

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

HOUSE BILL 1014

4
5 By: Representatives Gillam, Gossage, Eubanks, Cozart, C. Armstrong, Deffenbaugh, C. Douglas, Harris,
6 G. Hodges, Leding, Lowery, McElroy, Murdock, Sabin
7 By: Senators J. English, U. Lindsey, E. Williams, A. Clark, B. Pierce, J. Hendren, E. Cheatham, B.
8 Johnson, Elliott, Collins-Smith

For An Act To Be Entitled

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11 AN ACT TO EXEMPT STATE INSTITUTIONS, POLITICAL
12 SUBDIVISIONS, AND ANY OTHER APPLICABLE ENTITY WITH
13 TORT LIABILITY IMMUNITY FROM THE REQUIREMENT TO
14 OBTAIN GENERAL LIABILITY INSURANCE COVERAGE WHEN
15 OBTAINING A CHILD CARE FACILITY LICENSE; AND FOR
16 OTHER PURPOSES.

Subtitle

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20 TO EXEMPT STATE INSTITUTIONS, POLITICAL
21 SUBDIVISIONS, AND ANY OTHER APPLICABLE
22 ENTITY WITH TORT LIABILITY IMMUNITY FROM
23 THE REQUIREMENT TO OBTAIN GENERAL
24 LIABILITY INSURANCE COVERAGE WHEN
25 OBTAINING A CHILD CARE FACILITY LICENSE.

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

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30 SECTION 1. Arkansas Code § 20-78-227(b), concerning general liability
31 insurance coverage, is amended to read as follows:

32 (b)(1) The Division of Child Care and Early Childhood Education of the
33 Department of Human Services ~~is directed~~, in collaboration with the State
34 Insurance Department, ~~to~~ shall develop and promulgate rules requiring
35 sufficient and appropriate minimum levels of general liability insurance
36 coverage for licensed child care centers and licensed and registered child



1 care family homes, including coverage for transportation services when
2 applicable.

3 (2) A state institution, political subdivision, or other entity
4 that is entitled to immunity from liability under § 21-9-301 is not required
5 to have general liability insurance coverage in order to be licensed.

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7 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
8 General Assembly of the State of Arkansas that school districts are
9 statutorily immune from tort liability; that the general liability insurance
10 requirement imposed by rule of the Division of Child Care and Early Childhood
11 Education of the Department of Human Services is burdensome on school
12 districts; and that this act is immediately necessary to ensure that school
13 districts are able to continue offering critical early childhood education
14 programs. Therefore, an emergency is declared to exist, and this act being
15 immediately necessary for the preservation of the public peace, health, and
16 safety shall become effective on:

17 (1) The date of its approval by the Governor;

18 (2) If the bill is neither approved nor vetoed by the Governor,
19 the expiration of the period of time during which the Governor may veto the
20 bill; or

21 (3) If the bill is vetoed by the Governor and the veto is
22 overridden, the date the last house overrides the veto.

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25 **APPROVED: 02/06/2015**
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