVATE MANAGEMENT ACT ...(See <i>CORRECTIONS</i>).....	47
COUNSELOR LICENSES ...(See <i>HEALTH / SUBSTANCE ABUSE CERTIFICATION BOARD, ARKANSAS</i>).....	145
COUNTIES	48-60
COUNTY ADMINISTRATION OF JUSTICE FUND ...(See <i>COUNTIES</i>).....	50
COUNTY BANK ACCOUNTS ...(See <i>COUNTIES</i>)	50
COUNTY BOARDS OF EDUCATION ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	93
COUNTY COLLECTORS ...(See <i>COUNTIES</i>)	51
COUNTY EQUALIZATION BOARDS ...(See <i>TAXES / PROPERTY TAX</i>)	209
COUNTY JAILS STUDY ...(See <i>GENERAL ASSEMBLY / LEGISLATIVE COUNCIL</i>).....	123
COUNTY JAILS ...(See <i>COUNTIES</i>).....	51
COUNTY LIBRARY TAX ...(See <i>COUNTIES / SPECIAL ELECTION</i>)	59
COUNTY OFFICIALS' SALARIES ...(See <i>COUNTIES</i>)	51
COUNTY PURCHASING PROCEDURES ...(See <i>MOTOR VEHICLES</i>).....	168
COUNTY RECORDER ...(See <i>COUNTIES</i>)	51
COUNTY SALES AND USE TAXES ...(See <i>TAXES / CAPITAL IMPROVEMENTS</i>)	204
COUNTY SHERIFF ...(See <i>COUNTIES</i>).....	51
COUNTY TREASURER ...(See <i>COUNTIES</i>).....	51
COURT COSTS, FILING FEES AND OTHER FEES ...(See <i>COURTS</i>)	62
COURT OF COMMON PLEAS ...(See <i>COURTS</i>)	62
COURT ORDERED STUDIES, FEES ...(See <i>HEALTH / SOCIAL WORKERS</i>).....	145
COURTS	60-68
COVENANT MARRIAGE ...(See <i>DOMESTIC RELATIONS</i>).....	86
CREDIT AGAINST SENTENCE ...(See <i>CORRECTIONS</i>).....	47
CRIME INFORMATION CENTER, ARKANSAS ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	72
CRIME LABORATORY, STATE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	72
CRIME LABORATORY, STATE	70
CRIME REPORTING AND INVESTIGATIONS ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	73
CRIME VICTIMS REPARATIONS BOARD ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	73
CRIME VICTIMS ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	73
CRIMINAL DETENTION FACILITIES ...(See <i>CORRECTIONS / DEPARTMENT OF CORRECTION</i>).....	46
CRIMINAL LAW AND PROCEDURE	70-84
CROP AND RESEARCH FACILITIES PROTECTION ACT ...(See <i>AGRICULTURE</i>).....	2
CUSTODY AND DEPENDENCY-NEGLECT PROCEEDINGS ...(See <i>DOMESTIC RELATIONS / GRANDPARENTS' RIGHTS</i>)	87
DAISY GATSON BATES DAY ...(See <i>STATE HOLIDAYS</i>)	203
DALLAS COUNTY ...(See <i>COUNTIES / SHERIFF AND COLLECTOR</i>).....	59
DEAF, ARKANSAS SCHOOL FOR THE ...(See <i>EDUCATION</i>).....	91
DEALERS, USED MOTOR VEHICLES ...(See <i>MOTOR VEHICLES</i>).....	168
DEATH OF PRINCIPAL BROKER OR CLOSING OF REAL ESTATE FIRM ...(See <i>REAL ESTATE / TEMPORARY OPERATION OF REAL ESTATE FIRMS</i>).....	188
DEATH PENALTY ...(See <i>COURTS</i>)	63
DEATH THREAT TO SCHOOL EMPLOYEE OR STUDENT ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	94
DECEDENT'S ESTATES	84
DEFENDANTS CHARGED UNDER THE UNIFORM CONTROLLED SUBSTANCES ACT ...(See <i>CRIME LABORATORY, STATE / VIDEOTAPED DEPOSITIONS OF ANALYSTS</i>).....	70
DEFERRED RETIREMENT OPTION PLAN ...(See <i>PUBLIC EMPLOYEES / PUBLIC EMPLOYEES' RETIREMENT SYSTEM</i>)	184
DELTA CULTURAL CENTER POLICY ADVISORY BOARD	85
DELTA DEVELOPMENT COMMISSION ...(See <i>ECONOMIC DEVELOPMENT</i>).....	88
DENTAL HYGIENIST PRACTICE ...(See <i>HEALTH / DENTISTS</i>).....	129
DENTISTS ...(See <i>HEALTH</i>).....	129

DEPENDENCY-NEGLECT CASES ...(See <i>DOMESTIC RELATIONS</i>).....	86
DEREGULATION POSTPONED ...(See <i>UTILITIES / ELECTRIC UTILITIES</i>).....	216
DEVELOPMENT FINANCE AUTHORITY, ARKANSAS	85
DEVELOPMENTAL DISABILITY SERVICES ...(See <i>HEALTH</i>).....	129
DEVELOPMENTALLY DISABLED ...(See <i>DISABLED PERSONS</i>).....	85
DIRECTED SURETYSHIP ...(See <i>BUSINESS LAW / CLASS A MISDEMEANOR</i>).....	11
DIRECTOR OF THE ARKANSAS STATE POLICE ...(See <i>LAW ENFORCEMENT</i>).....	158
DISABILITY INSURANCE ...(See <i>INSURANCE</i>).....	150
DISABLED ACCESS SIGNS ...(See <i>STATE AGENCIES GENERALLY</i>).....	196
DISABLED PERSON PARKING PENALTIES AND LICENSE PLATES ...(See <i>MOTOR VEHICLES / TRAFFIC LAWS</i>).....	175
DISABLED PERSONS	85-86
DISABLED VETERANS ...(See <i>TAXES / PROPERTY TAX</i>).....	209
DISASTER EMERGENCIES ...(See <i>COUNTIES</i>).....	51
DISTINGUISHED FLYING CROSS ...(See <i>MOTOR VEHICLES / LICENSE PLATES</i>).....	171
DISTRIBUTION WITHOUT ADMINISTRATION ...(See <i>DECEDENT'S ESTATES</i>).....	84
DISTRICT COURT STATUS ...(See <i>COURTS / MUNICIPAL</i>).....	66
DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>).....	135
DIVISION OF LAND SURVEYS ...(See <i>PUBLIC PROPERTY / LAND</i>).....	186
DIVORCE ...(See <i>DOMESTIC RELATIONS</i>).....	87
DNA TESTING ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	74
DOG RACING ...(See <i>RACING</i>).....	187
DOMESTIC ABUSE ...(See <i>CHILDREN</i>).....	22
DOMESTIC ABUSE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	74
DOMESTIC INSURERS ...(See <i>INSURANCE</i>).....	150
DOMESTIC RELATIONS	86-88
DOMESTIC VIOLENCE AND CHILD ABUSE ...(See <i>LAW ENFORCEMENT / TRAINING REQUIREMENTS</i>).....	161
DRAINAGE DISTRICTS ...(See <i>IMPROVEMENT DISTRICTS</i>).....	148
DRIVER INSTRUCTION MANUAL ...(See <i>MOTOR VEHICLES</i>).....	168
DRIVER SERVICES, OFFICE OF ...(See <i>MOTOR VEHICLES</i>).....	168
DRIVER TRAINING INSTRUCTION ...(See <i>MOTOR VEHICLES</i>).....	168
DRIVER'S LICENSE VIOLATIONS ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	74
DRIVER'S RECORDS ...(See <i>MOTOR VEHICLES / DRIVERS' SERVICES, OFFICE OF</i>).....	168
DRIVING ON SUSPENDED LICENSE ...(See <i>CRIMINAL LAW AND PROCEDURE / DRIVING WHILE INTOXICATED</i>).....	75
DRIVING WHILE INTOXICATED ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	74-75
DRUG ABUSE AND VIOLENCE PREVENTION TASK FORCE ...(See <i>HEALTH</i>).....	130
DRUG ABUSE ...(See <i>HEALTH</i>).....	130
DRUG PARAPHERNALIA ...(See <i>CRIMINAL LAW AND PROCEDURE / CONTROLLED SUBSTANCES</i>).....	72
DUTCH OVEN	88
DYED DIESEL FUEL ...(See <i>TAXES / MOTOR AND DISTILLATE FUEL TAXES</i>).....	207
ECONOMIC AND TAX POLICY, JOINT COMMITTEE ON ...(See <i>GENERAL ASSEMBLY / COMMITTEES, JOINT</i>).....	121
ECONOMIC DEVELOPMENT	88-90
ECONOMIC DEVELOPMENT ACT OF 1995, ARKANSAS ...(See <i>ECONOMIC DEVELOPMENT</i>).....	89
ECONOMIC DEVELOPMENT INCENTIVE ACT, ARKANSAS ...(See <i>ECONOMIC DEVELOPMENT</i>).....	89
ECONOMIC DEVELOPMENT OF ARKANSAS FUND COMMISSION ...(See <i>ECONOMIC DEVELOPMENT</i>).....	89
ECONOMIC DEVELOPMENT OF ARKANSAS FUND ...(See <i>TAXES</i>).....	205
ECONOMIC DEVELOPMENT, DEPARTMENT OF ...(See <i>ECONOMIC DEVELOPMENT</i>).....	89
ECONOMIC INVESTMENT TAX CREDIT ACT ...(See <i>ECONOMIC DEVELOPMENT</i>).....	89
EDUCATION	90-104
EDUCATION SERVICE COOPERATIVES ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	94
EDUCATION, STATE BOARD OF ...(See <i>EDUCATION</i>).....	92
EDUCATIONAL PROGRAMS ...(See <i>COURTS / ADMINISTRATIVE OFFICE OF THE COURTS</i>).....	61
ELECTION COMMISSIONERS, STATE BOARD OF ...(See <i>ELECTION LAWS</i>).....	107
ELECTION COMMISSIONERS, COUNTY BOARD OF ...(See <i>ELECTION LAWS</i>).....	106
ELECTION IMPROVEMENT STUDY COMMISSION ...(See <i>ELECTION LAWS</i>).....	107
ELECTION LAWS	104-110
ELECTION MATERIALS ...(See <i>ELECTION LAWS</i>).....	107
ELECTION OF ALDERMEN ...(See <i>ELECTION LAWS / FIRST CLASS CITIES</i>).....	107

ELECTION OFFICIALS... <i>(See ELECTION LAWS)</i>	107
ELECTION RESULTS... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	75
ELECTORS... <i>(See ELECTION LAWS)</i>	107
ELECTRIC GENERATORS... <i>(See HEALTH / NURSING HOMES)</i>	140
ELECTRIC TRANSMISSION SYSTEMS... <i>(See PROPERTY / MUNICIPAL RIGHT-OF-WAY EMINENT DOMAIN)</i>	178
ELECTRIC UTILITIES... <i>(See UTILITIES)</i>	216
ELECTRICIANS... <i>(See BUSINESS LAW)</i>	12
ELECTRONIC COMMUNICATIONS DEVICES... <i>(See EDUCATION)</i>	92
ELECTRONIC COURT RECORDS... <i>(See COURTS)</i>	63
ELECTRONIC FILING FEE SCHEDULE... <i>(See BUSINESS LAW / INCORPORATION)</i>	14
ELECTRONIC PAGING DEVICES AND BEEPERS... <i>(See CRIMINAL LAW AND PROCEDURE / SCHOOL PROPERTY)</i>	81
ELECTRONIC TRANSACTIONS... <i>(See BUSINESS LAW)</i>	12
ELECTRONIC TRANSMISSION SYSTEMS... <i>(See UTILITIES / MUNICIPAL RIGHT-OF-WAY)</i>	216
ELIGIBILITY TO VOTE... <i>(See ELECTION LAWS / CONVICTED FELONS)</i>	106
ELIMINATION CONTESTS... <i>(See ATHLETIC COMMISSION, STATE / BOXING)</i>	7
EMBALMERS AND FUNERAL DIRECTORS	110
EMERGENCY HEALTH DEPARTMENTS... <i>(See HEALTH)</i>	130
EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL... <i>(See HEALTH)</i>	130
EMERGENCY SERVICES	110
EMERGENCY SERVICES ACT OF 1973... <i>(See EMERGENCY SERVICES)</i>	110
EMERGENCY VEHICLES... <i>(See EMERGENCY SERVICES)</i>	111
EMERGING ENERGY TECHNOLOGY DEVELOPMENT ACT... <i>(See ENERGY)</i>	111
EMINENT DOMAIN... <i>(See PROPERTY)</i>	178
EMPLOYEE RIGHTS... <i>(See LABOR)</i>	156
EMPLOYMENT SECURITY DEPARTMENT, ARKANSAS	111
ENDANGERING WELFARE OF MINOR-FIRST DEGREE... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	75
ENERGY	111
ENGINEERS	111
ENTERPRISE ZONE ACT OF 1993, ARKANSAS... <i>(See ECONOMIC DEVELOPMENT)</i>	89
ENVIRONMENTAL LAW	111-116
ENVIRONMENTAL QUALITY, ARKANSAS DEPARTMENT OF	116
EPHEDRINE AND PSEUDOEPHEDRINE... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	75
EQUINE INFECTIOUS ANEMIA... <i>(See AGRICULTURE)</i>	2
EQUINE PUBLIC EVENTS... <i>(See AGRICULTURE / LIVESTOCK AND POULTRY COMMISSION, ARKANSAS)</i>	3
EQUITY ASSISTANCE CENTER... <i>(See EDUCATION / GENERAL EDUCATION)</i>	94
ESCORT VEHICLES... <i>(See HIGHWAYS)</i>	146
ETHICS	117
EVICITION... <i>(See CIVIL LAW AND PROCEDURE)</i>	37
EVIDENCE... <i>(See COURTS)</i>	64
EXECUTIVE CHIEF INFORMATION OFFICER... <i>(See INFORMATION TECHNOLOGY)</i>	148
EXECUTIVE CLEMENCY... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	76
EXECUTIVE SESSIONS... <i>(See FREEDOM OF INFORMATION ACT)</i>	120
EXPERT WITNESS FEES... <i>(See DOMESTIC RELATIONS / DIVORCE)</i>	86
EXPLOITATION AND PORNOGRAPHY... <i>(See CHILDREN)</i>	22
EXPUNGEMENT... <i>(See CORRECTIONS / TREATMENT AND REHABILITATION OF DRUG USERS)</i>	48
FAILURE TO APPEAR... <i>(See COURTS / MUNICIPAL COURTS)</i>	66
FAIR HOUSING COMMISSION... <i>(See HOUSING)</i>	148
FALLEN FIREFIGHTERS MONUMENT... <i>(See STATE CAPITOL)</i>	203
FALSE ALARM-BOMBING... <i>(See EDUCATION)</i>	92
FAMILY PRESERVATION SERVICES PROGRAM ACT... <i>(See HEALTH / HUMAN SERVICES, DEPARTMENT OF)</i>	135
FAMILY PROTECTION UNIT... <i>(See STATE POLICE, DEPARTMENT OF ARKANSAS)</i>	204
FAMILY SERVICE WORKERS... <i>(See EDUCATION / GENERAL EDUCATION)</i>	94
FARM EQUIPMENT RETAILER FRANCHISES... <i>(See AGRICULTURE)</i>	2
FARM PRODUCT HAULING... <i>(See AGRICULTURE)</i>	2
FARMERS' MUTUAL AID COMPANY OR ASSOCIATION... <i>(See AGRICULTURE)</i>	3
FENCES	117
FETUS, DECEASED VIABLE... <i>(See CIVIL LAW AND PROCEDURE)</i>	38
FINAL ACT BOARD OF DIRECTORS... <i>(See EMBALMERS AND FUNERAL DIRECTORS)</i>	110
FINANCE AND ADMINISTRATION, DEPARTMENT OF	117-118

FINANCIAL INSTITUTIONS... <i>(See BUSINESS LAW)</i>	13
FINANCING OF COUNTY JAILS UNDER AMENDMENT 17 REPEALED... <i>(See COUNTIES / COUNTY JAILS)</i>	51
FINGERPRINTING AND PHOTOGRAPHING... <i>(See LAW ENFORCEMENT)</i>	159
FIRE PROTECTION	118-119
FIRE PROTECTION DISTRICTS... <i>(See FIRE PROTECTION)</i>	118
FIRE PROTECTION FUND... <i>(See TAXES)</i>	205
FIRE TRAINING ACADEMY TRANSFER... <i>(See EDUCATION / HIGHER EDUCATION)</i>	99
FIREARMS	119
FIREFIGHTER TRAINING... <i>(See CITIES)</i>	30
FIRST CLASS CITIES... <i>(See CITIES)</i>	30
FOOD PREPARATION... <i>(See HEALTH)</i>	128
FOOD SERVICES... <i>(See HEALTH)</i>	128-129
FORECLOSURE... <i>(See PROPERTY)</i>	178
FORESTRY	119-120
FORESTRY COMMISSION, ARKANSAS... <i>(See FORESTRY)</i>	119
FORFEITURE AND SALE OF PROPERTY... <i>(See PROPERTY / CRIMINAL LAW AND PROCEDURE)</i>	177
FOSTER CARE SERVICES... <i>(See CHILDREN)</i>	23
FOUNDATION FOR EARLY CHILD CARE AND EDUCATION... <i>(See EDUCATION)</i>	92
FRANCHISE TAXES... <i>(See TAXES)</i>	206
FRAUD INVESTIGATORS... <i>(See INSURANCE)</i>	150
FRAUDULENT PRACTICES... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	76
FREEDOM OF INFORMATION ACT	120
FUNERAL VEHICLE LIGHTING... <i>(See EMBALMERS AND FUNERAL DIRECTORS)</i>	110
FURLOUGHS... <i>(See CORRECTIONS)</i>	47
GAME AND FISH COMMISSION, ARKANSAS STATE	120-121
GAMMA-HYDROXYBUTYRATE... <i>(See HEALTH / DRUGS)</i>	130
GENERAL ACCOUNTING AND BUDGETARY PROCEDURES LAW... <i>(See STATE AGENCIES GENERALLY)</i>	198
GENERAL ASSEMBLY	121-125
GENERAL EDUCATION... <i>(See EDUCATION)</i>	92-98
GENERATORS, THEFT OF... <i>(See HEALTH)</i>	131
GENERIC AND CREDENTIALS... <i>(See HEALTH / PHARMACY, ARKANSAS STATE BOARD OF)</i>	142
GENETIC DISCRIMINATION PROHIBITED... <i>(See LABOR / EMPLOYEE RIGHTS)</i>	156
GENETIC NONDISCRIMINATION IN INSURANCE ACT... <i>(See CONSUMER PROTECTION / INSURANCE)</i>	42
GENETIC TESTING... <i>(See HEALTH)</i>	131
GEOGRAPHIC INFORMATION	126
GEOGRAPHIC INFORMATION OFFICE... <i>(See GEOGRAPHIC INFORMATION)</i>	126
GOVERNOR'S AWARD... <i>(See ADOPTION / LEGAL SERVICES)</i>	1
GOVERNOR'S PARTNERSHIP COUNCIL... <i>(See EDUCATION / GENERAL EDUCATION)</i>	94
GOVERNOR'S SCHOLARS PROGRAM... <i>(See EDUCATION / HIGHER EDUCATION)</i>	99
GRADUATE NURSE EDUCATOR LOAN AND SCHOLARSHIP BOARD... <i>(See HEALTH / NURSES)</i>	139
GRADUATE NURSE TRAINING... <i>(See EDUCATION / HIGHER EDUCATION)</i>	99
GRANDPARENTS' RIGHTS... <i>(See CHILDREN)</i>	23
GREAT RIVER ROAD... <i>(See HIGHWAYS / SCENIC HIGHWAYS)</i>	147
GREAT STRIDES PROGRAM... <i>(See HEALTH / HEALTH, DEPARTMENT OF)</i>	133
GROSS RECEIPTS AND COMPENSATING TAXES... <i>(See FORESTRY / TIMBER HARVESTING EQUIPMENT)</i>	120
GROUNDWATER... <i>(See WATER RESOURCES)</i>	218
GROUP AND BLANKET ACCIDENT AND HEALTH INSURANCE... <i>(See INSURANCE)</i>	151
GUARANTY FUND DEPOSIT... <i>(See INSURANCE / INSURANCE COMPANIES)</i>	153
GUARDIAN CONSENT OR AUTHORIZATION... <i>(See CIVIL LAW AND PROCEDURE)</i>	38
GUN VIOLENCE PREVENTION WEEK... <i>(See EDUCATION / GENERAL EDUCATION)</i>	95
HABEAS CORPUS... <i>(See COURTS)</i>	64
HAZARDOUS AND NON-HAZARDOUS WASTE MATERIAL... <i>(See ENVIRONMENTAL LAW)</i>	112
HEALTH	126-146
HEALTH CARE FACILITIES... <i>(See HEALTH)</i>	131
HEALTH CARE PERSONNEL... <i>(See HEALTH / BACKGROUND CHECKS)</i>	127
HEALTH CARE PROVIDERS... <i>(See HEALTH)</i>	131
HEALTH CARRIERS... <i>(See CONSUMER PROTECTION / TRADE PRACTICES)</i>	44
HEALTH INSURANCE AFTER RETIREMENT... <i>(See RETIREMENT / RETIREMENT SYSTEMS IN GENERAL)</i>	193
HEALTH INSURANCE COVERAGE FOR EARLY RETIREES... <i>(See RETIREMENT / MUNICIPAL RETIREES)</i>	190
HEALTH INSURANCE POOL, ARKANSAS COMPREHENSIVE... <i>(See INSURANCE)</i>	152

HEALTH INSURANCE ...(See <i>INSURANCE</i>)	151
HEALTH MAINTENANCE ORGANIZATIONS ...(See <i>INSURANCE</i>)	152
HEALTH SERVICES AGENCY ...(See <i>HEALTH</i>)	132
HEALTH SERVICES COMMISSION ...(See <i>HEALTH</i>)	132
HEALTH TASK FORCE COMMISSION ...(See <i>HEALTH</i>).....	132
HEALTH ...(See <i>INSURANCE</i>).....	151
HEALTH, DEPARTMENT OF ...(See <i>HEALTH</i>)	132-133
HEALTH, STATE BOARD OF ...(See <i>HEALTH</i>)	133
HEARING INSTRUMENT DISPENSERS ...(See <i>HEALTH</i>).....	133
HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION LICENSING LAW ...(See <i>LABOR</i>)	156
HEIRLOOM MARRIAGE CERTIFICATES ...(See <i>COUNTIES / COUNTY CLERK</i>)	50
HIGHER EDUCATION	146
HIGHER EDUCATION EXPENDITURE RESTRICTION ACT ...(See <i>EDUCATION</i>)	100
HIGHWAY AND TRANSPORTATION DEPARTMENT, ARKANSAS STATE ...(See <i>HIGHWAYS</i>).....	146
HIGHWAY COMMISSION, STATE	146
HIGHWAY EMPLOYEES' RETIREMENT SYSTEM ...(See <i>PUBLIC EMPLOYEES</i>)	183
HIGHWAY POLICE, ARKANSAS ...(See <i>LAW ENFORCEMENT</i>)	159
HIGHWAY SAFETY ...(See <i>HIGHWAYS</i>)	147
HIGHWAYS	146-147
HISTORY COMMISSION, ARKANSAS	147
HIV/AIDS MEDICATIONS ...(See <i>AIDS</i>).....	5
HOLIDAYS ...(See <i>STATE HOLIDAYS</i>)	203
HOME BUILDERS ...(See <i>CONTRACTORS</i>).....	44
HOME HEALTH CARE ...(See <i>HEALTH</i>)	133
HOME SCHOOLING ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	95
HOMEBUILDERS ...(See <i>BUSINESS LAW</i>).....	13
HOMESTEAD ...(See <i>PROPERTY / RIGHTS OF SURVIVING FAMILY MEMBERS</i>)	180
HOSPICES ...(See <i>HEALTH / LONG-TERM CARE FACILITIES</i>).....	137
HOSPITAL AND MEDICAL SERVICE CORPORATIONS ...(See <i>HEALTH</i>)	134
HOSPITAL GIFT SHOPS ...(See <i>TAXES</i>)	206
HOSPITAL RELEASE FORM ...(See <i>CHILDREN / ADOPTION</i>).....	19
HOSPITALS ...(See <i>HEALTH</i>)	134
HOT SPRING COUNTY ...(See <i>COUNTIES</i>)	54
HOUSING	148
HUMAN SERVICES, DEPARTMENT OF ...(See <i>HEALTH</i>)	133-136
HYGIENE ...(See <i>HEALTH</i>)	136
IMPROVEMENT DISTRICTS	148
INCARCERATION OF JUVENILE DEFENDANTS ...(See <i>CRIMINAL LAW AND PROCEDURE / MUNICIPAL COURT JURISDICTION</i>).....	79
INCOME TAX ...(See <i>TAXES</i>).....	206-207
INCORPORATION OF MUNICIPALITIES ...(See <i>CITIES</i>)	30
INDECENT EXPOSURE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	77
INDEPENDENT CANDIDATES ...(See <i>ELECTION LAWS</i>)	107
INDUSTRIAL DEVELOPMENT ACT, ARKANSAS ...(See <i>ECONOMIC DEVELOPMENT</i>)	90
INDUSTRIAL REVENUE BOND GUARANTY LAW ...(See <i>ECONOMIC DEVELOPMENT</i>)	90
INFORMATION SYSTEMS ACT OF 1997, ARKANSAS ...(See <i>INFORMATION TECHNOLOGY</i>)	148
INFORMATION TECHNOLOGY	149
INMATES' MEDICAL RECORDS ...(See <i>CORRECTIONS</i>).....	48
INMATES' WORKERS' COMPENSATION BENEFITS ...(See <i>CORRECTIONS / CORRECTION, DEPARTMENT OF</i>).....	46
INSANITY DEFENSE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	77
INSURANCE	149-155
INSURANCE COMMISSIONER ...(See <i>INSURANCE</i>).....	152
INSURANCE COMPANIES ...(See <i>INSURANCE</i>).....	153
INSURANCE DEPARTMENT, STATE ...(See <i>INSURANCE</i>).....	153
INSURANCE FRAUD INVESTIGATORS ...(See <i>LAW ENFORCEMENT</i>)	159
INTEGRATED JUSTICE INFORMATION SYSTEM, ARKANSAS ...(See <i>INFORMATION TECHNOLOGY</i>).....	149
INTERCOLLEGIATE ATHLETIC PROGRAMS ...(See <i>EDUCATION / HIGHER EDUCATION</i>)	99
INTERGOVERNMENTAL COOPERATION COUNCILS ...(See <i>COUNTIES</i>).....	54
INTERMEDIATE CARE FACILITIES ...(See <i>HEALTH</i>)	136
INTERNET PHARMACIES ...(See <i>HEALTH / PHARMACIES</i>).....	141

INTERNET POLICY OF EACH STATE AGENCY... <i>(See STATE AGENCIES GENERALLY / INFORMATION TECHNOLOGY)</i>	198
INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION... <i>(See CORRECTIONS)</i>	48
INTIATIVE PETITIONS... <i>(See ELECTION LAWS)</i>	108
IRRIGATION DISTRICTS... <i>(See COUNTIES)</i>	54
IRRIGATION WATERS PROHIBITED ON HIGHWAYS... <i>(See MOTOR VEHICLES / SAFETY)</i>	173
IRRIGATION, DRAINAGE, AND WATERSHED IMPROVEMENT DISTRICT BOARDS... <i>(See IMPROVEMENT DISTRICTS)</i>	148
JUDGES... <i>(See COURTS)</i>	65
JUDICIAL RETIREMENT SYSTEM... <i>(See RETIREMENT)</i>	189
JURISDICTION... <i>(See COURTS)</i>	65
JURORS... <i>(See COURTS)</i>	65
JUVENILE AFTERCARE AND CUSTODY INFORMATION... <i>(See CHILDREN)</i>	23
JUVENILE ARREST... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	77
JUVENILE CODE... <i>(See CRIMINAL LAW AND PROCEDURE / ADOPTION)</i>	70
JUVENILE CURFEW ORDINANCE VIOLATIONS... <i>(See CRIMINAL LAW AND PROCEDURE / JURISDICTION)</i>	77
JUVENILE DETENTION FACILITIES... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	78
JUVENILE OMBUDSMAN DIVISION... <i>(See PUBLIC DEFENDER COMMISSION, ARKANSAS)</i>	181
KATIE'S LAW... <i>(See CRIMINAL LAW AND PROCEDURE / VENUE FOR SEXUAL OFFENSES)</i>	83
KIDS-FOR-HEALTH... <i>(See HEALTH / HEALTH, DEPARTMENT OF)</i>	133
KINDERGARTEN... <i>(See EDUCATION / GENERAL EDUCATION)</i>	95
KINSHIP FOSTER PARENT... <i>(See CHILDREN / FOSTER CARE)</i>	23
LABOR	156-157
LABOR DEPARTMENT SPECIAL FUND... <i>(See LABOR / DEPARTMENT OF LABOR)</i>	156
LANDFILLS... <i>(See ENVIRONMENTAL LAW / SOLID WASTE MANAGEMENT)</i>	115
LANDLORDS AND TENANTS... <i>(See PROPERTY)</i>	178
LANDSCAPE ARCHITECTURAL PRACTICE ACT... <i>(See LANDSCAPE ARCHITECTURE)</i>	157
LANDSCAPE ARCHITECTURE	157
LARGE TRUCKS... <i>(See MOTOR VEHICLES)</i>	171
LAW ENFORCEMENT	158-161
LAW ENFORCEMENT OFFICERS, COUNTY AND MUNICIPAL... <i>(See LAW ENFORCEMENT)</i>	159
LAW ENFORCEMENT TRAINING... <i>(See CHILDREN / CHILD ABUSE)</i>	20
LAW ENFORCEMENT CONTACT WITH STUDENTS... <i>(See EDUCATION)</i>	101
LEADERSHIP INSTITUTE FOR TEACHERS, ARKANSAS... <i>(See EDUCATION / GENERAL EDUCATION)</i>	95
LEASED MOTOR VEHICLES... <i>(See MOTOR VEHICLES)</i>	171
LEASING AGENT-STATE BUILDING SERVICES, ARKANSAS... <i>(See STATE AGENCIES GENERALLY / NONAGENCY STATE ENTITIES)</i>	199
LEGISLATIVE APPOINTMENTS... <i>(See STATE AGENCIES GENERALLY / BOARDS AND COMMISSIONS)</i>	195
LEGISLATIVE AUDIT, DIVISION OF	161
LEGISLATIVE COUNCIL MEMBERSHIP... <i>(See GENERAL ASSEMBLY / SENATE)</i>	125
LEGISLATIVE COUNCIL... <i>(See GENERAL ASSEMBLY)</i>	123-124
LEGISLATIVE JOINT AUDITING COMMITTEE... <i>(See GENERAL ASSEMBLY)</i>	124
LIABILITY INSURANCE ON MOTORBOATS AND PERSONAL WATERCRAFT... <i>(See INSURANCE)</i>	153
LIABILITY INSURANCE... <i>(See MOTOR VEHICLES)</i>	171
LIBRARIES	161-162
LIBRARY OF THE SECRETARY OF STATE... <i>(See LIBRARIES)</i>	162
LICENSE PLATES... <i>(See MOTOR VEHICLES)</i>	171-172
LIENS AND JUDGMENTS... <i>(See CIVIL LAW AND PROCEDURE)</i>	38
LIFE INSURANCE... <i>(See INSURANCE)</i>	153
LIMITED LIABILITY COMPANIES... <i>(See BUSINESS LAW)</i>	14
LIQUEFIED PETROLEUM GAS BOARD	162
LITTER CONTROL ACT... <i>(See ENVIRONMENTAL LAW)</i>	113
LIVESTOCK AND POULTRY COMMISSION, ARKANSAS... <i>(See AGRICULTURE)</i>	3
LIVESTOCK SHOWS AND FAIR ASSOCIATIONS... <i>(See AGRICULTURE / LIVESTOCK AND POULTRY COMMISSION, ARKANSAS)</i>	4
LOCAL GOVERNMENT SHORT-TERM FINANCING OBLIGATIONS ACT OF 2001... <i>(See LOCAL LEGISLATION / MUNICIPALITIES AND COUNTIES)</i>	163
LOCAL LEGISLATION	162-164
LOCAL POLICE AND FIRE RETIREMENT SYSTEM... <i>(See LOCAL LEGISLATION)</i>	163
LOCAL SCHOOL BOARD... <i>(See EDUCATION / GENERAL EDUCATION)</i>	95
LONG-TERM CARE FACILITIES... <i>(See HEALTH)</i>	137

LONG-TERM CARE LIABILITY INSURANCE PLAN ...(See <i>INSURANCE</i>)	153
LONG-TERM CARE REFORM ACT, OMNIBUS ...(See <i>HEALTH</i>)	137
LONG-TERM CARE, OFFICE OF ...(See <i>HEALTH</i>).....	137
MACHINE GUNS ...(See <i>FIREARMS / WEAPONS REGISTRATION</i>).....	119
MAIN STREET HELENA ...(See <i>DELTA CULTURAL CENTER POLICY ADVISORY BOARD / MEMBERSHIP</i>).....	85
MALTREATMENT REGISTRY ...(See <i>CHILDREN</i>)	25
MANDATED HEALTH INSURANCE BENEFITS ...(See <i>INSURANCE / ADVISORY COMMISSION</i>)	149
MANUFACTURED HOME COMMISSION, ARKANSAS ...(See <i>MANUFACTURED HOMES</i>).....	165
MANUFACTURED HOMES	165
MANUFACTURING SITE CLEANUP ...(See <i>HEALTH / CONTROLLED SUBSTANCES</i>).....	129
MARINE SANITATION ADVISORY COMMITTEE ...(See <i>WATER RESOURCES</i>).....	218
MARITAL PROPERTY ...(See <i>DOMESTIC RELATIONS / DIVORCE</i>).....	87
MARRIAGE LICENSES ...(See <i>DOMESTIC RELATIONS</i>).....	87
MARRIAGES ...(See <i>DOMESTIC RELATIONS</i>)	87
MASSAGE THERAPISTS ...(See <i>HEALTH</i>)	138
MAXIMUM TOWING SPEED ...(See <i>MANUFACTURED HOMES / TOWING A MANUFACTURED HOME</i>)	165
MAYORS ...(See <i>CITIES</i>).....	31-32
MEALS-ON-WHEELS, DRUGS, CANCER ...(See <i>HEALTH / TOBACCO TAXES</i>).....	145
MEDICAID ...(See <i>HEALTH</i>)	138
MEDICAL BOARD, ARKANSAS STATE ...(See <i>HEALTH</i>).....	138
MEDICAL RECORDS ...(See <i>HEALTH</i>).....	138
MEDICAL SAVINGS ACCOUNTS ...(See <i>TAXES / DEDUCTIONS</i>).....	205
MEDICAL-LEGAL EXAMINATIONS ...(See <i>CRIMINAL LAW AND PROCEDURE / SEXUAL ASSAULT</i>)	82
MEMORIAL DAYS ...(See <i>STATE HOLIDAYS</i>)	203
MENTAL CAPACITY ...(See <i>CRIMINAL LAW AND PROCEDURE / SEXUAL OFFENSES</i>).....	82
MENTAL DISEASE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	78
MENTAL HEALTH CENTERS ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>).....	135
MENTAL HEALTH PARITY ...(See <i>HEALTH / ARKIDS FIRST</i>)	127
MENTAL HEALTH ...(See <i>HEALTH</i>).....	138
MENTAL HEALTH, DIVISION OF ...(See <i>HEALTH</i>).....	139
MENTAL ILLNESS ...(See <i>HEALTH</i>)	139
METHAMPHETAMINE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>)	78
MICROBREWERIES ...(See <i>ALCOHOLIC BEVERAGES</i>)	5
MID-AMERICA MUSEUM	165
MID-SOUTH COMMUNITY COLLEGE NURSING PROGRAM ...(See <i>EDUCATION</i>)	101
MILITARY	165
MINIMUM WAGE FOR CLASSIFIED EMPLOYEES ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	95
MINORITIES	166
MINORITY TEACHER SCHOLARSHIP PROGRAM ...(See <i>EDUCATION / HIGHER EDUCATION</i>)	99
MIRANDA RIGHTS ...(See <i>CHILDREN / JUVENILE LAW</i>).....	24
MISSING CHILDREN INFORMATION CLEARINGHOUSE	166
MOBILE HOMES ...(See <i>TAXES / PROPERTY TAX</i>)	209
MOBILE TELECOMMUNICATIONS ...(See <i>UTILITIES / TELECOMMUNICATIONS</i>)	217
MODEL CIVIL JURY INSTRUCTIONS ...(See <i>COURTS</i>).....	65
MODEL VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER ...(See <i>EDUCATION / TECHNICAL INSTITUTES</i>)	104
MODULAR STRUCTURES	166
MOSAIC TEMPLARS OF AMERICA CENTER FOR AFRICAN-AMERICAN CULTURE	166
MOTOR BOATS ...(See <i>MOTOR VEHICLES</i>)	172
MOTOR FUEL ...(See <i>TAXES</i>).....	207
MOTOR HOMES ...(See <i>MOTOR VEHICLES</i>).....	172
MOTOR VEHICLE COMMISSION ACT ...(See <i>MOTOR VEHICLES</i>)	172
MOTOR VEHICLE COMMISSION ...(See <i>MOTOR VEHICLES</i>).....	172
MOTOR VEHICLES	166-176
MOTORBOATS AND PERSONAL WATERCRAFT ...(See <i>INSURANCE</i>)	153
MOTORCOACH INCENTIVE ACT ...(See <i>TOURISM</i>)	215
MOTORCYCLE OPERATOR'S LICENSE ...(See <i>MOTOR VEHICLES</i>).....	172
MOUNT MAGAZINE STATE PARK	176
MUNICIPAL ACCOUNTING LAW ...(See <i>CITIES</i>).....	32
MUNICIPAL COURTS ...(See <i>CITIES</i>)	32
MUNICIPAL JUDGES' RETIREMENT SYSTEMS ...(See <i>COURTS</i>)	66

MUNICIPAL RETIREES... <i>(See CITIES)</i>	32
MUNICIPAL RIGHT-OF-WAY ... <i>(See UTILITIES)</i>	216
MUNICIPAL SALES AND USE TAXES ... <i>(See TAXES)</i>	208
MUNICIPALITIES AND COUNTIES ... <i>(See LOCAL LEGISLATION)</i>	163
MURDER OF A CHILD ... <i>(See CRIMINAL LAW AND PROCEDURE / DEATH PENALTY)</i>	74
MUSEUMS ... <i>(See TOURISM)</i>	215
MUTUAL INSURANCE HOLDING COMPANIES ... <i>(See INSURANCE)</i>	154
NANOTECHNOLOGY ... <i>(See ECONOMIC DEVELOPMENT)</i>	90
NATIONAL GUARD SERVICE CREDIT ... <i>(See RETIREMENT / TEACHER RETIREMENT SYSTEM)</i>	193
NATIVE AMERICAN HERITAGE WEEK ... <i>(See STATE HOLIDAYS / MEMORIAL DAYS)</i>	203
NATURAL GAS PIPELINE OWNERS ... <i>(See UTILITIES)</i>	216
NATURAL GAS ... <i>(See ENVIRONMENTAL LAW)</i>	113
NATURAL HERITAGE COMMISSION, ARKANSAS	176
NONAGENCY STATE ENTITIES ... <i>(See STATE AGENCIES GENERALLY)</i>	199
NONPARTISAN JUDICIAL ELECTIONS ... <i>(See ELECTION LAWS)</i>	108
NON-PROFIT CORPORATIONS ... <i>(See LEGISLATIVE AUDIT, DIVISION OF)</i>	161
NONPROFIT REGIONAL DISTRICTS ... <i>(See WATER RESOURCES / REGIONAL WATER DISTRIBUTION</i> <i>DISTRICT ACT)</i>	218
NON-SMOKING VEHICLES ... <i>(See LAW ENFORCEMENT / SHERIFF'S OFFICES AND POLICE DEPARTMENTS)</i>	160
NON-VIOLENT CRIMES ... <i>(See CRIMINAL LAW AND PROCEDURE / SENTENCING)</i>	81
NORTH CENTRAL ARKANSAS DISTRICT FAIR AND LIVESTOCK SHOW ... <i>(See AGRICULTURE)</i>	4
NORTH-CENTRAL AREA HEALTH EDUCATION CENTER STUDY ... <i>(See GENERAL ASSEMBLY / PUBLIC</i> <i>HEALTH, WELFARE, AND LABOR, INTERIM COMMITTEES ON)</i>	124
NORTH-CENTRAL AREA HEALTH EDUCATION CENTER ... <i>(See HEALTH)</i>	139
NOTARIES PUBLIC	176
NURSES ... <i>(See HEALTH)</i>	139-140
NURSING FACILITIES ... <i>(See HEALTH)</i>	140
NURSING HOMES ... <i>(See TAXES)</i>	208
NURSING SCHOLARSHIPS ... <i>(See EDUCATION / HIGHER EDUCATION)</i>	99
NURSING SERVICES ... <i>(See PUBLIC EMPLOYEES / EMPLOYEES OF HIGHER EDUCATION INSTITUTIONS)</i>	182
NURSING, ARKANSAS LEGISLATIVE COMMISSION ON ... <i>(See HEALTH)</i>	141
NURSING, ARKANSAS STATE BOARD OF ... <i>(See HEALTH)</i>	141
OFFENSES COMMITTED IN THE PRESENCE OF A CHILD ... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	79
OFFICE OF ORAL HEALTH ... <i>(See HEALTH / DENTISTS)</i>	129
OFFICIAL STATE HISTORIC COOKING VESSEL ... <i>(See DUTCH OVEN)</i>	88
OIL AND GAS COMMISSION, ARKANSAS ... <i>(See UTILITIES)</i>	216
OMNIBUS LONG-TERM CARE REFORM ACT ... <i>(See CONSUMER PROTECTION)</i>	43
OPEN-CUT MINING ... <i>(See ENVIRONMENTAL LAW)</i>	114
OPERATION OF AIRCRAFT WHILE INTOXICATED ... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	79
OPTION TO PURCHASE PLANS WITHOUT STATE MANDATED BENEFITS ... <i>(See INSURANCE / CONSUMERS)</i>	150
OPTOMETRY INVESTIGATORS ... <i>(See HEALTH / HEALTH, DEPARTMENT OF)</i>	133
OPTOMETRY, ARKANSAS STATE BOARD OF ... <i>(See HEALTH)</i>	141
ORAL HEALTH ... <i>(See HEALTH / HEALTH, DEPARTMENT OF)</i>	133
ORANGE FLAGS ... <i>(See HIGHWAYS / PROJECTING LOAD)</i>	147
OSTEOPATHIC MEDICAL ASSOCIATION, ARKANSAS ... <i>(See CIVIL LAW AND PROCEDURE)</i>	39
OSTEOPATHIC MEDICINE ... <i>(See HEALTH)</i>	141
OUACHITA RIVER COMMISSION ... <i>(See STATE AGENCIES GENERALLY)</i>	199
OUTDOOR ADVERTISING SIGNS ... <i>(See HIGHWAY COMMISSION, STATE)</i>	146
OWNER-USER INSPECTION PROGRAMS ... <i>(See LABOR / BOILERS)</i>	156
PARENTING, CUSTODY AND VISITATION MEDIATION ... <i>(See DOMESTIC RELATIONS / DIVORCE)</i>	87
PARENTS, REPRESENTATION OF INDIGENT ... <i>(See DOMESTIC RELATIONS / DEPENDENCY-NEGLECT</i> <i>CASES)</i>	86
PARI-MUTUEL WAGERING ... <i>(See TAXES / PRIVILEGE TAX)</i>	208
PARKING DECKS ... <i>(See STATE AGENCIES GENERALLY / STATE BUILDING SERVICES)</i>	202
PAROLE ... <i>(See COURTS)</i>	66
PATERNITY ... <i>(See DOMESTIC RELATIONS)</i>	88
PATIENT CARE PROVIDERS ... <i>(See HEALTH / HOME HEALTH CARE)</i>	133
PENSION REVIEW BOARD MEMBERS ... <i>(See RETIREMENT / LOCAL POLICE AND FIRE</i> <i>RETIREMENT SYSTEM)</i>	189
PERFORMANCE REVIEW OF ARKANSAS' WORKERS' COMPENSATION INSURANCE PLAN ... <i>(See LABOR /</i> <i>INSURANCE COMMISSIONER)</i>	156

PERFORMANCE-BASED EFFICIENCY CONTRACTS... <i>(See STATE AGENCIES GENERALLY)</i>	200
PERPETUAL CARE CEMETERIES... <i>(See HEALTH / CEMETERY BOARD, ARKANSAS)</i>	127
PESTICIDE APPLICATOR'S LICENSURE... <i>(See AGRICULTURE / PLANT BOARD, STATE)</i>	4
PESTICIDES... <i>(See AGRICULTURE)</i>	4
PETITIONS FOR INCORPORATION... <i>(See CITIES / INCORPORATION AND ORGANIZATION</i> <i>OF MUNICIPALITIES)</i>	30
PETITIONS... <i>(See ELECTION LAWS)</i>	108
PETROLEUM PRODUCTS	176
PETROLEUM REFINERIES... <i>(See ENVIRONMENTAL LAW)</i>	114
PETROLEUM STORAGE TANKS... <i>(See ENVIRONMENTAL LAW)</i>	114
PHARMACIES... <i>(See HEALTH)</i>	141-142
PHARMACISTS... <i>(See HEALTH)</i>	142
PHARMACY OUTREACH PROGRAM... <i>(See HEALTH / PRESCRIPTION DRUGS)</i>	143
PHARMACY, ARKANSAS STATE BOARD OF... <i>(See HEALTH)</i>	142
PHENYLKETONURIA... <i>(See HEALTH / INSURANCE)</i>	136
PHYSICAL EDUCATION... <i>(See EDUCATION)</i>	101
PHYSICAL THERAPIST ASSISTANTS... <i>(See HEALTH)</i>	143
PHYSICIANS... <i>(See HEALTH)</i>	143
PLANNING AND DEVELOPMENT DISTRICT JURISDICTION... <i>(See COUNTIES / CITIES IN TWO OR MORE</i> <i>COUNTIES)</i>	50
PLANNING AND ZONING... <i>(See CITIES)</i>	33
PLANT BOARD, STATE... <i>(See AGRICULTURE)</i>	4
PLUMBING	176
PLUMBING EXAMINERS, COMMITTEE OF... <i>(See PLUMBING)</i>	176
POLICE AND FIRE RETIREMENT SYSTEM... <i>(See RETIREMENT)</i>	191
POLITICAL PARTY CHAIRS... <i>(See ELECTION LAWS)</i>	108
POLLING PLACE SIGNS... <i>(See ELECTION LAWS / NOTICE)</i>	108
POLLUTION CONTROL AND ECOLOGY COMMISSION, ARKANSAS... <i>(See ENVIRONMENTAL LAW)</i>	114
PORT AUTHORITIES	177
POSSESSION AND USE OF WEAPONS... <i>(See CRIMINAL LAW AND PROCEDURE / VIOLENT</i> <i>FELONY CONVICTION)</i>	83
POSSESSION OF ELECTRONIC DEVICES... <i>(See EDUCATION / SCHOOL PROPERTY)</i>	102
POSSESSION OF FIREARMS... <i>(See CHILDREN)</i>	25
POSSESSION OF PSEUDOEPHEDRINE OR PHENYLPROPANOLAMINE... <i>(See CRIMINAL LAW AND</i> <i>PROCEDURE / CONTROLLED SUBSTANCES)</i>	72
POULTRY LITTER HAULING... <i>(See AGRICULTURE / FARM PRODUCT HAULING)</i>	3
POULTRY LITTER LICENSING... <i>(See MOTOR VEHICLES / FARM PRODUCT HAULING)</i>	170
PRENATAL AND EARLY CHILDHOOD NURSE HOME VISITATION PROGRAM... <i>(See HEALTH / NURSES)</i>	140
PREPAID FUNERAL BENEFITS... <i>(See EMBALMERS AND FUNERAL DIRECTORS)</i>	110
PRERELEASE AND WORK-RELEASE PROGRAMS... <i>(See CORRECTIONS)</i>	48
PRESCRIPTION DRUG ADVISORY COMMISSION... <i>(See HEALTH)</i>	143
PRESCRIPTIONS... <i>(See HEALTH)</i>	143
PRIMARY ELECTIONS... <i>(See ELECTION LAWS)</i>	108
PRISON DENTISTRY, FEDERAL... <i>(See HEALTH / DENTISTS)</i>	129
PRISONER'S RIGHTS... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	79
PRIVATE ACTIVITY BOND ACT... <i>(See DEVELOPMENT FINANCE AUTHORITY, ARKANSAS)</i>	85
PRIVATE CAREER EDUCATION BOARD... <i>(See EDUCATION)</i>	102
PRIVATE CLUBS... <i>(See ALCOHOLIC BEVERAGES)</i>	5
PRIVATE INVESTIGATORS	177
PRIVATE REVIEW AGENTS... <i>(See INSURANCE / HEALTH INSURANCE)</i>	151
PRIVATE SECURITY AGENCIES... <i>(See PRIVATE INVESTIGATORS)</i>	177
PRIZE PROMOTION ACT... <i>(See CONSUMER PROTECTION)</i>	43
PROBATE CODE... <i>(See CIVIL LAW AND PROCEDURE / FETUS, DECEASED VIABLE)</i>	38
PROBATE DIVISION OF CIRCUIT COURT... <i>(See COURTS)</i>	67
PROBATION REVOCATION PROCEEDINGS... <i>(See COURTS / SENTENCING)</i>	68
PROCUREMENT, OFFICE OF STATE... <i>(See STATE AGENCIES GENERALLY)</i>	200
PRODUCER LICENSING MODEL ACT... <i>(See BUSINESS LAW / INSURANCE)</i>	14
PRODUCT SAFETY... <i>(See CONSUMER PROTECTION)</i>	43
PROFESSIONAL BAIL BOND COMPANIES... <i>(See BAIL BONDS)</i>	9
PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING	177
PROOF OF INSURANCE CARD... <i>(See MOTOR VEHICLES / AUTOMOBILE LIABILITY INSURANCE)</i>	167

PROPERTY	177-180
PROPERTY AND CASUALTY INSURANCE ...(See <i>INSURANCE</i>)	154
PROPERTY TAX ...(See <i>TAXES</i>).....	208-210
PROPERTY TAX, DELIQUENCY OF ...(See <i>CIVIL LAW AND PROCEDURE</i>)	39
PROSECUTING ATTORNEYS ...(See <i>COURTS</i>)	67
PROSTATE AND TESTICULAR CANCER ...(See <i>HEALTH / CANCER AWARENESS</i>)	127
PROSTATE AND TESTICULAR CANCER, OVERSIGHT COMMITTEE ON ...(See <i>HEALTH</i>)	144
PROTECTION ORDERS ...(See <i>COURTS</i>).....	67
PSYCHOLOGISTS AND PSYCHOLOGY EXAMINERS ...(See <i>HEALTH</i>)	144
PUBLIC DEFENDER COMMISSION, ARKANSAS	181
PUBLIC DEFENDERS ...(See <i>COURTS</i>)	67
PUBLIC EMPLOYEE EQUAL OPPORTUNITY REPORTS ...(See <i>GENERAL ASSEMBLY / LEGISLATIVE COUNCIL</i>).....	123
PUBLIC EMPLOYEES	181-186
PUBLIC EMPLOYEES' RETIREMENT SYSTEM ...(See <i>RETIREMENT</i>).....	191-193
PUBLIC FUND DEPOSITORIES ...(See <i>STATE AGENCIES GENERALLY</i>).....	200
PUBLIC FUNDS ...(See <i>STATE AGENCIES GENERALLY</i>)	200
PUBLIC HEALTH, WELFARE, AND LABOR, INTERIM COMMITTEES ON ...(See <i>GENERAL ASSEMBLY</i>).....	124
PUBLIC HOUSING AGENCY ...(See <i>EMPLOYMENT SECURITY DEPARTMENT, ARKANSAS</i>).....	111
PUBLIC NOTICE OF ELECTION ...(See <i>COUNTIES / ELECTION COMMISSIONERS, COUNTY BOARD OF</i>).....	52
PUBLIC OFFICIALS ...(See <i>ETHICS</i>)	117
PUBLIC PROPERTY	186-187
PUBLIC RECORDS AND INFORMATION ...(See <i>FREEDOM OF INFORMATION ACT</i>).....	120
PUBLIC SCHOOL CHOICE ...(See <i>EDUCATION / GENERAL EDUCATION</i>)	96
PUBLIC SCHOOL EMPLOYEES ...(See <i>INSURANCE</i>).....	154-155
PUBLIC SERVICE ANNOUNCEMENTS ...(See <i>STATE AGENCIES GENERALLY</i>).....	200
PUBLIC SERVICE COMMISSION ...(See <i>UTILITIES</i>).....	216
PUBLIC WATER AUTHORITIES ...(See <i>WATER RESOURCES</i>)	218
PUBLIC WORKS CONSTRUCTION BONDS ...(See <i>STATE AGENCIES GENERALLY</i>)	201
PUBLIC WORKS CONTRACTS ...(See <i>PUBLIC PROPERTY</i>).....	186
PUBLIC WORKS PROJECTS ...(See <i>IMPROVEMENT DISTRICTS / DRAINAGE DISTRICTS</i>)	148
PUBLIC WORKS ...(See <i>PUBLIC PROPERTY</i>).....	186
PUMP INSTALLERS ...(See <i>ENVIRONMENTAL LAW / WATER WELL CONSTRUCTION, COMMISSION ON</i>).....	116
PURCHASE OF LAW ENFORCEMENT APPARATUS ...(See <i>LAW ENFORCEMENT / LAW ENFORCEMENT OFFICERS, COUNTY AND MUNICIPAL</i>)	159
PURCHASE OF PRIVATE SCHOOL CREDIT INCREASED ...(See <i>EDUCATION / TEACHER RETIREMENT SYSTEM</i>)	103
PURCHASE OF PROPERTY FOR STATE ...(See <i>PROPERTY / TITLE OPINIONS</i>).....	180
PURCHASING CARD PROGRAM ...(See <i>STATE AGENCIES GENERALLY / PURCHASING LAWS</i>).....	201
QUALIFICATIONS OF STATE AND COUNTY COMMISSIONERS AND OTHER ELECTION OFFICIALS ...(See <i>ELECTION LAWS</i>).....	109
QUALITY ASSURANCE FEE STUDY ...(See <i>GENERAL ASSEMBLY / PUBLIC HEALTH, WELFARE, AND LABOR, INTERIM COMMITTEES ON</i>)	124
QUALITY ASSURANCE FEE ...(See <i>TAXES / NURSING HOMES</i>).....	208
RACING	187-188
RACING FACILITIES ...(See <i>MOTOR VEHICLES</i>)	173
RACING PASSES ...(See <i>GENERAL ASSEMBLY</i>)	124
RACING VEHICLES ...(See <i>TAXES / MOTOR FUEL</i>)	207
RADIO BROADCASTING	188
RAFTING AND FLOATING ...(See <i>TOURISM</i>)	215
RAILROAD CROSSINGS ...(See <i>RAILROADS</i>).....	188
RAILROADS	188
RAPE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	80
REAL ESTATE	188
REAL ESTATE COMMISSION, ARKANSAS ...(See <i>PROPERTY</i>)	180
REAL ESTATE FUND, STATE BUILDING SERVICES ...(See <i>STATE AGENCIES GENERALLY</i>).....	201
REAL ESTATE LICENSE FEES ...(See <i>PROPERTY / REAL ESTATE COMMISSION, ARKANSAS</i>)	180
REAL PROPERTY DATABASE ...(See <i>STATE AGENCIES GENERALLY / STATE BUILDING SERVICES, ARKANSAS</i>)	202
REALTORS ...(See <i>REAL ESTATE</i>)	188
REAPPRAISALS ...(See <i>TAXES / PROPERTY TAX</i>).....	209
RECOVERY OF DECEDENT'S NURSING COSTS ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>).....	135

RECYCLING ...(See ENVIRONMENTAL LAW).....	114-115
REDISTRICTING ...(See CONGRESSIONAL DISTRICTS).....	40
REFERENDUMS ...(See ELECTION LAWS).....	109
REFUSAL TO VACATE UPON NOTICE ...(See PROPERTY / LANDLORDS AND TENANTS).....	179
REGIONAL AIRPORT AUTHORITIES ...(See AIRPORTS).....	5
REGIONAL WATER DISTRIBUTION DISTRICT ACT ...(See WATER RESOURCES).....	219
RELEASE OF CRIME LAB INFORMATION ...(See CRIMINAL LAW AND PROCEDURE).....	80
RELINQUISHMENT AND TERMINATION OF PARENT AND CHILD RELATIONSHIP ...(See ADOPTION).....	1
RENEWABLE RESOURCES ...(See ENVIRONMENTAL LAW).....	116
RENTAL DEPOSIT DURING PENDENCY OF PROCEEDINGS ...(See CRIMINAL LAW AND PROCEDURE / LANDLORDS).....	78
RENTAL VEHICLES ...(See TAXES / SALES AND USE TAX).....	212
REPARATIONS ...(See CRIMINAL LAW AND PROCEDURE / CRIME VICTIMS).....	73
REPORTING ABUSE OR NEGLECT OF CHILDREN ...(See LAW ENFORCEMENT / DOMESTIC ABUSE ADVOCATES).....	159
RESIDENTIAL OR COMMERCIAL BURGLARY ...(See CRIMINAL LAW AND PROCEDURE).....	81
RESPIRATORY CARE ...(See HEALTH).....	145
RESTAURANTS ...(See HEALTH).....	145
RESTITUTION ...(See CRIMINAL LAW AND PROCEDURE / CRIME VICTIMS REPARATIONS BOARD).....	73
RETIREEES RETURN TO T-DROP ...(See RETIREMENT / TEACHER RETIREMENT SYSTEM).....	195
RETIREMENT	189-195
RETIREMENT AND SURVIVORS BENEFITS ...(See PUBLIC EMPLOYEES).....	184
REVENUE DIVISION ATTORNEY ...(See TAXES / FINANCE AND ADMINISTRATION, DEPARTMENT OF).....	205
REVIEW OF AGENCY REGULATIONS ...(See GENERAL ASSEMBLY / LEGISLATIVE COUNCIL).....	123
REVIEW OF GAS AND BRINE ASSESSMENTS ...(See GENERAL ASSEMBLY / LEGISLATIVE COUNCIL).....	123
REVIEW OF SALE, PURCHASE OR ACCEPTANCE OF DONATION ...(See GENERAL ASSEMBLY / LEGISLATIVE COUNCIL).....	123
REVIEW OF VOTES ...(See ELECTION LAWS / PROCEDURE).....	109
RIGHTS OF SURVIVING FAMILY MEMBERS ...(See DECEDENTS' ESTATES).....	84
RISING JUNIOR TEST ...(See EDUCATION / HIGHER EDUCATION).....	100
RISK BASED CAPITAL ACT ...(See INSURANCE).....	155
RIVERS ...(See WATER RESOURCES).....	219
ROAD IMPROVEMENT DISTRICT ...(See COUNTIES).....	58
RURAL AND COMMUNITY LIAISON ...(See CONSUMER PROTECTION).....	44
RURAL FIRE DEPARTMENTS STUDY COMMITTEE ...(See FIRE PROTECTION).....	118
RURAL HEALTH ACCESS PILOT PROGRAM ...(See HEALTH).....	144
SAFE HAVEN ...(See CRIMINAL LAW AND PROCEDURE).....	81
SAFE NEEDLES ...(See HEALTH / HOSPITALS).....	134
SALE OF COUNTY PROPERTY ...(See COUNTIES).....	58
SALE OF MUNICIPAL PROPERTY ...(See CITIES).....	34
SALES AND USE TAXES ...(See TAXES).....	210-211
SAU-FIRE TRAINING ACADEMY TRANSFER ...(See EDUCATION / HIGHER EDUCATION).....	100
SCENIC HIGHWAYS ...(See HIGHWAYS).....	147
SCHOLARSHIPS ...(See EDUCATION / HIGHER EDUCATION).....	100
SCHOOL BUSES ...(See EDUCATION / GENERAL EDUCATION).....	97
SCHOOL DISTRICTS ...(See EDUCATION).....	102
SCHOOL EMPLOYEE INSURANCE ...(See EDUCATION / GENERAL EDUCATION).....	97
SCHOOL FUNDING ACCOUNTS ...(See EDUCATION / GENERAL EDUCATION).....	97
SCHOOL PLACEMENT ...(See PUBLIC EMPLOYEES / FAMILY SERVICE WORKERS).....	183
SCHOOL PROPERTY ...(See EDUCATION).....	102
SCIENTIFIC EVIDENCE ...(See COURTS).....	68
SECONDARY VOCATIONAL CENTERS ...(See EDUCATION / HIGHER EDUCATION).....	100
SECRETARY OF STATE	194
SECURED TRANSACTIONS ...(See BUSINESS LAW / UNIFORM COMMERCIAL CODE).....	18
SECURITIES ...(See BUSINESS LAW).....	17
SELECTIVE SERVICE ...(See MILITARY).....	165
SELF-INSURED FIDELITY BOND PROGRAM ...(See STATE AGENCIES GENERALLY).....	201-202
SELLERS OF LIQUEFIED PETROLEUM GAS ...(See LIQUEFIED PETROLEUM GAS BOARD).....	162
SENATOR HATTIE CARAWAY DAY ...(See STATE HOLIDAYS / MEMORIAL DAYS).....	203
SENIOR CITIZENS ...(See HEALTH).....	144
SENTENCING COMMISSION, ARKANSAS	194

SENTENCING GUIDELINES ...(See <i>SENTENCING COMMISSION, ARKANSAS</i>).....	194
SERVICE OF PROCESS ...(See <i>COURTS / CORPORATIONS</i>).....	62
SERVICE PROVIDERS ...(See <i>HEALTH</i>).....	145
SEX OFFENDER ASSESSMENTS ...(See <i>CRIMINAL LAW AND PROCEDURE / CRIME REPORTING AND INVESTIGATIONS</i>).....	73
SEX OFFENDER REGISTRATION ...(See <i>CRIMINAL LAW AND PROCEDURE / CRIME REPORTING AND INVESTIGATIONS</i>).....	73
SEX OFFENDER REGISTRY ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	81
SEXUAL ABUSE OF INMATE ...(See <i>CORRECTIONS / EMPLOYEES</i>).....	47
SEXUAL ABUSE ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	81
SEXUAL ASSAULT VICTIMS ...(See <i>HEALTH</i>).....	145
SEXUAL ASSAULT ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	82
SEXUAL INDECENCY WITH A CHILD ...(See <i>CRIMINAL LAW AND PROCEDURE / SEXUAL OFFENSES</i>).....	82
SEXUAL OFFENSES ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	82
SHAREHOLDERS-BANK ...(See <i>BUSINESS LAW</i>).....	17
SHERIFF'S OFFICES AND POLICE DEPARTMENTS ...(See <i>LAW ENFORCEMENT</i>).....	160
SIMULCAST AND REBROADCAST RACES ...(See <i>RACING / PRIVILEGE TAX</i>).....	188
SINGLE STATION ALARMS SYSTEMS COMPANIES ...(See <i>PRIVATE INVESTIGATORS / PRIVATE SECURITY AGENCIES</i>).....	177
SLOWER MOVING TRAFFIC ...(See <i>MOTOR VEHICLES</i>).....	174
SMALL BUSINESS LOANS ...(See <i>ECONOMIC DEVELOPMENT / ECONOMIC DEVELOPMENT, DEPARTMENT OF</i>).....	89
SMALL BUSINESSES ...(See <i>BUSINESS LAW</i>).....	17
SOCIAL ANXIETY DISORDER STUDY COMMITTEE ...(See <i>GENERAL ASSEMBLY</i>).....	125
SOCIAL SERVICES ...(See <i>HEALTH</i>).....	145
SOCIAL WORKER FEES ...(See <i>HEALTH / HUMAN SERVICES, DEPARTMENT OF</i>).....	135
SOCIAL WORKERS ...(See <i>HEALTH</i>).....	145
SOLID WASTE MANAGEMENT ...(See <i>ENVIRONMENTAL LAW</i>).....	115-116
SOVEREIGN IMMUNITY ...(See <i>CLAIMS COMMISSION, ARKANSAS STATE / JURISDICTION</i>).....	40
SPECIAL ELECTION ...(See <i>ELECTION LAWS / COUNTY LIBRARY TAX</i>).....	106
SPECIALIZED LAW ENFORCEMENT POWERS ...(See <i>LAW ENFORCEMENT / INSURANCE FRAUD INVESTIGATORS</i>).....	159
SPEED LIMITS ...(See <i>MOTOR VEHICLES / EMERGENCY VEHICLES</i>).....	170
SPEED TRAP LAW ...(See <i>MOTOR VEHICLES</i>).....	174
SPEEDING ...(See <i>MOTOR VEHICLES / LARGE TRUCKS</i>).....	171
SPORTS-FAIR COMPETITION ...(See <i>EDUCATION / GENERAL EDUCATION</i>).....	97
STABILIZATION TAXES ...(See <i>BUSINESS LAW / UNEMPLOYMENT COMPENSATION</i>).....	18
STAFFING STANDARDS ...(See <i>HEALTH / NURSING FACILITIES</i>).....	140
STATE AGENCIES GENERALLY	194-203
STATE AGENCY GRANTS ...(See <i>GENERAL ASSEMBLY</i>).....	125
STATE AGENCY REAL PROPERTY ...(See <i>PUBLIC PROPERTY</i>).....	187
STATE ASSISTANCE PAYMENTS ...(See <i>TOURISM / TOURIST MEETING AND ENTERTAINMENT FACILITIES</i>).....	215
STATE AUTHORIZED RETIREMENT PLANS ...(See <i>RETIREMENT</i>).....	193
STATE CAPITOL	203
STATE CAPITOL POLICE ...(See <i>LAW ENFORCEMENT</i>).....	160
STATE CONTRACTS ...(See <i>STATE AGENCIES GENERALLY</i>).....	202
STATE EMPLOYEES ...(See <i>INSURANCE</i>).....	155
STATE FUNDS ...(See <i>LEGISLATIVE AUDIT, DIVISION OF / NON-PROFIT CORPORATIONS</i>).....	161
STATE HIGHWAY FUNDS AUTHORIZED FOR RAILROAD CROSSINGS ...(See <i>HIGHWAYS / HIGHWAY SAFETY</i>).....	147
STATE HOLIDAYS	203
STATE LANDS, COMMISSIONER OF ...(See <i>TAXES</i>).....	212
STATE OF EMERGENCY; EMERGENCY CADRE, FUNDING DISASTER RESPONSE AND RECOVERY ...(See <i>EMERGENCY SERVICES / EMERGENCY SERVICES ACT OF 1973</i>).....	110
STATE POLICE COMMISSION, ARKANSAS AND DIRECTOR ...(See <i>STATE POLICE, DEPARTMENT OF ARKANSAS</i>).....	204
STATE POLICE, ARKANSAS ...(See <i>LAW ENFORCEMENT</i>).....	160
STATE POLICE, DEPARTMENT OF ARKANSAS	204
STATE REGISTRAR ...(See <i>VITAL RECORDS</i>).....	218
STATE-OWNED AUTOMOBILES ...(See <i>STATE AGENCIES GENERALLY</i>).....	202
STATUTORY LIEN AND FORECLOSURE PROCEDURE ...(See <i>CITIES</i>).....	35
STEEL MANUFACTURERS ...(See <i>TAXES</i>).....	212

STORAGE TANKS... <i>(See ENVIRONMENTAL LAW)</i>	116
STORM WATER MANAGEMENT... <i>(See WATER RESOURCES)</i>	219
STUDENT ARREST NOTIFICATION... <i>(See EDUCATION / GENERAL EDUCATION)</i>	97
STUDENT TRANSFERS... <i>(See EDUCATION / GENERAL EDUCATION)</i>	97
STUDENTS WITHOUT A "C" AVERAGE... <i>(See MOTOR VEHICLES / DRIVER'S LICENSE)</i>	169
SUBSTANCE ABUSE CERTIFICATION BOARD, ARKANSAS... <i>(See HEALTH)</i>	145
SUBSTITUTE COURT REPORTERS... <i>(See COURTS)</i>	68
SUBSTITUTE SELLERS OF LIQUEFIED PETROLEUM GAS... <i>(See ENVIRONMENTAL LAW / LIQUEFIED PETROLEUM GAS BOARD)</i>	113
SUBSTITUTE TRIAL COURT STAFF... <i>(See COURTS)</i>	69
SURPLUS COMPUTERS AND ELECTRONICS... <i>(See STATE AGENCIES GENERALLY)</i>	202
SURVIVOR SCHOLARSHIPS... <i>(See EDUCATION / SCHOLARSHIPS)</i>	101
SURVIVORS' DEATH BENEFITS... <i>(See STATE AGENCIES GENERALLY)</i>	203
SURVIVORS, DEPARTMENT OF COMMUNITY PUNISHMENT EMPLOYEES... <i>(See PUBLIC EMPLOYEES / SCHOLARSHIPS)</i>	185
SUSPENDED LICENSE FINE... <i>(See COURTS / DRIVER'S LICENSES)</i>	63
TASK FORCE ON MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE PREVENTION... <i>(See HEALTH / MENTAL HEALTH)</i>	138
TAX CREDIT FOR HOUSEHOLD AND DEPENDENT CARE SERVICES... <i>(See HEALTH / HUMAN SERVICES, DEPARTMENT OF)</i>	135
TAX DELINQUENT LAND... <i>(See TAXES / PROPERTY TAX)</i>	210
TAXES	204-212
TEACHER FAIR DISMISSAL ACT... <i>(See EDUCATION / TEACHERS)</i>	104
TEACHERS... <i>(See EDUCATION)</i>	104
TECHNICAL INSTITUTES... <i>(See EDUCATION)</i>	104
TECHNOLOGY INFRASTRUCTURE FUND STUDY, ARKANSAS... <i>(See GENERAL ASSEMBLY / ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY, JOINT COMMITTEE ON)</i>	121
TELECOMMUNICATIONS... <i>(See UTILITIES)</i>	217
TEMPORARY OPERATION OF REAL ESTATE FIRMS... <i>(See REAL ESTATE)</i>	188
TENANTS... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	82
TERM OF OFFICE... <i>(See CITIES / TREASURERS)</i>	36
TERMINATION OF PARENTAL RIGHTS... <i>(See COURTS / POWERS OF CHANCERY COURTS)</i>	67
TERMS OF OFFICE, MEETINGS AND DUTIES... <i>(See ELECTION LAWS / ELECTION COMMISSIONERS, STATE BOARD OF)</i>	107
TERMS RELATED TO ARKANSAS STATE POLICE... <i>(See LAW ENFORCEMENT / STATE POLICE, DEPARTMENT OF ARKANSAS)</i>	161
TERRITORIAL CAPITOL RESTORATION COMMISSION, ARKANSAS	213
THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001... <i>(See ENVIRONMENTAL LAW / RENEWABLE RESOURCES)</i>	115
THEFT DETECTION SHIELDING DEVICES AND DEVICE REMOVERS... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	82
THEFT OF MOTOR FUEL... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	82
THEFT OF PROPERTY... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	82-83
THEFT OF RECYCLABLES... <i>(See CRIMINAL LAW AND PROCEDURE / RECYCLING PROGRAMS)</i>	80
THREAT TO SCHOOL EMPLOYEE OR STUDENT, DEATH... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	83
TIMBER CUTTING... <i>(See FORESTRY)</i>	120
TIMBER HARVESTING EQUIPMENT... <i>(See FORESTRY)</i>	120
TIMBER THEFT... <i>(See CRIMINAL LAW AND PROCEDURE)</i>	83
TITLE INSURANCE AGENTS... <i>(See INSURANCE)</i>	155
TITLE OPINIONS... <i>(See ATTORNEY GENERAL)</i>	8
TITLE TO A MANUFACTURED HOME... <i>(See MANUFACTURED HOMES)</i>	165
TOBACCO	212-214
TOBACCO CONTROL BOARD, ARKANSAS... <i>(See TOBACCO)</i>	213
TOBACCO PRODUCTS... <i>(See TAXES)</i>	212
TOBACCO SETTLEMENT MONEY... <i>(See GENERAL ASSEMBLY)</i>	125
TOBACCO TAXES... <i>(See TAXES)</i>	212
TOURISM	214
TOURIST ATTRACTIONS... <i>(See CITIES / SALES TAX)</i>	34
TOURIST MEETING AND ENTERTAINMENT FACILITIES ASSISTANCE LAW... <i>(See CITIES)</i>	36
TOURIST TRASH DISPOSAL... <i>(See ENVIRONMENTAL LAW / RIVERS)</i>	115
TOWING A MANUFACTURED HOME... <i>(See MANUFACTURED HOMES)</i>	165

TOWING OF ABANDONED VEHICLES ...(See <i>MOTOR VEHICLES</i>)	174
TOWING ROTATION LIST ...(See <i>MOTOR VEHICLES</i>)	174
TRAFFIC LAWS ...(See <i>MOTOR VEHICLES</i>).....	175
TRAFFIC-CONTROL DEVICES ...(See <i>MOTOR VEHICLES</i>).....	175
TRAILERS ...(See <i>MOTOR VEHICLES</i>).....	175
TRANSFER OF JUVENILE OFFENDERS FROM DEPARTMENT OF CORRECTION ...(See <i>HEALTH / YOUTH SERVICES, DIVISION OF</i>).....	146
TRANSFER OF MUNICIPAL DEPARTMENT RETIREMENT SYSTEMS ...(See <i>RETIREMENT / LOCAL POLICE AND FIRE RETIREMENT SYSTEM</i>).....	189
TRANSITIONAL EMPLOYMENT BOARD, ARKANSAS ...(See <i>WELFARE REFORM</i>).....	219
TRANSMISSION OF ACCOUNT INFORMATION ...(See <i>CRIMINAL LAW AND PROCEDURE / FRAUDULENT PRACTICES</i>).....	76
TRANSPORTATION	215
TRASH DISPOSAL ...(See <i>TOURISM / RAFTING AND FLOATING</i>)	215
TREASURERS' TERMS OF OFFICE ...(See <i>CITIES / MAYOR-COUNCIL FORM OF GOVERNMENT</i>).....	31
TREATMENT AND REHABILITATION OF DRUG USERS ...(See <i>COURTS</i>).....	69
TRUCKS WITH OPEN BEDS ...(See <i>MOTOR VEHICLES</i>).....	175
UNATTENDED VEHICLES, REMOVAL OF ...(See <i>LAW ENFORCEMENT</i>)	161
UNEMPLOYMENT COMPENSATION ...(See <i>LABOR</i>).....	156
UNIFORM ATHLETE AGENTS ACT ...(See <i>ATHLETE AGENTS</i>).....	7
UNIFORM CITATION FORMS ...(See <i>CITIES / CITATIONS</i>).....	27
UNIFORM COMMERCIAL CODE ...(See <i>BUSINESS LAW</i>).....	18
UNIFORM PRESCRIPTION DRUG CARDS ...(See <i>HEALTH / PRESCRIPTIONS</i>)	143
UNIFORM SALES AND USE TAX ADMINISTRATION ACT ...(See <i>TAXES / SALES AND USE TAX</i>)	211
UNIFORM TRAFFIC CITATION FORM ...(See <i>LAW ENFORCEMENT</i>).....	161
UNINSURED MOTORISTS LIABILITY INSURANCE ...(See <i>INSURANCE</i>).....	155
UNIVERSAL SERVICE ACT, ARKANSAS ...(See <i>UTILITIES</i>)	217
UNSAFE CHILDREN'S PRODUCTS ...(See <i>HEALTH / CONSUMER PROTECTION</i>).....	129
UNSIGHTLY PROPERTY ...(See <i>CITIES</i>).....	36
USE OF CRIME LAB EQUIPMENT FUND ...(See <i>CRIMINAL LAW AND PROCEDURE / CRIME LABORATORY, STATE</i>).....	73
USE OF INTERNET ...(See <i>INFORMATION TECHNOLOGY</i>).....	149
USED MOTOR VEHICLE CREDIT ...(See <i>TAXES / SALES AND USE TAX</i>).....	211
USED MOTOR VEHICLE DEALERS ...(See <i>MOTOR VEHICLES</i>)	176
USED MOTOR VEHICLE OR EQUIPMENT REDEFINED ...(See <i>MOTOR VEHICLES / COUNTY PURCHASING PROCEDURES</i>).....	168
UTILITIES	216
VACANCY ON COUNTY BOARD OF ELECTION COMMISSION ...(See <i>ELECTION LAWS / STATE AND COUNTY BOARDS</i>).....	110
VENTURE CAPITAL INVESTMENT ACT OF 2001 ...(See <i>ECONOMIC DEVELOPMENT / DEVELOPMENT FINANCE AUTHORITY, ARKANSAS</i>)	89
VENUE FOR SEXUAL OFFENSES ...(See <i>COURTS</i>)	69
VETERANS ...(See <i>MILITARY</i>).....	165
VETERINARY MEDICAL EXAMINING BOARD ...(See <i>ANIMALS</i>).....	6
VIATICAL SETTLEMENT CONTRACTS ...(See <i>BUSINESS LAW / SECURITIES</i>).....	17
VIDEOTAPED DEPOSITIONS ...(See <i>COURTS / EVIDENCE</i>)	64
VIDEOTAPING BY HOSPITALS AND CLINICS ...(See <i>CRIMINAL LAW AND PROCEDURE / CRIME REPORTING AND INVESTIGATIONS</i>)	73
VITAL RECORDS	218
VOCATIONAL CENTERS ...(See <i>EDUCATION / WORKFORCE EDUCATION</i>)	104
VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER ...(See <i>EDUCATION / WORKFORCE EDUCATION</i>).....	104
VOLUNTEER FIRE DEPARTMENTS ...(See <i>FIRE PROTECTION</i>).....	119
VOLUNTEER FIRE FIGHTER ANNUITY INCREASED ...(See <i>RETIREMENT / LOCAL POLICE AND FIRE RETIREMENT SYSTEM</i>)	189
WARRANTLESS ARRESTS ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	84
WATER RESOURCE CONSERVATION AND DEVELOPMENT INCENTIVES ...(See <i>WATER RESOURCES / INCOME TAX</i>).....	218
WATER RESOURCES	218
WATER RESOURCES COST SHARE FINANCE ACT ...(See <i>WATER RESOURCES</i>)	219
WATER WELL CONSTRUCTION, COMMISSION ON ...(See <i>ENVIRONMENTAL LAW</i>)	116

WEIGHTS AND MEASURES	219
WELFARE REFORM	219
WELL CONSTRUCTION ...(See <i>WATER RESOURCES</i>)	219
WILDLIFE OFFICERS ...(See <i>GAME AND FISH COMMISSION, ARKANSAS STATE</i>).....	121
WIRELESS INFORMATION NETWORK, ARKANSAS ...(See <i>UTILITIES / TELECOMMUNICATIONS</i>).....	217
WIRETAPPING ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	84
WOLVES AND WOLF-DOG HYBRIDS ...(See <i>ANIMALS</i>)	6
WORK CENTER-MADE PRODUCTS ...(See <i>STATE AGENCIES GENERALLY / PURCHASING</i>).....	201
WORKERS' COMPENSATION COMMISSION QUARTERLY REPORTS ...(See <i>GENERAL ASSEMBLY / LEGISLATIVE COUNCIL</i>)	124
WORKERS' COMPENSATION LAW ...(See <i>BUSINESS LAW</i>)	18
WORKFORCE EDUCATION ...(See <i>EDUCATION</i>).....	104
WORKPLACE VIOLENCE ...(See <i>BUSINESS LAW</i>)	19
WORTHLESS CHECKS ...(See <i>CRIMINAL LAW AND PROCEDURE</i>).....	84
WRITE-IN CANDIDATE VOTES ...(See <i>ELECTION LAWS / PROCEDURE</i>)	109
WRONGFUL DEATH ...(See <i>CIVIL LAW AND PROCEDURE</i>)	40
YOUTH SERVICES, DIVISION OF ...(See <i>HEALTH</i>).....	146