

# SUMMARY OF GENERAL LEGISLATION

.....

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## REGULAR SESSION ACTS

### AGRICULTURE

#### AGRICULTURE DEPARTMENT

##### ***Feral Hog Eradication Task Force***

[ACT 1010](#) (HB2063) creates the Feral Hog Eradication Task Force to create a plan for the eradication of feral hogs in Arkansas. The task force will include the directors of state agencies concerned with feral hogs and agriculture in general, representatives of related private entities, and advisory members the task force members may choose. The Arkansas Agriculture Department will provide office space, staff, and materials for the task force. The task force will provide an initial report to the Legislative Council on or before December 31, 2017. The act expires on June 30, 2018.

#### AGRONOMY

##### ***Industrial Hemp***

[ACT 981](#) (HB1778) provides for the cultivation of industrial hemp in Arkansas, creates a research program to assess the agricultural and economic potential of industrial hemp production in this state, and places rules and oversight under the State Plant Board.

##### ***Seeds***

[ACT 156](#) (HB1206) creates the Uniform State Seeds Standardization Act to prohibit political subdivisions from regulating seeds.

#### CROPS

##### ***Landlord's Lien***

[ACT 569](#) (HB1812) amends the law so that the six-month lien period for a landlord does not start until the final payment of rent is due under the lease or rental agreement.

##### ***Special Permit for the Transportation of Agricultural Products***

[ACT 1085](#) (HB2211) provides that the State Highway Commission may issue a special permit authorizing the movement of a truck tractor or semi-trailer combination with five (5) axles hauling agronomic or horticultural crops that exceeds the maximum gross weight provided by law.

#### DISEASE AND PEST CONTROL

##### ***Dicamba - Fines***

[ACT 778](#) (SB501) provides that the State Plant Board may assess fines above the existing one thousand dollars (\$1,000) limit only for the misuse of dicamba or related products, and directs the fines to scholarships.

#### LIVESTOCK AND POULTRY

##### ***Commission - Powers and Duties***

[ACT 1011](#) (HB2175) repeals provisions concerning the Agriculture Department and the Arkansas Livestock and Poultry Commission, amends the powers and duties of the Arkansas Livestock and Poultry Commission, and amends the law concerning the control of contagious diseases.

##### ***Equine Infectious Anemia Verification - Coggins Test***

[ACT 716](#) (SB684) provides for alternative methods of verifying negative equine infectious anemia tests (Coggins tests), including the presenting of electronic copies.

##### ***Feral Hogs***

[ACT 697](#) (SB534) provides that a feral hog need not be immediately killed if captured on private property by an owner or lessee.

## AGRICULTURE

### LIVESTOCK AND POULTRY

#### *Livestock Embryo Transfer and Livestock Pregnancy Determination*

[ACT 1074](#) (SB553) provides a certification for individuals who engage in livestock embryo transfer and transplant and livestock pregnancy determination.

### PLANT BOARD

#### *Industrial Hemp*

[ACT 981](#) (HB1778) provides for the cultivation of industrial hemp in Arkansas, creates a research program to assess the agricultural and economic potential of industrial hemp production in this state, and places rules and oversight under the State Plant Board.

### TECHNICAL CORRECTIONS - AGRICULTURE - TITLE 2

[ACT 258](#) (HB1315) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 2 of the Arkansas Code.

### TIMBER OR AGRICULTURAL PRODUCT

#### *Arson*

[ACT 630](#) (HB1577) increases the statute of limitations for the offense of arson and amends the offense of arson to include starting a fire or causing an explosion with the purpose of destroying or otherwise damaging an area of real property being used for the commercial growth of timber or other agricultural product in certain circumstances.

## ALCOHOLIC BEVERAGES

### ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT DIVISION

#### *Use of Minors*

[ACT 925](#) (HB2141) provides that it is not an offense if a minor purchasing alcohol was doing so at the direction of an authorized agent of the Arkansas Alcoholic Beverage Control Enforcement Division.

### COUNTIES

#### *Sale of Alcoholic Beverages*

[ACT 875](#) (SB183) allows wet counties to authorize by ordinance the sale of alcoholic beverages for on-premises consumption.

### DISTILLERS

#### *On-premises Sales*

[ACT 1117](#) (SB508) authorizes certain distillers to serve complimentary samples and to sell by the drink on the premises of the distillery any liquors produced by the distillery. The act also authorizes certain distilleries to conduct tasting events of the distiller's products for educational or promotional purposes at any location in a wet area of the state. The act is effective on and after April 7, 2017.

### DISTRIBUTION

#### *Alcohol-infused Candy*

[ACT 1035](#) (HB1826) creates the Chocolate-Covered Cherry Freedom Act of 2017 to allow the transportation into Arkansas of alcohol-infused candies.

#### *Microbrewery Restaurants*

[ACT 308](#) (HB1272) provides for increases in the lawful production capacities of microbrewery restaurants and allows transportation of in-house products between commonly owned microbreweries and breweries that own microbreweries.

#### *Small Breweries*

[ACT 950](#) (SB659) amends the scope of small brewery operations to allow small breweries to transport in-house products between commonly owned small breweries and breweries that own small breweries. The bill also creates small brewery tap rooms.

## ALCOHOLIC BEVERAGES

### LOCAL OPTION

#### ***Counties and Municipalities***

[ACT 1112](#) (SB623) authorizes the governing bodies of counties and municipalities to initiate by ordinance the permitting process for private clubs.

#### ***Defunct Voting District***

[ACT 144](#) (HB1165) provides that the city council of a city of the first class that includes a defunct voting district may adopt an ordinance to hold a local option election.

#### ***Local-option Ballot Question Committees and Reporting Requirements***

[ACT 721](#) (SB426) amends disclosure requirements for local-option public initiatives, referenda, and measures referred to voters and amends registration requirements, reporting requirements, and filing deadlines for local-option ballot question committees.

#### ***Sale of Alcoholic Beverages***

[ACT 875](#) (SB183) allows wet counties to authorize by ordinance the sale of alcoholic beverages for on-premises consumption.

### MINORS - POSSESSION

#### ***Alcoholic Beverage Control Enforcement Division***

[ACT 925](#) (HB2141) provides that it is not an offense if a minor purchasing alcohol was doing so at the direction of an authorized agent of the Arkansas Alcoholic Beverage Control Enforcement Division.

### ON-PREMISES CONSUMPTION

#### ***Distillers***

[ACT 1117](#) (SB508) authorizes certain distillers to serve complimentary samples and to sell by the drink on the premises of the distillery any liquors produced by the distillery. The act also authorizes certain distilleries to conduct tasting events of the distiller's products for educational or promotional purposes at any location in a wet area of the state. The act is effective on and after April 7, 2017.

### PERMITS

#### ***Alcohol-infused Candy***

[ACT 1035](#) (HB1826) creates the Chocolate-Covered Cherry Freedom Act of 2017 to allow the transportation into Arkansas of alcohol-infused candies.

#### ***Charitable Events***

[ACT 304](#) (HB1378) provides that certain types of corporations may conduct sampling activities involving alcoholic beverages and allows the donation of alcoholic beverages to a charitable event for a sampling activity.

#### ***Counties and Municipalities***

[ACT 1112](#) (SB623) authorizes the governing bodies of counties and municipalities to initiate by ordinance the permitting process for private clubs.

#### ***Direct Shipment of Wine - Elimination of Lottery System***

[ACT 848](#) (HB2092) amends Act 313 of 2017 to remove the lottery system created in Act 313 for awarding direct shipment permits and to allow small farm wineries to receive direct shipment permits. The act also restructures the process for notifying licensed small farm wineries regarding the availability of permits for direct shipment of small farm wines to Arkansas residents. The act declares an emergency and is effective on and after April 3, 2017.

## ALCOHOLIC BEVERAGES

### PERMITS

#### ***Direct Shipment of Wine - Small Farm Wineries***

[ACT 313](#) (HB1463) provides for permits authorizing the direct shipment of wines from small farm wineries to Arkansas residents without a winery visit and creates a lottery system for distributing shipping permits. The act declares an emergency and is effective on and after March 1, 2017.

#### ***Eligibility - Sealed Felony Record***

[ACT 739](#) (HB1555) provides that persons with certain sealed felony records may be eligible to receive a license regarding alcoholic beverages.

#### ***Grocery Stores***

[ACT 508](#) (SB284) establishes a retail off-premises permit for the sale of wine at grocery stores and provides additional grant funds to support Arkansas wine production and wine tourism in the state. Sections of the act authorizing grocery store wine sales permits are effective on and after October 1, 2017. Sections of the act authorizing grant funds are effective on and after January 1, 2018.

#### ***Layout Centers***

[ACT 726](#) (HB1379) provides for the creation of a layout center permit program for alcoholic beverage merchandise planning.

#### ***Microbrewery-restaurants and Small Breweries***

[ACT 865](#) (HB2046) provides for limitations on the issuance of permits for microbrewery-restaurants and small breweries involving common ownership of certain other alcoholic beverage permittees.

#### ***Private Clubs***

[ACT 1112](#) (SB623) authorizes the governing bodies of counties and municipalities to initiate by ordinance the permitting process for private clubs.

#### ***Retail Locations - Churches and Schoolhouses***

[ACT 491](#) (HB1587) provides that a survey by a licensed surveyor shall be performed if a new retail liquor business will be located near the statutory boundary from churches and schoolhouses.

#### ***Sampling Activities***

[ACT 304](#) (HB1378) provides that certain types of corporations may conduct sampling activities involving alcoholic beverages and allows the donation of alcoholic beverages to a charitable event for a sampling activity.

#### ***Small Breweries - Tap Rooms***

[ACT 950](#) (SB659) amends the scope of small brewery operations to allow small breweries to transport in-house products between commonly owned small breweries and breweries that own small breweries. The bill also creates small brewery tap rooms.

### TAXES

#### ***Beer and Hard Cider***

[ACT 671](#) (HB1503) provides for equalizing the excise tax rates of beer and hard cider. The act is effective on and after September 1, 2017.

#### ***Direct Shipment of Wine***

[ACT 673](#) (HB1744) provides for the proper process for paying taxes for shipments of wine under the Direct Shipment of Vinous Liquor Act.

#### ***Kege***

[ACT 672](#) (HB2126) provides for equalizing the taxation of leased or rented beer kegs with the sale of beer kegs under the gross receipts tax law.

## ALCOHOLIC BEVERAGES

### TAXES

#### ***Manufacturers - Beer and Malt Beverages***

[ACT 614](#) (SB417) provides for a change in the tax rebate for qualified manufacturers of beer and malt beverages.

### TECHNICAL CORRECTIONS - ALCOHOLIC BEVERAGES - TITLE 3

[ACT 249](#) (HB1357) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 3 of the Arkansas Code.

### WINE

#### ***Direct Shipment of Wine - Elimination of Lottery System***

[ACT 848](#) (HB2092) amends Act 313 of 2017 to remove the lottery system created in Act 313 for awarding direct shipment permits and to allow small farm wineries to receive direct shipment permits. The act also restructures the process for notifying licensed small farm wineries regarding the availability of permits for direct shipment of small farm wines to Arkansas residents. The act declares an emergency and is effective on and after April 3, 2017.

#### ***Direct Shipment of Wine - Small Farm Wineries***

[ACT 313](#) (HB1463) provides for permits authorizing the direct shipment of wines from small farm wineries to Arkansas residents without a winery visit and creates a lottery system for distributing shipping permits. The act declares an emergency and is effective on and after March 1, 2017.

#### ***Grocery Stores***

[ACT 508](#) (SB284) establishes a retail off-premises permit for the sale of wine at grocery stores and provides additional grant funds to support Arkansas wine production and wine tourism in the state. Sections of the act authorizing grocery store wine sales permits are effective on and after October 1, 2017. Sections of the act authorizing grant funds are effective on and after January 1, 2018.

## ANIMALS

### DOMESTIC

#### ***Aggravated Cruelty to Certain Animals***

[ACT 389](#) (SB280) amends the animal cruelty statutes to include an equine as an animal against which a certain criminal offenses may be committed.

#### ***Livestock Embryo Transfer and Livestock Pregnancy Determination***

[ACT 1074](#) (SB553) provides a certification for individuals who engage in livestock embryo transfer and transplant and livestock pregnancy determination.

## CHILDREN

### ABUSE AND NEGLECT

#### ***Notice of Child Maltreatment Reports***

[ACT 528](#) (HB1372) requires that notice of alleged child maltreatment involving an active duty service member or child of an active duty service member be given to military organizations of the United States.

#### ***State Child Abuse and Neglect Prevention Board***

[ACT 897](#) (HB1696) transfers the State Child Abuse and Neglect Prevention Board to the Department of Human Services by a Type 3 transfer. The act declares an emergency and is effective on and after July 1, 2017.

## CHILDREN

### ADOPTION

#### *Records*

[ACT 519](#) (HB1636) provides adoptees and their relatives with access to adoption records maintained by the Department of Health. The act also provides birth parents with the option of redacting their names from adoption records disclosed to adoptees and their relatives.

### CHILD CARE

#### *Criminal Background Check for Applicants or Employees of Child Care Facilities*

[ACT 572](#) (HB1685) clarifies the law concerning criminal background checks that are required for an applicant or employee of a child care facility or a church-exempt child care facility.

#### *Division of Child Care and Early Childhood Education*

[ACT 576](#) (HB1545) allows the Division of Child Care and Early Childhood Education of the Department of Human Services to independently promulgate rules concerning child care facilities without the approval of the Arkansas Early Childhood Commission.

### CHILD SUPPORT

#### *Enforcement*

[ACT 645](#) (SB567) amends the law concerning the collection of personal information for the purpose of child support enforcement as applied to non-occupational licensees and permit holders.

### CHILD WELFARE

#### *Child Maltreatment Investigations Oversight Committee*

[ACT 713](#) (SB556) amends confidentiality provisions contained in the Child Maltreatment Act, creates the Child Maltreatment Investigation Committee to review and evaluate the conduct of child maltreatment investigations and service delivery to children and families involved in an investigation of child maltreatment, and exempts the meetings of the committee from the Freedom of Information Act of 1967.

#### *Community Providers*

[ACT 893](#) (HB1849) amends the law concerning exempt commodities and services to include a community provider that is licensed as a family-style residential home setting approved by the Division of Children and Family Services of the Department of Human Services.

#### *Home Visitation Program*

[ACT 896](#) (HB1968) repeals provisions requiring the Department of Health and the Department of Human Services to implement a home visitation program. The act also repeals the duty of the State Child Abuse and Neglect Prevention Board to cooperate with the Department of Health and the Department of Human Services for the purpose of adopting rules to implement a home visitation program.

#### *Protection Plan*

[ACT 963](#) (HB1974) permits the Department of Human Services to implement a protection plan that allows a child to remain in his or her place of residence and includes services to address the safety of the child. The act requires the department to reassess the health and safety of the child and file a petition for dependency-neglect under certain circumstances.

## CHILDREN

### CHILD WELFARE

#### ***Records***

[ACT 803](#) (HB1972) authorizes information relating to the confirmation of an investigative determination and a pending or completed investigation of a report of child maltreatment to be released to an attorney ad litem and a court-appointed special advocate of a juvenile who has an open dependency-neglect case if the alleged offender or the minor victim resides in the home or in a proposed placement location that is not a licensed foster home, adoptive home, shelter, or facility.

#### ***Reports - Overturned True Determinations***

[ACT 1025](#) (HB1915) requires the Department of Human Services and the Department of Arkansas State Police to submit two (2) reports annually on true determinations that are administratively or judicially overturned to certain legislative committees. The act requires the reports to include data on overturned true determinations by county and any other information requested by the committees.

#### ***Voluntary Respite Care***

[ACT 319](#) (HB1048) permits the temporary placement of a child with an approved person facilitated by a qualified nonprofit organization. The act declares an emergency and is effective on and after March 2, 2017.

### CRIMINAL OFFENSES

#### ***Human Trafficking***

[ACT 209](#) (SB271) adds human trafficking to the definitions of "abuse" and "sexual abuse" within the Arkansas Juvenile Code of 1989 and the Child Maltreatment Act.

#### ***Internet Stalking of a Child***

[ACT 371](#) (HB1013) amends the offense of internet stalking of a child and provides a more serious penalty for a person who arranges to meet and meets with a child who is fifteen (15) years of age or younger, or an individual who the person believes to be fifteen (15) years of age or younger.

#### ***Offenses Committed Against or in the Presence of a Child***

[ACT 714](#) (SB702) increases the additional fine assessed to a person if a criminal offense or moving traffic violation is committed in the presence of a child. The act also creates the Arkansas Children's Advocacy Center Fund.

### DEPENDENCY-NEGLECT

#### ***Commission for Parent Counsel***

[ACT 861](#) (SB132) creates the Commission for Parent Counsel, which appoints legal counsel to parents of a minor in a juvenile court dependency-neglect proceeding.

#### ***Permanency Plans***

[ACT 996](#) (HB1381) requires a court to consider all relevant factors before authorizing a plan to place custody of a juvenile with a parent, guardian, or custodian. The act requires a court to determine if establishing concurrent permanency planning goals is appropriate. The act also requires reunification services to continue if the court sets a goal of adoption unless the court determines that the reunification services are no longer needed, terminates parental rights, or otherwise finalizes a permanency plan for the juvenile.

#### ***Protection Plan***

[ACT 963](#) (HB1974) permits the Department of Human Services to implement a protection plan that allows a child to remain in his or her place of residence and includes services to address the safety of the child. The act requires the department to reassess the health and safety of the child and file a petition for dependency-neglect under certain circumstances.

## CHILDREN

### DEPENDENCY-NEGLECT

#### *Records*

[ACT 803](#) (HB1972) authorizes information relating to the confirmation of an investigative determination and a pending or completed investigation of a report of child maltreatment to be released to an attorney ad litem and a court-appointed special advocate of a juvenile who has an open dependency-neglect case if the alleged offender or the minor victim resides in the home or in a proposed placement location that is not a licensed foster home, adoptive home, shelter, or facility.

#### *Termination of Parental Rights - Unsupervised Visitation*

[ACT 1111](#) (SB306) prohibits factors or issues arising subsequent to the filing of the original petition for dependency-neglect from being used as grounds for the termination of parental rights in certain circumstances and amends the rights and responsibilities of certain persons and entities upon the entry of an order terminating the parental rights of a parent. The act also amends the law concerning reports that must be provided by the Department of Human Services and a court-appointed special advocate before dependency-neglect review hearings and dependency-neglect permanency planning hearings. The act provides that further evidence shall not be presented at a probable cause hearing regarding issues agreed to by the parties if the court accepts a stipulated agreement by the parties that supports the probable cause order entered by the court. The act also allows for the unsupervised visitation between a juvenile and parent in certain circumstances.

### FOSTER CARE

#### *Records*

[ACT 329](#) (HB1544) prohibits a foster parent from redisclosing information about a foster child's parents, guardians, or siblings who are not in the home of the foster parent unless the information is used only to assist the foster parent in the care of the foster child.

#### *Succeed Scholarship Program*

[ACT 894](#) (HB1567) provides that up to twenty (20) foster children who live in group homes are eligible to receive a Succeed Scholarship for tuition at a private school. The act declares an emergency and is effective on and after April 5, 2017.

### GUARDIANSHIP

#### *Termination of a Guardianship*

[ACT 717](#) (SB268) concerns the reasons for which a guardianship may be terminated by a court.

### HUMAN SERVICES DEPARTMENT

#### *Incarcerated Parents*

[ACT 993](#) (HB2104) requires the Department of Human Services to involve an incarcerated parent in case planning, monitor compliance with services offered by the Department of Correction to the extent permitted by federal law, and offer visitation between a child and his or her incarcerated parent in accordance with the policies of the Department of Correction if visitation is appropriate and in the best interest of the child.

#### *Notice of Child Maltreatment Reports*

[ACT 528](#) (HB1372) requires that notice of alleged child maltreatment involving an active duty service member or child of an active duty service member be given to military organizations of the United States.

## CHILDREN

### HUMAN SERVICES DEPARTMENT

#### ***Office of Chief Counsel - Name Correction***

[ACT 302](#) (HB1288) corrects the name of the Office of Chief Counsel of the Department of Human Services within the law regarding the membership of the Child Death and Near Fatality Multidisciplinary Review Committee.

#### ***Responsibility upon Termination of Parental Rights***

[ACT 1111](#) (SB306) prohibits factors or issues arising subsequent to the filing of the original petition for dependency-neglect from being used as grounds for the termination of parental rights in certain circumstances and amends the rights and responsibilities of certain persons and entities upon the entry of an order terminating the parental rights of a parent. The act also amends the law concerning reports that must be provided by the Department of Human Services and a court-appointed special advocate before dependency-neglect review hearings and dependency-neglect permanency planning hearings. The act provides that further evidence shall not be presented at a probable cause hearing regarding issues agreed to by the parties if the court accepts a stipulated agreement by the parties that supports the probable cause order entered by the court. The act also allows for the unsupervised visitation between a juvenile and parent in certain circumstances.

### JUVENILE LAW

#### ***Fictive Kin***

[ACT 700](#) (SB656) expands the definition of "fictive kin" as used under the Arkansas Juvenile Code.

#### ***Human Trafficking - Abuse***

[ACT 209](#) (SB271) adds human trafficking to the definitions of "abuse" and "sexual abuse" within the Arkansas Juvenile Code of 1989 and the Child Maltreatment Act.

#### ***Juvenile Courts and Proceedings - Presumption***

[ACT 701](#) (SB15) provides that a noncustodial parent is presumed to be a fit parent for the purpose of custody and visitation unless the presumption is rebutted and amends provisions in the law concerning reunification.

#### ***Permanency Plans***

[ACT 996](#) (HB1381) requires a court to consider all relevant factors before authorizing a plan to place custody of a juvenile with a parent, guardian, or custodian. The act requires a court to determine if establishing concurrent permanency planning goals is appropriate. The act also requires reunification services to continue if the court sets a goal of adoption unless the court determines that the reunification services are no longer needed, terminates parental rights, or otherwise finalizes a permanency plan for the juvenile.

#### ***Placement of Juveniles***

[ACT 1116](#) (SB40) amends provisions in the Arkansas Juvenile Code concerning the placement of juveniles removed from the home and amends the duties of the Department of Human Services if a juvenile is removed from the home.

#### ***Records - Disclosure Under the Freedom of Information Act***

[ACT 891](#) (HB2111) concerns the disclosure under the Freedom of Information Act of 1967 of the personal information contained in an investigative file of a law enforcement agency of a person who was a minor at the time of the offense.

## CHILDREN

### JUVENILE LAW

#### ***Sentencing for Minors***

[ACT 539](#) (SB294) establishes that a sentence of life without the possibility of parole is not available as a sentence for a minor who commits a capital offense. The act also addresses parole eligibility for a minor who is convicted of a capital offense or murder in the first degree and provides for a mental health evaluation for a minor convicted of murder. The act applies retroactively. The act declares an emergency and is effective on and after March 20, 2017.

#### ***Termination of Parental Rights***

[ACT 995](#) (HB1927) amends the law to include the involuntary termination of parental rights as to a child as a ground for the termination of parental rights.

#### ***Termination of Parental Rights - Hearings - Reports***

[ACT 1111](#) (SB306) prohibits factors or issues arising subsequent to the filing of the original petition for dependency-neglect from being used as grounds for the termination of parental rights in certain circumstances and amends the rights and responsibilities of certain persons and entities upon the entry of an order terminating the parental rights of a parent. The act also amends the law concerning reports that must be provided by the Department of Human Services and a court-appointed special advocate before dependency-neglect review hearings and dependency-neglect permanency planning hearings. The act provides that further evidence shall not be presented at a probable cause hearing regarding issues agreed to by the parties if the court accepts a stipulated agreement by the parties that supports the probable cause order entered by the court. The act also allows for the unsupervised visitation between a juvenile and parent in certain circumstances.

## CITIES AND COUNTIES

### ALCOHOLIC BEVERAGES

#### ***Ordinance - Sales***

[ACT 875](#) (SB183) allows wet counties to authorize by ordinance the sale of alcoholic beverages for on-premises consumption.

#### ***Private Clubs***

[ACT 1112](#) (SB623) authorizes the governing bodies of counties and municipalities to initiate by ordinance the permitting process for private clubs.

### ANNEXATION

#### ***City-owned Parks and Airports***

[ACT 192](#) (HB1199) provides that certain city-owned parks are annexed to the cities owning the parks.

#### ***Procedures***

[ACT 567](#) (HB1841) creates additional requirements for an annexation by one hundred percent (100%) petition.

#### ***Schools***

[ACT 536](#) (HB1655) provides that municipal annexation laws do not apply in the area within one-half mile of certain state parks unless the area to be annexed contains a public or private school.

### BOARDS AND COMMISSIONS

#### ***Airport Commission - Transportation Network Companies - Tolls and Fees***

[ACT 954](#) (HB1573) authorizes a municipal airport commission or a regional airport authority to impose tolls and fees upon a transportation network company, transportation network company driver, or a motor vehicle used by a transportation network company driver.

## CITIES AND COUNTIES

### BOARDS AND COMMISSIONS

#### ***County Continuing Education Boards***

[ACT 443](#) (SB352) provides for an increase in board membership and expansion of fund purposes of the County Treasurer's Continuing Education Board and County Collector's Continuing Education Board.

#### ***Metropolitan Port Authorities - Vacancies***

[ACT 494](#) (HB1637) modifies the procedure for filling vacancies on the board of a metropolitan port authority.

### CITY MANAGER FORM OF GOVERNMENT

#### ***Competitive Bidding***

[ACT 170](#) (HB1220) provides that competitive bids may be accepted in the form of a written bid or by electronic media in a city manager form of government and in a mayor-council form of government.

### CONSTRUCTION CONTRACTS

#### ***Prevailing Wage Law***

[ACT 1068](#) (SB601) repeals the Arkansas Prevailing Wage Law that required contractors for publicly funded capital construction projects to pay employees the prevailing wage in the municipality or county in which the construction was conducted. The act declares an emergency and is effective on and after April 6, 2017.

### COUNTY SERVICES

#### ***Services and Facilities***

[ACT 452](#) (HB1468) adds job training services and facilities as services and facilities counties may provide.

### ECONOMIC DEVELOPMENT

#### ***Economic Development Tax - Implementation of Amendment 97***

[ACT 686](#) (SB538) implements Arkansas Constitution, Amendment 97, with respect to public corporations for economic development and allows economic development tax funds to be used to fund economic development projects and pay for economic development services under Arkansas Constitution, Amendments 62 and 97. The act declares an emergency and is effective on and after March 27, 2017.

#### ***Financing Economic Development Projects***

[ACT 533](#) (HB1732) amends the Local Government Bond Act of 1985 to implement Arkansas Constitution, Amendment 97, concerning the financing of economic development projects.

#### ***Urban Renewal Agencies***

[ACT 732](#) (HB1774) modifies the law concerning municipal urban renewal agencies and housing authorities.

#### ***Use of Property Close to Military Installation***

[ACT 602](#) (HB1703) requires a city ordinance restricting or prohibiting future uses on property located within five (5) miles of an active-duty United States Air Force military installation that might be hazardous to aircraft operation.

#### ***Workforce Development Center Authorities***

[ACT 509](#) (SB288) provides that school districts, cities, counties, or vocational-technical schools may act as sponsors to enter into an agreement to create a workforce development center authority. The act allows a sponsor to pledge funds to support the authority, including using its taxing power to dedicate tax revenue to the authority.

### ELECTED OFFICERS

#### ***Aldermen - Terminology***

[ACT 879](#) (HB1733) updates local government terminology concerning aldermen.

## CITIES AND COUNTIES

### ELECTED OFFICERS

#### ***Coroners - Compensation***

[ACT 194](#) (HB1389) provides the authorization and procedure for a salary adjustment for a certified county coroner.

#### ***County Officers and Employees - Rules of Conduct***

[ACT 193](#) (HB1363) provides that a quorum court by ordinance upon two-thirds (2/3) vote may permit the county to purchase goods, services, commodities, or real property from a quorum court member, a county officer, or a county employee under unusual circumstances.

#### ***County Treasurers - Commissions***

[ACT 420](#) (HB1634) modifies the law concerning commissions of county treasurers and provides exceptions.

#### ***Incorporated Towns - Recorder-Treasurer Vacancy Procedure***

[ACT 171](#) (HB1219) provides for the procedure for filling a vacancy in the office of recorder-treasurer in an incorporated town.

#### ***Justices of the Peace - Duties***

[ACT 299](#) (HB1376) clarifies the duties of a justice of the peace.

#### ***Oaths of Office***

[ACT 138](#) (HB1023) authorizes municipal clerks and recorders to administer oaths of office for municipal officers.

### ELECTIONS

#### ***Mayor-Council Form of Government***

[ACT 163](#) (SB143) modifies election procedures in an election for mayor in a mayor-council form of government.

### EMPLOYMENT

#### ***Wages and Benefits***

[ACT 643](#) (SB668) prohibits political subdivisions of the state from requiring more than the federal or state government requires from employers with regard to wages or benefits.

### FINANCE

#### ***Audit Noncompliance - Municipal Dissolution***

[ACT 712](#) (SB138) creates a procedure by which the Legislative Joint Auditing Committee may refer findings of a municipality's repeated noncompliance with auditing laws to the Attorney General and circuit court for municipal dissolution proceedings. The act requires a receiver appointed by the circuit court to wind down the affairs of the municipal corporation under court supervision.

#### ***Competitive Bidding - Municipalities***

[ACT 170](#) (HB1220) provides that competitive bids may be accepted in the form of a written bid or by electronic media in a city manager form of government and in a mayor-council form of government.

#### ***County Accounting Procedures***

[ACT 527](#) (HB1652) provides that counties shall use the modified accrual accounting basis for audit purposes.

#### ***Dual Judicial Districts - Allocation of Revenues***

[ACT 751](#) (HB1743) repeals the allocation of revenue portion of uncodified acts that created dual judicial districts in enumerated counties. The act requires that revenues received by counties with dual judicial districts be allocated as determined by the quorum court and not divided by judicial district. The act declares an emergency and is effective on and after March 30, 2017.

## CITIES AND COUNTIES

### FINANCE

#### ***Economic Development - Bonds***

[ACT 685](#) (SB581) creates the Local Job Creation, Job Expansion, and Economic Development Act of 2017 and enacts enabling legislation for Arkansas Constitution, Amendment 97, which removed the cap on the amount of bonds the government may issue. The act creates an economic framework for the implementation of the constitutional amendment.

#### ***Highway Revenues - Municipal Parking Lots***

[ACT 607](#) (SB275) allows a city to use highway revenue distributions under the Municipal Aid Fund for the construction and maintenance of parking lots and sidewalks for city buildings and parks.

#### ***Monthly Municipal Reporting***

[ACT 761](#) (HB1660) requires a city clerk, city clerk-treasurer, or city treasurer to submit a monthly financial report of the city.

#### ***Municipal Employees - Meal Tips***

[ACT 919](#) (HB1868) authorizes reimbursement of meal tips to municipal employees.

### LAW ENFORCEMENT

#### ***Sexual Acts by Probation Officer Prohibited***

[ACT 418](#) (HB1453) prohibits a sexual act between a probation officer employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government, and the person whom the probation officer is supervising.

### LAW ENFORCEMENT AGENCY

#### ***New or Inactive Law Enforcement Agency***

[ACT 378](#) (HB1431) provides the requirements the chief executive officer of an entity authorized by ordinance to create a new law enforcement agency or reactivate an inactive law enforcement agency shall meet before the Arkansas Commission on Law Enforcement Standards and Training approves the creation of a new law enforcement agency or reactivation of an inactive law enforcement agency.

### LEGAL REPRESENTATION

#### ***Entities Permitted to Represent a City or County in Certain Matters***

[ACT 558](#) (SB369) concerns the practice of law by a nonprofit corporation, voluntary association, or instrumentality of the government recognized under 26 U.S.C. § 115.

### MAYOR/COUNCIL FORM OF GOVERNMENT

#### ***Competitive Bidding***

[ACT 170](#) (HB1220) provides that competitive bids may be accepted in the form of a written bid or by electronic media in a city manager form of government and in a mayor-council form of government.

#### ***Mayoral Election Procedures***

[ACT 163](#) (SB143) modifies election procedures in an election for mayor in a mayor-council form of government.

### NATURAL DISASTERS

#### ***Storm Debris***

[ACT 330](#) (HB1521) authorizes counties to burn storm debris based on county-declared disaster emergencies.

### PROCEDURES

#### ***County Ambulance Licensing***

[ACT 1122](#) (SB694) expands the ambulance licensing law to include counties.

## CITIES AND COUNTIES PROCEDURES

### ***County Record Retention***

[ACT 560](#) (SB276) modifies the requirements for the retention of county records and addresses conversion issues related to county records.

### ***County Treasurer***

[ACT 369](#) (SB283) amends the Uniform Facsimile Signature of Public Officials Act and authorizes the use of a digitized signature of a county treasurer.

### ***Emergency Management - 911 Addressing***

[ACT 663](#) (HB1477) requires a chief executive of a political subdivision to designate a 911 addressing authority for the area to create and maintain 911 data. The act provides a uniform system for maintenance of the data through the Arkansas Geographic Information Systems Office.

### ***Municipal Building Regulations***

[ACT 303](#) (HB1353) provides that cities of the first class, cities of the second class, and incorporated towns may remove or raze buildings that are detrimental to public welfare.

### ***Municipal Form of Government - Nomenclature***

[ACT 878](#) (HB1734) updates local government terminology concerning the form of government.

### ***Municipal Incorporation***

[ACT 1055](#) (SB541) changes the requirements for the approval of a petition for incorporation of a municipality.

### ***Municipal Ordinances***

[ACT 1052](#) (SB544) provides a procedure concerning the adoption of ordinances of a certain nature in cities with a population of less than fifteen thousand (15,000).

### ***Municipal Ordinances - Penalties***

[ACT 559](#) (SB370) creates a sliding scale of penalties imposed by municipalities for ordinance violations and increases the maximum amount a municipality may impose for ordinance violations.

### ***Municipalities - Boundary Changes - Notice***

[ACT 655](#) (HB1949) clarifies notice procedures following municipal charter surrenders, boundary changes, and annexations. The act declares an emergency and is effective on and after March 27, 2017.

### ***Municipalities - Boundary Changes - Notification and Recordation***

[ACT 653](#) (HB1950) provides for notification and recordation procedures for municipal incorporations, annexations, consolidations, and detachments. The act declares an emergency and is effective on and after March 27, 2017.

### ***Short-term Activity Authorizations***

[ACT 585](#) (HB1716) creates short-term activity authorizations, establishes conditions for waiving the short-term activity fee, and allows the Arkansas Department of Environmental Quality to modify the short-term activity fee for a state agency, board, or commission or a municipality or county.

### ***Uniform Real Property Electronic Recording Act***

[ACT 140](#) (HB1146) allows a county recorder to enter into an approved uniform agreement with a private entity to perform certain duties required of the county recorder under the Uniform Real Property Electronic Recording Act.

## CITIES AND COUNTIES

### PROPERTY

#### *Municipal Airports*

[ACT 983](#) (SB430) expands the prohibition on naming of public buildings for certain individuals to municipal airports.

#### *Municipal Procedures*

[ACT 470](#) (SB336) modifies the law governing the purchase, lease, sale, and disposal procedures for municipal real estate or personal property.

#### *Municipal Regulation of Unsanitary Conditions*

[ACT 495](#) (HB1467) allows a municipality to use an address on record with the county assessor when sending notices to property owners for code violations that could result in property liens.

#### *Municipal Streets*

[ACT 926](#) (HB2269) clarifies the procedure for the abandonment of city streets and other public grounds.

#### *Use Close to Military Installation*

[ACT 602](#) (HB1703) requires a city ordinance restricting or prohibiting future uses on property located within five (5) miles of an active-duty United States Air Force military installation that might be hazardous to aircraft operation.

### SOLID WASTE

#### *Municipal Sewage Systems - Procurement*

[ACT 627](#) (HB1645) provides for a new procurement process and project delivery methods for municipal sewage systems.

### TECHNICAL CORRECTIONS - LOCAL GOVERNMENT - TITLE 14

[ACT 260](#) (HB1317) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 14 of the Arkansas Code.

### UTILITIES

#### *Sewer Utility Notice*

[ACT 1120](#) (SB685) provides that a sewer utility may certify to a water system that a common customer is delinquent on the sewer utility bill using any of the notification options provided by the United States Postal Service.

### WATER AND WASTEWATER

#### *Plumbing Plans and Specifications*

[ACT 157](#) (HB1115) authorizes local jurisdictions to review plumbing plans and specifications in lieu of the Department of Health in certain situations.

#### *Provision of Water - Municipalities*

[ACT 895](#) (HB1829) modifies the law concerning the provision of water service to a municipality by a rural water service.

## CIVIL LAW AND PROCEDURE

### ACTIONS AGAINST THE STATE

#### *Frivolous Lawsuits*

[ACT 1110](#) (SB563) concerns the filing of multiple frivolous lawsuits by inmates in the Department of Correction.

### CAUSES OF ACTION

#### *Civil Rights Act*

[ACT 191](#) (HB1126) amends the Civil Rights Act of 1993 by amending the definition of "employer" and amending the hate and retaliation provisions of the act.

## CIVIL LAW AND PROCEDURE

### CAUSES OF ACTION

#### ***Civil Rights Act - Discrimination and Retaliation***

[ACT 783](#) (HB1737) amends and clarifies the discrimination and retaliation provisions of the Arkansas Civil Rights Act of 1993 as it pertains to actions against an employer. The act also addresses the damages available to a prevailing party.

#### ***Deceptive Trade Practices***

[ACT 986](#) (HB1742) concerns a civil action involving a deceptive trade practice and defines the measure of damages in a case involving a deceptive trade practice.

#### ***Frivolous Lawsuits***

[ACT 1110](#) (SB563) concerns the filing of multiple frivolous lawsuits by inmates in the Department of Correction.

#### ***Individuals with Disabilities***

[ACT 784](#) (HB1983) provides for conditions precedent to filing a claim in state court concerning the accessibility of an internet website for an individual with a disability.

#### ***Interference with Emergency Personnel - Persons Engaged in a Riot***

[ACT 952](#) (HB1578) amends the offense of obstruction or interference with emergency medical personnel or a first responder and provides a cause of action against a person who engages in a riot or obstructs or interferes with emergency medical personnel or a first responder.

#### ***Possession of a Concealed Handgun in Employer Parking Lot***

[ACT 1071](#) (SB37) allows the carrying of a concealed handgun in a private motor vehicle by a concealed handgun licensee into the parking lot of the licensee's place of employment unless the licensee is otherwise prohibited from doing so. The act also creates a cause of action concerning a violation of certain provisions of the act.

#### ***Title Insurance - Negligence***

[ACT 1005](#) (HB1828) provides that a cause of action does not exist for negligence by an insured against a title insurance agency or agent for lack of reasonable care in a title search. The act also clarifies that a title insurance agency or agent does not owe any duty to an insured.

#### ***Unauthorized Access to Property***

[ACT 606](#) (HB1665) creates a cause of action concerning unauthorized access to another person's property, including commercial property.

#### ***Venue - State as a Party***

[ACT 967](#) (SB648) concerns the venue of a civil cause of action in which the state is a party. The act declares an emergency and is effective on and after April 5, 2017.

### EVIDENCE AND WITNESSES

#### ***Automated School Bus Safety Camera - Photographs or Video Recordings***

[ACT 398](#) (HB1144) provides that an investigating law enforcement agency may request and use a photograph or video recorded by an automated school bus safety camera as evidence in a criminal or civil proceeding for the violation of certain offenses.

#### ***Uniform Unsworn Foreign Declarations Act***

[ACT 889](#) (HB1884) adopts the Uniform Unsworn Foreign Declarations Act.

### GENERALLY

#### ***Application of Foreign Law***

[ACT 980](#) (HB1041) concerns the application of foreign law in the courts, tribunal boards, administrative agencies, or other adjudicative or enforcement authorities of this state regarding a cause of action, contract, or other right conferred under the laws of this state whether subject to litigation, arbitration, agency, or any similarly binding proceeding in this state.

## CIVIL LAW AND PROCEDURE

### PROCEDURAL RULES

#### ***Declaratory Relief***

[ACT 1030](#) (HB1821) requires that notice of an action for declaratory relief related to a tax be given to a government entity or school district whose direct revenue could be affected by the outcome of the action. The act declares an emergency and is effective on and after April 6, 2017.

#### ***Lost Profits in a Civil Action***

[ACT 1103](#) (HB2202) concerns the new business rule and the ability of a business to recover lost profits in litigation.

### PROCEEDINGS

#### ***Actions by the Fair Housing Commission***

[ACT 473](#) (SB258) amends the procedures concerning who may bring an action by the Fair Housing Commission.

#### ***Born-alive Infant Protection***

[ACT 392](#) (SB148) creates born-alive infant protection to prevent a physician, other healthcare professional, or other person from denying or depriving an infant of nourishment or medically appropriate and reasonable medical care and treatment. The act is effective on and after January 1, 2018.

#### ***Juvenile Courts - Commission for Parent Counsel***

[ACT 861](#) (SB132) creates the Commission for Parent Counsel, which appoints legal counsel to parents of a minor in a juvenile court dependency-neglect proceeding.

#### ***Nonprofit Organization - Capacity to Assert and Defend***

[ACT 822](#) (SB763) restores certain rights to a nonprofit organization, including providing standing to a nonprofit organization to institute, defend, intervene, or participate in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution in its own name or on behalf of its members.

#### ***Wrongful Birth Civil Liability Protection***

[ACT 385](#) (SB340) creates the Wrongful Birth Civil Liability Protection Act that abates liability in a civil action for wrongful birth or a civil action for wrongful life.

### REMEDIES

#### ***Civil Liability - Securities***

[ACT 668](#) (HB1800) amends various state securities laws and clarifies civil liability under the Arkansas Securities Act.

#### ***Civil Rights Act of 1993***

[ACT 783](#) (HB1737) amends and clarifies the discrimination and retaliation provisions of the Arkansas Civil Rights Act of 1993 as it pertains to actions against an employer. The act also addresses the damages available to a prevailing party.

#### ***Deceptive Trade Practices***

[ACT 986](#) (HB1742) concerns a civil action involving a deceptive trade practice and defines the measure of damages in a case involving a deceptive trade practice.

#### ***Lost Profits in a Civil Action***

[ACT 1103](#) (HB2202) concerns the new business rule and the ability of a business to recover lost profits in litigation.

### VENUE

#### ***Causes of Action in Which the State is a Party***

[ACT 967](#) (SB648) concerns the venue of a civil cause of action in which the state is a party. The act declares an emergency and is effective on and after April 5, 2017.

## COMMERCIAL LAW

### BUSINESS ORGANIZATIONS

#### ***Arkansas Capital Development Company and Development Finance Corporation***

[ACT 426](#) (SB366) repeals the Arkansas Development Finance Corporation Act and the Arkansas Capital Development Company Act.

#### ***Banking - Change in Control***

[ACT 195](#) (SB210) provides that in certain circumstances the Bank Commissioner may waive the requirements for a change in control of a state bank or an Arkansas bank holding company.

#### ***Captive Insurance Companies***

[ACT 370](#) (HB1476) revises certain provisions related to formation and operation of captive insurance companies, amends definitions to be used for licensing and regulation of captive insurers, and amends the requirements for a captive insurance company concerning organization, reporting, conversion, and merger and the necessary sponsorship criteria to form a captive insurance company.

#### ***Charitable Organizations***

[ACT 727](#) (HB2044) modifies the requirements for registering with the Secretary of State for charitable organizations and paid solicitors before solicitation and amends the annual financial report and fiscal record requirements for charitable organizations. The act is effective on and after January 1, 2018.

#### ***Cooperative Corporations and Associations - Powers***

[ACT 748](#) (HB2087) identifies certain powers of cooperative corporations and associations and allows cooperative corporations and associations to continue perpetually.

#### ***Corporation - Minimum Age of Incorporator***

[ACT 992](#) (HB1941) creates the Colin Keady Young Entrepreneur Mentor Program, which provides that an entrepreneur under eighteen (18) years of age is required to have a person who is at least twenty-one (21) years of age or older to serve on his or her behalf as an incorporator of a corporation for executing and filing articles of incorporation for the corporation.

#### ***Economic Development Finance Corporation***

[ACT 507](#) (HB1604) provides for the examination and regulation of economic development finance corporations by the State Bank Department if the nonprofit corporations registering as economic development finance corporations elect to be subject to such examination and regulation. The act declares an emergency and is effective on and after March 15, 2017.

#### ***Entrepreneur Fee Waiver Pilot Program***

[ACT 857](#) (HB1767) establishes the Entrepreneur Fee Waiver Pilot Program for entrepreneurs, which waives the state filing fees, state permit fees, and state licensing fees associated with the formation of a small business in Arkansas for certain entrepreneurs. The act also requires the Secretary of State to provide notice of the program to entrepreneurs filing for the formation of a business in this state and requires the Arkansas Development Finance Authority to submit a report of the effectiveness of the program.

#### ***Nonprofit Organization - Standing***

[ACT 822](#) (SB763) restores certain rights to a nonprofit organization, including providing standing to a nonprofit organization to institute, defend, intervene, or participate in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution in its own name or on behalf of its members.

## COMMERCIAL LAW

### BUSINESS ORGANIZATIONS

#### ***State Bank - Operations and Management***

[ACT 198](#) (SB209) clarifies the authority of an officer of a state bank and provides that the position of a chief executive officer of a state bank is similar to the position of a president of a state bank.

### BUSINESS TRANSACTIONS

#### ***Fraud - Voidable Transactions***

[ACT 1086](#) (HB2139) amends the former Arkansas Fraudulent Transfer Act, now known as the Uniform Voidable Transactions Act, to modernize and update the law concerning fraudulent transfers and voidable transactions.

#### ***Fraudulent Financing Statements***

[ACT 1114](#) (SB414) amends the Uniform Commercial Code to prevent fraudulent lien filings and unauthorized financing statement filings. The act provides remedies for fraudulent lien filings under the Uniform Commercial Code and clarifies the procedures to remove fraudulent lien filings that are filed for harassment purposes.

#### ***Recovery Fee for Heavy Equipment Property Rentals***

[ACT 394](#) (HB1384) allows a person in the business of renting heavy equipment property in this state to charge a recovery fee for the rental of an item of heavy equipment property and requires the person charging the recovery fee to use the collected recovery fees to pay ad valorem taxes levied on the business's tangible personal property located in Arkansas. The act is effective on and after January 1, 2018.

#### ***Retailers - Discount Programs***

[ACT 850](#) (HB2213) clarifies that a retailer is not prohibited from offering discounts without charge on a nondiscriminatory basis to all members of the public or on a nondiscriminatory basis to all members of a particular group of consumers. The act provides for discount programs that retailers provide to consumers and clarifies price discrimination practices and discount and rebate programs. The act is retroactive to January 1, 2012. The act declares an emergency and is effective on and after April 3, 2017.

#### ***Shareholders - Annual Financial Statements***

[ACT 553](#) (SB421) authorizes corporations under certain circumstances to provide annual financial statements to shareholders by electronic mail.

#### ***State Banks and Bank Holding Companies***

[ACT 548](#) (SB422) amends the Arkansas Banking Code of 1997 and allows for the repurchase of shares under certain conditions by certain state banks and bank holding companies. The act also allows for an increase in the vote requirement to amend the articles of incorporation of a state bank, exempts the shareholders of certain state banks from possible assessment of their shares of stock, provides for the issuance and sale of authorized preferred stock by a state bank, and authorizes the issuance of subordinated indebtedness by state banks upon approval of the Bank Commissioner. The act eliminates the requirement for certain state banks and bank holding companies to file periodic reports with the Bank Commissioner of the transfer of stock, allows certain state banks to elect to eliminate cumulative voting in the election of directors, and provides for mergers of bank holding companies into state banks. The act declares an emergency and is effective on and after March 21, 2017.

### CAUSES OF ACTION

#### ***Lost Profits in a Civil Action***

[ACT 1103](#) (HB2202) concerns the new business rule and the ability of a business to recover lost profits in litigation.

## COMMERCIAL LAW

### CONSTRUCTION

#### ***Prevailing Wage Law***

[ACT 1068](#) (SB601) repeals the Arkansas Prevailing Wage Law that required contractors for publicly funded capital construction projects to pay employees the prevailing wage in the municipality or county in which the construction was conducted. The act declares an emergency and is effective on and after April 6, 2017.

### CONTRACTS

#### ***Alternative Payment Systems***

[ACT 724](#) (SB498) amends the definition of "healthcare payor" and prohibits waiver of alternative payment systems by contract. The act also provides a mechanism to enforce alternative payment systems.

#### ***Fraudulent Transfers and Voidable Transactions***

[ACT 1086](#) (HB2139) amends the former Arkansas Fraudulent Transfer Act, now known as the Uniform Voidable Transactions Act, to modernize and update the law concerning fraudulent transfers and voidable transactions.

#### ***Manufacturer Express Warranty - Subsequent Homeowner***

[ACT 487](#) (HB1377) makes a manufacturer's express warranty against defective asphalt roof shingles available to an initial homeowner and any subsequent homeowner for the time specified in the manufacturer's express warranty.

#### ***Motor Vehicle Service Contract - Theft Protection Program Warranties***

[ACT 364](#) (SB279) amends the Motor Vehicle Service Contract Act to include theft protection program warranties and clarifies the type of service contracts that are subject to the act.

### DEBTORS AND CREDITORS

#### ***Credit Repair Services Organizations***

[ACT 944](#) (SB658) creates the Credit Repair Services Organizations Act of 2017, which clarifies that payments for interest, expenses, and charges incurred with the making of a loan are subject to the maximum rate of interest provided by statute and provides that a violation of the act is a deceptive and unconscionable trade practice. The act repeals the Credit Services Organizations Act of 1987.

#### ***Fraud - Voidable Transactions***

[ACT 1086](#) (HB2139) amends the former Arkansas Fraudulent Transfer Act, now known as the Uniform Voidable Transactions Act, to modernize and update the law concerning fraudulent transfers and voidable transactions.

### FINANCIAL INSTITUTIONS

#### ***Authority of Officers***

[ACT 198](#) (SB209) clarifies the authority of an officer of a state bank and provides that the position of a chief executive officer of a state bank is similar to the position of a president of a state bank.

#### ***Bank Commissioner - Emergency Powers***

[ACT 169](#) (HB1311) modifies the definition of "state of emergency" to include a cyberattack on or a cybersecurity breach of a bank or other depository institution under the Arkansas Banking Code of 1997. The act clarifies that the emergency powers of the Bank Commissioner are available in the event of a cyberattack on or a cybersecurity breach of a bank or other depository institution.

#### ***Change in Control***

[ACT 195](#) (SB210) provides that in certain circumstances the Bank Commissioner may waive the requirements for a change in control of a state bank or an Arkansas bank holding company.

## COMMERCIAL LAW

### FINANCIAL INSTITUTIONS

#### ***Economic Development Finance Corporations - Regulation***

[ACT 507](#) (HB1604) provides for the examination and regulation of economic development finance corporations by the State Bank Department if the nonprofit corporations registering as economic development finance corporations elect to be subject to such examination and regulation. The act declares an emergency and is effective on and after March 15, 2017.

#### ***Fair Mortgage Lending Act - Fingerprints of Licensees***

[ACT 669](#) (HB1801) amends the Fair Mortgage Lending Act by requiring submission of fingerprints as a qualification for licensure as a loan officer, mortgage banker, mortgage broker, or mortgage servicer; amending the surety bond requirements for licensure; and providing that a mortgage servicer discloses certain information at the time the mortgage servicer receives an assignment of servicing rights.

#### ***Financial Exploitation - Vulnerable Adults***

[ACT 668](#) (HB1800) provides for the protection of vulnerable adults from financial exploitation.

#### ***Money Services Act***

[ACT 620](#) (HB1799) amends the Uniform Money Services Act and clarifies the licensing, reporting, and surety bond requirements for licensees. The acts also requires an anti-money laundering program and allows the Securities Commissioner to participate in a multistate automated licensing system.

#### ***Reporting Requirements***

[ACT 548](#) (SB422) amends the Arkansas Banking Code of 1997 and allows for the repurchase of shares under certain conditions by certain state banks and bank holding companies. The act also allows for an increase in the vote requirement to amend the articles of incorporation of a state bank, exempts the shareholders of certain state banks from possible assessment of their shares of stock, provides for the issuance and sale of authorized preferred stock by a state bank, and authorizes the issuance of subordinated indebtedness by state banks upon approval of the Bank Commissioner. The act eliminates the requirement for certain state banks and bank holding companies to file periodic reports with the Bank Commissioner of the transfer of stock, allows certain state banks to elect to eliminate cumulative voting in the election of directors, and provides for mergers of bank holding companies into state banks. The act declares an emergency and is effective on and after March 21, 2017.

#### ***Technology Service Providers - Examination***

[ACT 646](#) (SB208) authorizes the Bank Commissioner to conduct examinations of technology service providers. The act declares an emergency and is effective on and after March 24, 2017.

### MORTGAGES AND LIENS

#### ***Mortgage Lending - Licensees***

[ACT 669](#) (HB1801) amends the Fair Mortgage Lending Act by requiring submission of fingerprints as a qualification for licensure as a loan officer, mortgage banker, mortgage broker, or mortgage servicer; amending the surety bond requirements for licensure; and providing that a mortgage servicer discloses certain information at the time the mortgage servicer receives an assignment of servicing rights.

#### ***Mortgage Lien Protection***

[ACT 1082](#) (HB2048) amends the law concerning casualty insurance coverage and mortgage lien protection and increases the coverage amount threshold for transactions that are not covered by mortgage lien protection.

## COMMERCIAL LAW

### PROFESSIONS AND OCCUPATIONS

#### ***Banking - Authority of Officers***

[ACT 198](#) (SB209) clarifies the authority of an officer of a state bank and provides that the position of a chief executive officer of a state bank is similar to the position of a president of a state bank.

#### ***Loan Officer - Mortgage Banker - Mortgage Broker - Mortgage Servicer***

[ACT 669](#) (HB1801) amends the Fair Mortgage Lending Act by requiring submission of fingerprints as a qualification for licensure as a loan officer, mortgage banker, mortgage broker, or mortgage servicer; amending the surety bond requirements for licensure; and providing that a mortgage servicer discloses certain information at the time the mortgage servicer receives an assignment of servicing rights.

#### ***Paid Solicitor - Charitable Contributions***

[ACT 629](#) (HB1594) revises the definition of "paid solicitor" as it relates to solicitation of contributions for charitable purposes to remove the requirement that the paid solicitor have custody or control of contributions.

#### ***Securities***

[ACT 668](#) (HB1800) amends various state securities laws and amends certain provisions concerning the registration of broker-dealers, agents, and investment advisers under the Arkansas Securities Act. The act amends the definition of "agent" under the Arkansas Securities Act and repeals the definition of "farm cooperative".

#### ***Telephonic Sellers - Registration***

[ACT 728](#) (HB2043) revises the regulations concerning telephonic sellers and moves the regulation of telephonic sellers to the Secretary of State. The act is effective on and after January 1, 2018.

### PROHIBITED ACTS

#### ***Financial Identity Fraud***

[ACT 932](#) (SB225) creates the offense of unlawful possession of a credit card or debit card skimmer and amends the offense of financial identity fraud.

### REAL ESTATE

#### ***Mortgage Lending - Fingerprints of Licensees***

[ACT 669](#) (HB1801) amends the Fair Mortgage Lending Act by requiring submission of fingerprints as a qualification for licensure as a loan officer, mortgage banker, mortgage broker, or mortgage servicer; amending the surety bond requirements for licensure; and providing that a mortgage servicer discloses certain information at the time the mortgage servicer receives an assignment of servicing rights.

#### ***Title Insurance***

[ACT 1005](#) (HB1828) provides that a cause of action does not exist for negligence by an insured against a title insurance agency or agent for lack of reasonable care in a title search. The act also clarifies that a title insurance agency or agent does not owe any duty to an insured.

#### ***Unauthorized Access to Property***

[ACT 606](#) (HB1665) creates a cause of action concerning unauthorized access to another person's property, including commercial property.

### SALE OF GOODS

#### ***Fireworks***

[ACT 1093](#) (HB2233) concerns the sale of fireworks at a permanent physical location.

## COMMERCIAL LAW

### SECURITIES

#### *Agent*

[ACT 668](#) (HB1800) amends various state securities laws and amends certain provisions concerning the registration of broker-dealers, agents, and investment advisers under the Arkansas Securities Act. The act amends the definition of "agent" under the Arkansas Securities Act and repeals the definition of "farm cooperative".

#### *Registration*

[ACT 668](#) (HB1800) amends various state securities laws and amends certain provisions concerning the registration of broker-dealers, agents, and investment advisers under the Arkansas Securities Act. The act amends the definition of "agent" under the Arkansas Securities Act and repeals the definition of "farm cooperative".

#### *Regulation and Administration*

[ACT 668](#) (HB1800) amends various state securities laws and clarifies civil liability under the Arkansas Securities Act; provides for the protection of vulnerable adults from financial exploitation; amends certain provisions concerning the registration of broker-dealers, agents, and investment advisers under the Arkansas Securities Act; amends the definition of "agent" and repeals the definition of "farm cooperative" under the Arkansas Securities Act; amends certain provisions for the filing fees, disposition of fines, and funds of the Securities Department; clarifies the powers and duties of the Securities Commissioner and the procedure for judicial review of a final order of the Securities Commissioner under the Arkansas Securities Act; amends certain provisions for exempt securities, exempt transactions, and covered securities transactions under the Arkansas Securities Act; and provides an exemption for crowdfunding.

#### *Uniform Money Services Act - Requirements*

[ACT 620](#) (HB1799) amends the Uniform Money Services Act and clarifies the licensing, reporting, and surety bond requirements for licensees. The acts also requires an anti-money laundering program and allows the Securities Commissioner to participate in a multistate automated licensing system.

### TECHNICAL CORRECTIONS - BUSINESS AND COMMERCIAL LAW - TITLE 4

[ACT 261](#) (HB1318) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 4 of the Arkansas Code.

### UNIFORM COMMERCIAL CODE

#### *Fraudulent Financing Statement Filings*

[ACT 1114](#) (SB414) amends the Uniform Commercial Code to prevent fraudulent lien filings and unauthorized financing statement filings. The act provides remedies for fraudulent lien filings under the Uniform Commercial Code and clarifies the procedures to remove fraudulent lien filings that are filed for harassment purposes.

## CONSTITUTIONAL OFFICERS

### ETHICS

#### *Electronic Filing of Certain Campaign Reports*

[ACT 318](#) (HB1427) requires candidates to file carryover fund reports and campaign contribution and expenditure reports in electronic form. The act allows a candidate to file paper reports for an election cycle if the candidate does not have access to the technology necessary to submit reports in electronic form and submitting reports in electronic form would constitute a substantial hardship for the candidate. The act also requires the Secretary of State to provide that the website utilized for the submission of electronic reports allows candidates to electronically upload campaign contribution and expenditure information. The provisions of the act concerning electronic filing of reports are effective on and after October 1, 2017.

## CONSTITUTIONAL OFFICERS

### ETHICS

#### ***Gifts from Lobbyists - Exemptions***

[ACT 312](#) (HB1401) provides that the following are not prohibited gifts from lobbyists under Arkansas Constitution, Article 19, § 30: nonalcoholic beverages provided to attendees at a meeting of a civic, social, or cultural organization or group; food and nonalcoholic beverages provided to participants in a bona fide panel, seminar, or speaking engagement at which the audience is a civic, social, or cultural organization or group; and anything of value provided by a recognized political party when serving as the host of certain events. The act also provides that a recognized political party is not a lobbyist for the purposes of Arkansas Constitution, Article 19, § 30, and exempts anything of value provided by a recognized political party when serving as the host of certain events from the statutory prohibition on the receipt of gifts by public servants. The act declares an emergency and is effective on and after March 1, 2017.

#### ***Gifts from Lobbyists - Use of Rooms and Facilities***

[ACT 207](#) (SB169) provides that the use of one (1) or more rooms or facilities owned, operated, or otherwise utilized by a state agency or political subdivision of the state for the purpose of conducting a meeting of a specific governmental body is not a prohibited gift under Arkansas Constitution, Article 19, § 30, concerning the solicitation or acceptance of gifts from lobbyists by certain governmental officials.

#### ***Loans from Lobbyists***

[ACT 1108](#) (SB7) prohibits constitutional officers from soliciting or accepting loans for lobbyists.

#### ***Restrictions on Employment***

[ACT 961](#) (HB2008) allows a constitutional officer who is credentialed or certified as a tutor, teacher, professor, or adjunct professor to be employed as a tutor, teacher, professor, or adjunct professor with a public school district, educational service cooperative, state-supported vocational education school, or state-supported college or university in this state.

### GOVERNOR

#### ***Community Services Advisory Council - Repeal***

[ACT 764](#) (HB1728) repeals the Community Services Advisory Council.

#### ***Succession in Case of Emergency***

[ACT 380](#) (HB1452) provides for amendments to the Emergency Interim Executive and Judicial Succession Act, including adding the Auditor of State and Commissioner of State Lands to the list of possible successors to the Office of Governor and repealing provisions concerning emergency interim successors for state officers.

### SECRETARY OF STATE

#### ***Book Report***

[ACT 395](#) (HB1546) amends provisions in the law concerning the book report of the Secretary of State and the procedure by which the reports are distributed to certain public officials and entities.

#### ***Charitable Organizations - Registration***

[ACT 727](#) (HB2044) modifies the requirements for registering with the Secretary of State for charitable organizations and paid solicitors before solicitation and amends the annual financial report and fiscal record requirements for charitable organizations. The act is effective on and after January 1, 2018.

## CONSTITUTIONAL OFFICERS

### SECRETARY OF STATE

#### ***Telephonic Sellers - Regulation***

[ACT 728](#) (HB2043) revises the regulations concerning telephonic sellers and moves the regulation of telephonic sellers to the Secretary of State. The act is effective on and after January 1, 2018.

### TREASURER OF STATE

#### ***Achieving a Better Life Experience***

[ACT 324](#) (HB1404) amends the administrative responsibilities of the Treasurer of State regarding the Achieving a Better Life Experience Program. The act declares an emergency and is effective on and after March 2, 2017.

#### ***Authority and Duties - 529 Plan Review Committee***

[ACT 547](#) (SB427) requires the Treasurer of State to provide office space, materials, and staff for the 529 Plan Review Committee and allows the individual members of the committee to expend funds appropriated to the members to provide certain services for the benefit of the Arkansas Tax-Deferred Tuition Savings Program. The act declares an emergency and is effective on and after March 21, 2017.

#### ***Eligible Investment Security - Bonds from State of Israel***

[ACT 644](#) (SB546) amends the definition of "eligible investment securities" to include a bond from the State of Israel that is guaranteed and backed by the full faith and credit of the government of Israel as the sovereign debt of the State of Israel. The act allows the Treasurer of State to purchase bonds from the State of Israel that qualify as eligible investment securities.

#### ***Investment and Transfer Authority - Securities Reserve Fund***

[ACT 555](#) (SB292) amends the transfer and investment authority and duties of the Treasurer of State, amends the time requirements applicable to certain transfers of state funds by the Treasurer of State, requires the State Board of Finance to establish the method of computing participants' rate of return and earnings on investments of state funds, and amends the Securities Reserve Fund. The act declares an emergency and is effective on and after July 1, 2017.

#### ***State Treasury Management Law - Record and Reporting Requirements***

[ACT 291](#) (SB263) amends the record and reporting requirements for financial transactions of the Treasurer of State. The act declares an emergency and is effective on and after June 30, 2017.

#### ***State Treasury Money Management Trust***

[ACT 296](#) (HB1464) amends provisions concerning the State Treasury Money Management Trust, including the use of the trust, fees and charges related to the trust, and distributions from the trust. The act declares an emergency and is effective on and after February 28, 2017.

### UNITED STATES SENATOR

#### ***Vacancies***

[ACT 310](#) (HB1279) provides that vacancies in the office of United States Senator shall be filled by appointment of the Governor until the next general election or the second general election after the vacancy occurs, depending on the circumstances. The act declares an emergency and is effective on and after March 1, 2017.

## CONSUMER PROTECTION

### DEBTORS AND CREDITORS

#### ***Contracts - Voidable Transactions***

[ACT 1086](#) (HB2139) amends the former Arkansas Fraudulent Transfer Act, now known as the Uniform Voidable Transactions Act, to modernize and update the law concerning fraudulent transfers and voidable transactions.

#### ***Credit Repair Services Organizations***

[ACT 944](#) (SB658) creates the Credit Repair Services Organizations Act of 2017, which clarifies that payments for interest, expenses, and charges incurred with the making of a loan are subject to the maximum rate of interest provided by statute and provides that a violation of the act is a deceptive and unconscionable trade practice. The act repeals the Credit Services Organizations Act of 1987.

### DECEPTIVE TRADE PRACTICES

#### ***Credit Repair Services Organizations***

[ACT 944](#) (SB658) creates the Credit Repair Services Organizations Act of 2017, which clarifies that payments for interest, expenses, and charges incurred with the making of a loan are subject to the maximum rate of interest provided by statute and provides that a violation of the act is a deceptive and unconscionable trade practice. The act repeals the Credit Services Organizations Act of 1987.

#### ***Improper Use of or Altering the State Seal***

[ACT 590](#) (HB1514) creates the offense of improper use of or altering the state seal.

#### ***Measure of Damages***

[ACT 986](#) (HB1742) concerns a civil action involving a deceptive trade practice and defines the measure of damages in a case involving a deceptive trade practice.

#### ***Money Services - Anti-money Laundering Program***

[ACT 620](#) (HB1799) amends the Uniform Money Services Act and clarifies the licensing, reporting, and surety bond requirements for licensees. The acts also requires an anti-money laundering program and allows the Securities Commissioner to participate in a multistate automated licensing system.

### IDENTITY THEFT

#### ***Credit Card and Debit Card Skimming***

[ACT 932](#) (SB225) creates the offense of unlawful possession of a credit card or debit card skimmer and amends the offense of financial identity fraud.

### INSURANCE

#### ***Exemption - Direct Primary Care Agreements***

[ACT 1020](#) (HB2240) exempts direct primary care agreements from insurance regulation. The act changes the name of "concierge service arrangements" to "direct primary care agreements" and exempts direct primary care agreements from the laws applicable to hospital and medical service corporations.

#### ***Fraudulent Insurance Acts - Statute of Limitations***

[ACT 695](#) (SB223) provides the statutes of limitation for fraudulent insurance acts.

#### ***Prior Authorization Transparency***

[ACT 815](#) (SB665) amends the Prior Authorization Transparency Act, limits retrospective denials of authorized services and authorized benefit inquiries, and exempts certain authorized services from audit recoupment. The act declares an emergency and is effective on and after August 1, 2017.

## CONSUMER PROTECTION

### LENDERS AND LENDING

#### ***Credit Repair Services Organizations***

[ACT 944](#) (SB658) creates the Credit Repair Services Organizations Act of 2017, which clarifies that payments for interest, expenses, and charges incurred with the making of a loan are subject to the maximum rate of interest provided by statute and provides that a violation of the act is a deceptive and unconscionable trade practice. The act repeals the Credit Services Organizations Act of 1987.

#### ***Mortgage Lending - Fingerprints of Licensees***

[ACT 669](#) (HB1801) amends the Fair Mortgage Lending Act by requiring submission of fingerprints as a qualification for licensure as a loan officer, mortgage banker, mortgage broker, or mortgage servicer; amending the surety bond requirements for licensure; and providing that a mortgage servicer discloses certain information at the time the mortgage servicer receives an assignment of servicing rights.

### MANUFACTURER EXPRESS WARRANTY

#### ***Defective Asphalt Roof Shingles***

[ACT 487](#) (HB1377) makes a manufacturer's express warranty against defective asphalt roof shingles available to an initial homeowner and any subsequent homeowner for the time specified in the manufacturer's express warranty.

### MOTOR VEHICLES

#### ***Branding of Title***

[ACT 651](#) (SB334) amends the law concerning the branding of a title, including salvage certificates of title and parts-only titles.

#### ***Motor Vehicle Service Contracts***

[ACT 364](#) (SB279) amends the Motor Vehicle Service Contract Act to include theft protection program warranties and clarifies the type of service contracts that are subject to the act.

### PRICE DISCRIMINATION

#### ***Discount Programs***

[ACT 850](#) (HB2213) clarifies that a retailer is not prohibited from offering discounts without charge on a nondiscriminatory basis to all members of the public or on a nondiscriminatory basis to all members of a particular group of consumers. The act provides for discount programs that retailers provide to consumers and clarifies price discrimination practices and discount and rebate programs. The act is retroactive to January 1, 2012. The act declares an emergency and is effective on and after April 3, 2017.

### PROFESSIONS AND OCCUPATIONS

#### ***Fingerprints - Loan Officers and Mortgage Bankers, Brokers, and Servicers***

[ACT 669](#) (HB1801) amends the Fair Mortgage Lending Act by requiring submission of fingerprints as a qualification for licensure as a loan officer, mortgage banker, mortgage broker, or mortgage servicer; amending the surety bond requirements for licensure; and providing that a mortgage servicer discloses certain information at the time the mortgage servicer receives an assignment of servicing rights.

#### ***Paid Solicitor - Contributions for Charitable Purposes***

[ACT 629](#) (HB1594) revises the definition of "paid solicitor" as it relates to solicitation of contributions for charitable purposes to remove the requirement that the paid solicitor have custody or control of contributions.

## CORRECTIONS

### CAPITAL PUNISHMENT

#### ***Entry on Death Certificate***

[ACT 417](#) (HB1158) concerns the entry on a person's death certificate under cause of death when the person was executed due to a sentence for a capital offense.

## CORRECTIONS

### DEPARTMENT OF COMMUNITY CORRECTION

#### ***Arkansas Council for the Interstate Commission for Adult Offender Supervision***

[ACT 240](#) (HB1470) allows the Director of the Department of Community Correction to designate a person to serve on the Arkansas State Council for the Interstate Commission for Adult Offender Supervision.

#### ***Carrying a Firearm by a Probation or Parole Officer***

[ACT 239](#) (HB1471) concerns the carrying of a firearm by a probation or parole officer, whether employed by the Department of Community Correction or another entity.

#### ***Criminal Detention Facility Review Committees***

[ACT 153](#) (SB24) concerns the makeup and administration of a Criminal Detention Facility Review Committee, which inspects and reviews standards of all criminal detention facilities and juvenile detention facilities in the state. The act also abolishes previous Criminal Detention Facility Review Committees and creates new committees to be filled on and after January 1, 2019.

#### ***Criminal Justice Efficiency and Safety***

[ACT 423](#) (SB136) creates the Criminal Justice Efficiency and Safety Act of 2017. The act amends the law concerning the Department of Community Correction's ability to supervise, sanction, and discipline probationers and parolees and creates new methods to collect and share inmate data between law enforcement agencies leading to implementation of best practices. The act also amends criminal sentencing procedures and includes the Behavioral Health Crisis Intervention Protocol Act of 2017, which establishes behavioral health crisis stabilization units and behavioral health protocol for communities. Sections 16-23 of the act are effective on and after October 1, 2017, and Section 15 of the act is effective on and after January 1, 2018.

#### ***Emergency Preparedness Manual***

[ACT 376](#) (HB1469) concerns the confidentiality of the Emergency Preparedness Manual of the Department of Community Correction.

### DEPARTMENT OF CORRECTION

#### ***Administration of the Department***

[ACT 305](#) (HB1429) eliminates an annual report requirement and provides that the Director of the Department of Correction may designate a person to serve as central administrator of and information agent for the Agreement on Detainers.

#### ***Criminal Detention Facility Review Committees***

[ACT 153](#) (SB24) concerns the makeup and administration of a Criminal Detention Facility Review Committee, which inspects and reviews standards of all criminal detention facilities and juvenile detention facilities in the state. The act also abolishes previous Criminal Detention Facility Review Committees and creates new committees to be filled on and after January 1, 2019.

## **CORRECTIONS**

### DEPARTMENT OF CORRECTION

#### ***Criminal Justice Efficiency and Safety***

[ACT 423](#) (SB136) creates the Criminal Justice Efficiency and Safety Act of 2017. The act amends the law concerning the Department of Community Correction's ability to supervise, sanction, and discipline probationers and parolees and creates new methods to collect and share inmate data between law enforcement agencies leading to implementation of best practices. The act also amends criminal sentencing procedures and includes the Behavioral Health Crisis Intervention Protocol Act of 2017, which establishes behavioral health crisis stabilization units and behavioral health protocol for communities. Sections 16-23 of the act are effective on and after October 1, 2017, and Section 15 of the act is effective on and after January 1, 2018.

#### ***Frivolous Lawsuits Filed by an Inmate***

[ACT 1110](#) (SB563) concerns the filing of multiple frivolous lawsuits by inmates in the Department of Correction.

#### ***State Inmates Assigned to a County or Municipal Jail***

[ACT 444](#) (SB273) provides that an inmate of the Department of Correction who has been approved to be released to a county sheriff of an approved jail facility, to a chief of police or other authorized law enforcement officer of a city-operated approved jail facility, or to a community correction center outside the Department of Correction may be used to assist a political subdivision in supporting or working with a nonprofit organization with a chapter, committee, or other governing body based in the county. The act declares an emergency and is effective on and after March 9, 2017.

### INMATES

#### ***Frivolous Lawsuits***

[ACT 1110](#) (SB563) concerns the filing of multiple frivolous lawsuits by inmates in the Department of Correction.

#### ***State Inmates Assigned to a County or Municipal Jail***

[ACT 444](#) (SB273) provides that an inmate of the Department of Correction who has been approved to be released to a county sheriff of an approved jail facility, to a chief of police or other authorized law enforcement officer of a city-operated approved jail facility, or to a community correction center outside the Department of Correction may be used to assist a political subdivision in supporting or working with a nonprofit organization with a chapter, committee, or other governing body based in the county. The act declares an emergency and is effective on and after March 9, 2017.

### LOCAL JAILS

#### ***Criminal Detention Facility Review Committees***

[ACT 153](#) (SB24) concerns the makeup and administration of a Criminal Detention Facility Review Committee, which inspects and reviews standards of all criminal detention facilities and juvenile detention facilities in the state. The act also abolishes previous Criminal Detention Facility Review Committees and creates new committees to be filled on and after January 1, 2019.

## CORRECTIONS

### LOCAL JAILS

#### ***State Inmates Assigned to a County or Municipal Jail***

[ACT 444](#) (SB273) provides that an inmate of the Department of Correction who has been approved to be released to a county sheriff of an approved jail facility, to a chief of police or other authorized law enforcement officer of a city-operated approved jail facility, or to a community correction center outside the Department of Correction may be used to assist a political subdivision in supporting or working with a nonprofit organization with a chapter, committee, or other governing body based in the county. The act declares an emergency and is effective on and after March 9, 2017.

### PROBATION AND PAROLE

#### ***Criminal Justice Efficiency and Safety***

[ACT 423](#) (SB136) creates the Criminal Justice Efficiency and Safety Act of 2017. The act amends the law concerning the Department of Community Correction's ability to supervise, sanction, and discipline probationers and parolees and creates new methods to collect and share inmate data between law enforcement agencies leading to implementation of best practices. The act also amends criminal sentencing procedures and includes the Behavioral Health Crisis Intervention Protocol Act of 2017, which establishes behavioral health crisis stabilization units and behavioral health protocol for communities. Sections 16-23 of the act are effective on and after October 1, 2017, and Section 15 of the act is effective on and after January 1, 2018.

#### ***Restricted Driving Permit***

[ACT 1012](#) (HB2203) creates a restricted driving permit available under certain circumstances to persons on parole or probation who have a suspended driver's license that enables the person to drive to and from work, school, or other specific obligations as permitted by the person's parole or probation officer.

### PROBATION AND PAROLE OFFICERS

#### ***Carrying a Firearm***

[ACT 239](#) (HB1471) concerns the carrying of a firearm by a probation or parole officer, whether employed by the Department of Community Correction or another entity.

#### ***Prohibited Acts***

[ACT 418](#) (HB1453) prohibits a sexual act between a probation officer employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government, and the person whom the probation officer is supervising.

#### ***Restricted Driving Permit - Authorization***

[ACT 1012](#) (HB2203) creates a restricted driving permit available under certain circumstances to persons on parole or probation who have a suspended driver's license that enables the person to drive to and from work, school, or other specific obligations as permitted by the person's parole or probation officer.

## COURTS

### CIRCUIT COURTS

#### ***Juror Reimbursement***

[ACT 276](#) (HB1260) provides that if funds are available, the state shall reimburse a county for the cost of prospective juror orientation for eligible jurors up to a certain amount.

#### ***Jury Commissioners***

[ACT 600](#) (HB1764) removes obsolete references in the Arkansas Code to jury commissioners.

## COURTS

### CIRCUIT COURTS

#### ***Partition - Appraisal Hearing***

[ACT 1106](#) (HB2156) provides that a court may waive the required appraisal hearing if none of the defendants or cotenants enter a court appearance or file an objection to the appraisal.

### COURT COSTS, RESTITUTION, FINES, AND FEES

#### ***Priority of Collection***

[ACT 885](#) (HB1659) concerns the priority of collection of court costs, restitution, fines, and fees assessed by a circuit court if the offender is paying his or her obligations under an installment plan.

### DISTRICT COURTS

#### ***Clerks - Employment***

[ACT 323](#) (HB1354) provides that a district court clerk employed by a city or a county is governed by the employee policies of the city or county, and if there are multiple employing cities or counties, the district court clerk employment is governed by written agreement of the cities or counties.

#### ***Generally***

[ACT 723](#) (SB431) clarifies statutes organizing the state's district courts, repeals obsolete language, and makes technical corrections concerning district courts.

#### ***Salaries of District Court Judges and Court Personnel***

[ACT 657](#) (HB1852) amends the salaries of certain district court judges and other court personnel who are not part of the state district court system. The act also repeals obsolete statutes concerning salaries of district court judges and court personnel.

#### ***Third Judicial District***

[ACT 172](#) (HB1201) creates a state district court for the Third Judicial District in Green Forest. The act declares an emergency and is effective on and after February 15, 2017.

### GENERALLY

#### ***Application of Foreign Law***

[ACT 980](#) (HB1041) concerns the application of foreign law in the courts, tribunal boards, administrative agencies, or other adjudicative or enforcement authorities of this state regarding a cause of action, contract, or other right conferred under the laws of this state whether subject to litigation, arbitration, agency, or any similarly binding proceeding in this state.

### JUDGES

#### ***Judicial Immunity***

[ACT 430](#) (HB1007) creates a cause of action against judges and justices who have been convicted of certain offenses and creates an exception to judicial immunity.

#### ***Salaries of District Court Judges***

[ACT 657](#) (HB1852) amends the salaries of certain district court judges and other court personnel who are not part of the state district court system. The act also repeals obsolete statutes concerning salaries of district court judges and court personnel.

### JUDICIAL DISTRICTS

#### ***District Courts - Generally***

[ACT 723](#) (SB431) clarifies statutes organizing the state's district courts, repeals obsolete language, and makes technical corrections concerning district courts.

#### ***Mental Health Specialty Courts***

[ACT 506](#) (HB1663) creates the Mental Health Specialty Court Act of 2017, which provides a framework and requirements for a judicial district to establish and administer a mental health specialty court.

## COURTS

### JURIES

#### ***Jury Commissioners***

[ACT 600](#) (HB1764) removes obsolete references in the Arkansas Code to jury commissioners.

### JUVENILE COURTS

#### ***Commission for Parent Counsel***

[ACT 861](#) (SB132) creates the Commission for Parent Counsel, which appoints legal counsel to parents of a minor in a juvenile court dependency-neglect proceeding.

### PERSONNEL

#### ***Administrative Office of the Courts***

[ACT 698](#) (SB584) concerns the qualifications of the Director of the Administrative Office of the Courts. The act declares an emergency and is effective on and after March 27, 2017.

#### ***Salaries of District Court Personnel***

[ACT 657](#) (HB1852) amends the salaries of certain district court judges and other court personnel who are not part of the state district court system. The act also repeals obsolete statutes concerning salaries of district court judges and court personnel.

#### ***Sexual Acts by Probation Officer Prohibited***

[ACT 418](#) (HB1453) prohibits a sexual act between a probation officer employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government, and the person whom the probation officer is supervising.

### PROSECUTING ATTORNEYS

#### ***Fifteenth Judicial District***

[ACT 328](#) (HB1528) provides that the Fifteenth Judicial District is a Division B Judicial District. The act declares an emergency and is effective on and after July 1, 2017.

#### ***First Judicial District***

[ACT 749](#) (HB1777) concerns the funding of expenses and employees of the Phillips County prosecuting attorney in the First Judicial District.

#### ***Local Cybercrime Fee***

[ACT 1109](#) (SB586) creates a local cybercrime fee required to be paid by a person convicted of using a computer or the internet in the commission of certain felonies involving sex or violence. The act provides that the fee shall be deposited into a local fund administered by the prosecuting attorney.

#### ***Possession of a Handgun***

[ACT 1087](#) (HB2020) concerns the carrying of a concealed handgun in a courthouse by a prosecuting attorney or deputy prosecuting attorney.

#### ***Thirteenth Judicial District***

[ACT 814](#) (SB547) provides that the Thirteenth Judicial District is a Division B Judicial District. The act is effective on and after July 1, 2017.

### RECORDS

#### ***Sealing a Criminal Record***

[ACT 662](#) (HB1542) concerns the sealing of a person's criminal record when the person is a first-time felony offender.

#### ***Victims of a Sex Offense***

[ACT 571](#) (HB1686) encourages the Administrative Office of the Courts to design a method to track and accumulate data on the familial or residential status of a victim of a sex offense in relation to the offender in a manner that protects against directly or indirectly revealing the identity of the victim.

## COURTS

### SPECIALTY COURTS

#### *Mental Health Specialty Courts*

[ACT 506](#) (HB1663) creates the Mental Health Specialty Court Act of 2017, which provides a framework and requirements for a judicial district to establish and administer a mental health specialty court.

#### *Specialty Court Program Advisory Committee*

[ACT 326](#) (HB1414) provides that the three district court judges who preside over a specialty court program shall be members of the Specialty Court Program Advisory Committee.

### TECHNICAL CORRECTIONS - PRACTICE, PROCEDURE, AND COURTS - TITLE 16

#### *Citation Error*

[ACT 1029](#) (HB1886) corrects a citation error in Acts 2017, No. 539. The act declares an emergency and is effective on and after April 6, 2017.

#### *Technical Corrections*

[ACT 253](#) (HB1422) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 16 of the Arkansas Code.

## CRIMINAL LAW AND PROCEDURE

### CONTROLLED SUBSTANCES

#### *Access to Public Assistance*

[ACT 566](#) (HB1251) authorizes the state to opt out of the federal requirements prohibiting public assistance based on drug convictions under Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193.

#### *Possession of Drug Paraphernalia*

[ACT 888](#) (HB1763) decreases the penalties for possession of certain types of drug paraphernalia used to store, contain, or conceal a controlled substance.

#### *Scheduling - Marijuana-derived Substances - Department of Health*

[ACT 440](#) (HB1402) concerns the scheduling of a marijuana-derived Schedule VI controlled substance by the Department of Health in the event that the United States Food and Drug Administration has rescheduled or descheduled a marijuana-derived substance under federal law.

### COURT COSTS, RESTITUTION, FINES, AND FEES

#### *Priority of Collection*

[ACT 885](#) (HB1659) concerns the priority of collection of court costs, restitution, fines, and fees assessed by a circuit court if the offender is paying his or her obligations under an installment plan.

### DEFENSES AND JUSTIFICATION

#### *Mental Examination of a Defendant*

[ACT 472](#) (SB42) amends the procedures concerning the mental examination of a defendant when the defendant raises a defense of lack of criminal responsibility or the defendant's fitness to proceed is called into question.

### EVIDENCE AND WITNESSES

#### *Automated School Bus Safety Camera - Photographs or Video Recordings*

[ACT 398](#) (HB1144) provides that an investigating law enforcement agency may request and use a photograph or video recorded by an automated school bus safety camera as evidence in a criminal or civil proceeding for the violation of certain offenses.

## CRIMINAL LAW AND PROCEDURE

### EVIDENCE AND WITNESSES

#### ***Driving or Boating While Intoxicated***

[ACT 1031](#) (HB2248) requires a warrant based on probable cause to test a person's blood to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood for the purposes of an investigation of driving or boating while intoxicated or underage driving or boating under the influence.

#### ***Long-term Care Ombudsman Reporting Exemption***

[ACT 1034](#) (HB1613) exempts a long-term care ombudsman from the mandatory reporting requirements for adult maltreatment and long-term care facility resident maltreatment.

#### ***Uniform Unsworn Foreign Declarations Act***

[ACT 889](#) (HB1884) adopts the Uniform Unsworn Foreign Declarations Act.

### EXPUNGEMENT

#### ***Licensing Boards of Medical Professions - Access and Use***

[ACT 139](#) (HB1202) amends the Comprehensive Criminal Record Sealing Act of 2013 to allow a state agency or board engaged in the licensing of medical professionals to have access to and use of sealed records of criminal convictions.

### JURISDICTION

#### ***Military Order of Protection***

[ACT 515](#) (HB1059) criminalizes a violation of a military order of protection and allows the enforcement of a military order of protection as if it were issued in this state.

#### ***United States Postal Service Inspectors and Special Agents***

[ACT 946](#) (SB554) provides that a full-time United States Postal Service inspector or special agent is empowered to make an arrest in this state.

### JUVENILES

#### ***Personal Information - Disclosure Under the Freedom of Information Act***

[ACT 891](#) (HB2111) concerns the disclosure under the Freedom of Information Act of 1967 of the personal information contained in an investigative file of a law enforcement agency of a person who was a minor at the time of the offense.

#### ***Sentencing for Minors***

[ACT 539](#) (SB294) establishes that a sentence of life without the possibility of parole is not available as a sentence for a minor who commits a capital offense. The act also addresses parole eligibility for a minor who is convicted of a capital offense or murder in the first degree and provides for a mental health evaluation for a minor convicted of murder. The act applies retroactively. The act declares an emergency and is effective on and after March 20, 2017.

### OFFENSES AGAINST PROPERTY

#### ***Arson***

[ACT 630](#) (HB1577) increases the statute of limitations for the offense of arson and amends the offense of arson to include starting a fire or causing an explosion with the purpose of destroying or otherwise damaging an area of real property being used for the commercial growth of timber or other agricultural product in certain circumstances.

#### ***Criminal Trespass***

[ACT 877](#) (HB1554) concerns private real property rights and protects natural resources, agricultural resources, and historical artifacts against theft by a person committing criminal trespass upon private land. The act increases criminal penalties available to a person committing criminal trespass under certain circumstances and also provides for seizure of any conveyance used in the commission of certain types of criminal trespass.

## CRIMINAL LAW AND PROCEDURE

### OFFENSES AGAINST PROPERTY

#### ***Financial Identity Fraud***

[ACT 932](#) (SB225) creates the offense of unlawful possession of a credit card or debit card skimmer and amends the offense of financial identity fraud.

#### ***Leaving the Scene of a Motor Vehicle Accident***

[ACT 615](#) (SB363) provides criminal penalties for a person who leaves the scene of a motor vehicle accident that involves damage to the personal property of another person. The act also requires the driver of a motor vehicle that causes damage to the personal property of another person to leave his or her contact information if the owner of the personal property is not present.

### OFFENSES AGAINST PUBLIC HEALTH, SAFETY, OR WELFARE

#### ***Aggravated Cruelty to Certain Animals***

[ACT 389](#) (SB280) amends the animal cruelty statutes to include an equine as an animal against which a certain criminal offenses may be committed.

#### ***Driving or Boating While Intoxicated - Ignition Interlock Device***

[ACT 1094](#) (HB1268) concerns the installation of an ignition interlock device on the motor vehicle of a person who commits driving or boating while intoxicated, first offense, and the requirements to be granted a waiver of this requirement by the court.

#### ***Driving or Boating While Intoxicated - Public Service Sentencing Option***

[ACT 1032](#) (HB1668) removes the sentencing option of public service in lieu of imprisonment for a person convicted of a fourth or subsequent offense of driving or boating while intoxicated.

#### ***Driving or Boating While Intoxicated - Warrant Required for Blood Test***

[ACT 1031](#) (HB2248) requires a warrant based on probable cause to test a person's blood to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood for the purposes of an investigation of driving or boating while intoxicated or underage driving or boating under the influence.

#### ***Driving While Intoxicated - Interstate Fresh Pursuit***

[ACT 400](#) (HB1198) provides that the Uniform Act on Interstate Fresh Pursuit includes pursuit of a person who has committed or who a law enforcement officer reasonably believes has committed the offense of driving while intoxicated. The act also provides that an out-of-state law enforcement officer may pursue and place into a custody a person who he or she reasonably believes has committed the offense of driving while intoxicated.

#### ***Harassing Communications***

[ACT 130](#) (HB1176) amends the offense of harassing communications to include communications by email, through a message delivered by an electronic device, or through electronic communication.

#### ***Healthcare Fraud, Medicaid Fraud, and Medicaid Fraud False Claims***

[ACT 978](#) (SB564) clarifies the scope of healthcare fraud, modifies the sentencing scheme of healthcare fraud to be consistent with other Arkansas theft and fraud laws, updates the Medicaid Fraud Act and the Medicaid Fraud False Claims Act, conforms the Medicaid Fraud Act to the Medicaid Fraud False Claims Act, and conforms the Medicaid Fraud False Claims Act to the federal False Claims Act.

#### ***Obstruction or Interference with Emergency Medical Personnel or First Responder***

[ACT 952](#) (HB1578) amends the offense of obstruction or interference with emergency medical personnel or a first responder and provides a cause of action against a person who engages in a riot or obstructs or interferes with emergency medical personnel or a first responder.

## CRIMINAL LAW AND PROCEDURE

### OFFENSES AGAINST PUBLIC HEALTH, SAFETY, OR WELFARE

#### ***Possession of an Open Container of Alcohol in a Motor Vehicle***

[ACT 849](#) (HB1922) creates the offense of possession of an open container of alcohol in a motor vehicle.

#### ***Possession of Drug Paraphernalia***

[ACT 888](#) (HB1763) decreases the penalties for possession of certain types of drug paraphernalia used to store, contain, or conceal a controlled substance.

#### ***Prostitution and Sexual Solicitation***

[ACT 765](#) (HB1417) concerns the deterrence and education of persons regarding prostitution, sexual solicitation, and human trafficking offenses, including motor vehicle impoundment, increased penalties for sexual solicitation, human trafficking professional development by school districts, and the creation of the Human Trafficking Victim Support Fund.

#### ***Scheduling a Controlled Substance***

[ACT 440](#) (HB1402) concerns the scheduling of a marijuana-derived Schedule VI controlled substance by the Department of Health in the event that the United States Food and Drug Administration has rescheduled or descheduled a marijuana-derived substance under federal law.

#### ***Unlawful Possession, Purchase, Sale, or Transfer of Blue Lights***

[ACT 439](#) (HB1385) is known as Shannon's Law and concerns the unlawful possession, purchase, sale, or transfer of a blue light or blue lens cap.

### OFFENSES AGAINST THE ADMINISTRATION OF GOVERNMENT

#### ***Abuse of Public Office and Public Trust***

[ACT 431](#) (HB1006) amends criminal offenses concerning abuse of public office and abuse of public trust.

#### ***Criminal Impersonation in the Second Degree - Military Member***

[ACT 74](#) (HB1064) amends the offense of criminal impersonation in the second degree to include the impersonation of a member of the United States Armed Forces or National Guard.

#### ***Fleeing***

[ACT 887](#) (HB1885) amends the criminal classification for the offense of fleeing.

#### ***Improper Use of or Altering the State Seal***

[ACT 590](#) (HB1514) creates the offense of improper use of or altering the state seal.

#### ***Loitering***

[ACT 847](#) (HB1756) amends the offense of loitering and concerns loitering on both public and private property.

### OFFENSES AGAINST THE PERSON

#### ***Aggravated Assault upon a Law Enforcement Officer***

[ACT 367](#) (SB20) amends the offense of aggravated assault upon a law enforcement officer by providing for an increased penalty for knowingly discharging a firearm at a law enforcement officer.

#### ***Domestic Battering in the First Degree***

[ACT 301](#) (HB1174) modifies the offense of domestic battering in the first degree to make the offense consistent with the offense of battery in the first degree.

#### ***Local Cybercrime Fee***

[ACT 1109](#) (SB586) creates a local cybercrime fee required to be paid by a person convicted of using a computer or the internet in the commission of certain felonies involving sex or violence. The act provides that the fee shall be deposited into a local fund administered by the prosecuting attorney.

## CRIMINAL LAW AND PROCEDURE

### OFFENSES AGAINST THE PERSON

#### ***Offenses Against a First Responder, Law Enforcement Officer, or Family Members***

[ACT 332](#) (HB1172) creates a sentence enhancement for certain criminal offenses targeting a current or former law enforcement officer, first responder, or a family member of a first responder or law enforcement officer. The act declares an emergency and is effective on and after March 3, 2017.

#### ***Railroad or Public Transit Employee - Sentence Enhancement***

[ACT 955](#) (HB2116) creates a sentence enhancement for an offense committed against a person solely because the victim is a railroad or public transit employee.

#### ***Sexual Acts by Probation Officer Prohibited***

[ACT 418](#) (HB1453) prohibits a sexual act between a probation officer employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government, and the person whom the probation officer is supervising.

#### ***Sexual Assault in the Third Degree***

[ACT 660](#) (HB1658) amends the offense of sexual assault in third degree by including the commission of the offense by a person who is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviant sexual activity.

#### ***Sexual Extortion***

[ACT 664](#) (HB1808) creates the offense of sexual extortion, provides that a conviction of sexual extortion requires the offender to register as a sex offender, and states that sexual extortion is a disqualifying offense for certain types of licensure and employment.

#### ***Stolen Valor***

[ACT 907](#) (HB1466) makes it a criminal offense for a person to knowingly misrepresent himself or herself as member or veteran of the United States Armed Forces with the purpose of obtaining property, a service, or a benefit.

### OFFENSES INVOLVING FAMILIES AND DEPENDENTS

#### ***Data Concerning a Victim of a Sex Offense***

[ACT 571](#) (HB1686) encourages the Administrative Office of the Courts to design a method to track and accumulate data on the familial or residential status of a victim of a sex offense in relation to the offender in a manner that protects against directly or indirectly revealing the identity of the victim.

#### ***Internet Stalking of a Child***

[ACT 371](#) (HB1013) amends the offense of internet stalking of a child and provides a more serious penalty for a person who arranges to meet and meets with a child who is fifteen (15) years of age or younger, or an individual who the person believes to be fifteen (15) years of age or younger.

#### ***Offenses Committed Against or in the Presence of a Child***

[ACT 714](#) (SB702) increases the additional fine assessed to a person if a criminal offense or moving traffic violation is committed in the presence of a child. The act also creates the Arkansas Children's Advocacy Center Fund.

### PROCEDURAL RULES

#### ***Mental Examination of a Defendant***

[ACT 472](#) (SB42) amends the procedures concerning the mental examination of a defendant when the defendant raises a defense of lack of criminal responsibility or the defendant's fitness to proceed is called into question.

## CRIMINAL LAW AND PROCEDURE

### PROCEDURAL RULES

#### *Sealing a Criminal Record*

[ACT 662](#) (HB1542) concerns the sealing of a person's criminal record when the person is a first-time felony offender.

### PROSECUTING ATTORNEYS

#### *First Judicial District*

[ACT 749](#) (HB1777) concerns the funding of expenses and employees of the Phillips County prosecuting attorney in the First Judicial District.

#### *Possession of a Handgun*

[ACT 1087](#) (HB2020) concerns the carrying of a concealed handgun in a courthouse by a prosecuting attorney or deputy prosecuting attorney.

#### *Thirteenth Judicial District*

[ACT 814](#) (SB547) provides that the Thirteenth Judicial District is a Division B Judicial District. The act is effective on and after July 1, 2017.

### RESTITUTION, FORFEITURE, AND DISPOSITION OF PROPERTY

#### *Criminal Trespass*

[ACT 877](#) (HB1554) concerns private real property rights and protects natural resources, agricultural resources, and historical artifacts against theft by a person committing criminal trespass upon private land. The act increases criminal penalties available to a person committing criminal trespass under certain circumstances and also provides for seizure of any conveyance used in the commission of certain types of criminal trespass.

#### *Motor Vehicle Impoundment for Use in Certain Sex Offenses*

[ACT 765](#) (HB1417) concerns the deterrence and education of persons regarding prostitution, sexual solicitation, and human trafficking offenses, including motor vehicle impoundment, increased penalties for sexual solicitation, human trafficking professional development by school districts, and the creation of the Human Trafficking Victim Support Fund.

#### *Priority of Collection of Court Costs, Restitution, Fines, and Fees*

[ACT 885](#) (HB1659) concerns the priority of collection of court costs, restitution, fines, and fees assessed by a circuit court if the offender is paying his or her obligations under an installment plan.

### SEALING CRIMINAL RECORDS

#### *First-time Felony Offenders*

[ACT 662](#) (HB1542) concerns the sealing of a person's criminal record when the person is a first-time felony offender.

### SEARCH AND SEIZURE

#### *Driving or Boating While Intoxicated*

[ACT 1031](#) (HB2248) requires a warrant based on probable cause to test a person's blood to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood for the purposes of an investigation of driving or boating while intoxicated or underage driving or boating under the influence.

### SENTENCING AND PENALTIES

#### *Aggravated Assault upon a Law Enforcement Officer*

[ACT 367](#) (SB20) amends the offense of aggravated assault upon a law enforcement officer by providing for an increased penalty for knowingly discharging a firearm at a law enforcement officer.

## CRIMINAL LAW AND PROCEDURE

### SENTENCING AND PENALTIES

#### ***Capital Punishment - Entry on Death Certificate***

[ACT 417](#) (HB1158) concerns the entry on a person's death certificate under cause of death when the person was executed due to a sentence for a capital offense.

#### ***Driving or Boating While Intoxicated***

[ACT 1032](#) (HB1668) removes the sentencing option of public service in lieu of imprisonment for a person convicted of a fourth or subsequent offense of driving or boating while intoxicated.

#### ***Internet Stalking of a Child***

[ACT 371](#) (HB1013) amends the offense of internet stalking of a child and provides a more serious penalty for a person who arranges to meet and meets with a child who is fifteen (15) years of age or younger, or an individual who the person believes to be fifteen (15) years of age or younger.

#### ***Local Cybercrime Fee***

[ACT 1109](#) (SB586) creates a local cybercrime fee required to be paid by a person convicted of using a computer or the internet in the commission of certain felonies involving sex or violence. The act provides that the fee shall be deposited into a local fund administered by the prosecuting attorney.

#### ***Offenses against a First Responder, Law Enforcement Officer, or Family Members***

[ACT 332](#) (HB1172) creates a sentence enhancement for certain criminal offenses targeting a current or former law enforcement officer, first responder, or a family member of a first responder or law enforcement officer. The act declares an emergency and is effective on and after March 3, 2017.

#### ***Offenses Committed Against or in the Presence of a Child***

[ACT 714](#) (SB702) increases the additional fine assessed to a person if a criminal offense or moving traffic violation is committed in the presence of a child. The act also creates the Arkansas Children's Advocacy Center Fund.

#### ***Possession of Drug Paraphernalia***

[ACT 888](#) (HB1763) decreases the penalties for possession of certain types of drug paraphernalia used to store, contain, or conceal a controlled substance.

#### ***Sentencing for Minors Act of 2017***

[ACT 539](#) (SB294) establishes that a sentence of life without the possibility of parole is not available as a sentence for a minor who commits a capital offense. The act also addresses parole eligibility for a minor who is convicted of a capital offense or murder in the first degree and provides for a mental health evaluation for a minor convicted of murder. The act applies retroactively. The act declares an emergency and is effective on and after March 20, 2017.

### SEX OFFENDERS

#### ***Death of a Registered Sex Offender***

[ACT 382](#) (HB1541) provides that the Arkansas Crime Information Center may remove the name of a person required to register as a sex offender from the sex offender registry if the center is shown adequate proof that the sex offender has died.

#### ***Entry on Private School Campus***

[ACT 909](#) (HB1687) concerns the requirements a registered Level 3 or Level 4 sex offender must satisfy to enter upon the campus of a private school.

## CRIMINAL LAW AND PROCEDURE

### SEX OFFENDERS

#### ***Entry on to Public School Campus***

[ACT 267](#) (SB32) amends the requirements that a person assessed as a Level 3 sex offender must satisfy in order to enter onto a public school campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold.

#### ***Lifetime Registration***

[ACT 538](#) (HB1175) provides that a sex offender is subject to lifetime registration on the sex offender registry if the sex offender is convicted of rape by forcible compulsion or a substantially similar offense in another jurisdiction.

#### ***Sex Offender Registration***

[ACT 916](#) (HB1540) concerns certain registration requirements for and submission of social media account information by sex offenders required to register and maintain registration on the sex offender registry.

#### ***Sexual Extortion***

[ACT 664](#) (HB1808) creates the offense of sexual extortion, provides that a conviction of sexual extortion requires the offender to register as a sex offender, and states that sexual extortion is a disqualifying offense for certain types of licensure and employment.

### STATUTE OF LIMITATIONS

#### ***Fraudulent Insurance Acts***

[ACT 695](#) (SB223) provides the statutes of limitation for fraudulent insurance acts.

### TECHNICAL CORRECTIONS - CRIMINAL OFFENSES - TITLE 5

[ACT 333](#) (HB1320) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 5 of the Arkansas Code.

### VICTIMS

#### ***Crime Victims Reparations Board***

[ACT 918](#) (HB1843) concerns payment administration to a healthcare provider by the Crime Victims Reparations Board.

#### ***Data Concerning a Victim of a Sex Offense***

[ACT 571](#) (HB1686) encourages the Administrative Office of the Courts to design a method to track and accumulate data on the familial or residential status of a victim of a sex offense in relation to the offender in a manner that protects against directly or indirectly revealing the identity of the victim.

#### ***Medical-legal Examinations***

[ACT 920](#) (HB2080) increases the time period during which a victim is not required to pay for expenses incurred as a result of receiving a medical-legal examination after a sexual assault.

#### ***Victim Notification***

[ACT 429](#) (HB1045) requires the VINE victim-notification system to notify victims of a person's release or a modification of a conditional release or discharge from the custody of the State Hospital, regional hospitals, local or regional mental health facilities, or local jail where a person is being held after being found by a court in a criminal case to have a mental disease or defect.

#### ***Victims of Sex Offenses***

[ACT 765](#) (HB1417) concerns the deterrence and education of persons regarding prostitution, sexual solicitation, and human trafficking offenses, including motor vehicle impoundment, increased penalties for sexual solicitation, human trafficking professional development by school districts, and the creation of the Human Trafficking Victim Support Fund.

## ECONOMIC DEVELOPMENT

### BUSINESS AND INDUSTRY DEVELOPMENT

#### ***Arkansas Business and Technology Accelerator Grant Program***

[ACT 165](#) (SB250) creates the Arkansas Business and Technology Accelerator Grant Program to encourage Arkansas businesses to sponsor business and technology programs to mentor start-up companies. The act is effective on and after October 1, 2017.

#### ***Arkansas Capital Development Company and Development Finance Corporation***

[ACT 426](#) (SB366) repeals the Arkansas Development Finance Corporation Act and the Arkansas Capital Development Company Act.

#### ***Arkansas Small Business Innovation Research Matching Grant Program***

[ACT 166](#) (SB249) creates the Arkansas Small Business Innovation Research Matching Grant Program to encourage Arkansas businesses to apply for federal Small Business Innovation Research grants. The act is effective on and after October 1, 2017.

#### ***Economic Development Finance Corporation - Regulation***

[ACT 507](#) (HB1604) provides for the examination and regulation of economic development finance corporations by the State Bank Department if the nonprofit corporations registering as economic development finance corporations elect to be subject to such examination and regulation. The act declares an emergency and is effective on and after March 15, 2017.

#### ***Economic Development Tax - Implementation of Amendment 97***

[ACT 686](#) (SB538) implements Arkansas Constitution, Amendment 97, with respect to public corporations for economic development and allows economic development tax funds to be used to fund economic development projects and pay for economic development services under Arkansas Constitution, Amendments 62 and 97. The act declares an emergency and is effective on and after March 27, 2017.

#### ***Entrepreneur Fee Waiver Pilot Program***

[ACT 857](#) (HB1767) establishes the Entrepreneur Fee Waiver Pilot Program for entrepreneurs, which waives the state filing fees, state permit fees, and state licensing fees associated with the formation of a small business in Arkansas for certain entrepreneurs. The act also requires the Secretary of State to provide notice of the program to entrepreneurs filing for the formation of a business in this state and requires the Arkansas Development Finance Authority to submit a report of the effectiveness of the program.

#### ***Entrepreneur Under Eighteen (18) Years of Age***

[ACT 992](#) (HB1941) creates the Colin Keady Young Entrepreneur Mentor Program, which provides that an entrepreneur under eighteen (18) years of age is required to have a person who is at least twenty-one (21) years of age or older to serve on his or her behalf as an incorporator of a corporation for executing and filing articles of incorporation for the corporation.

#### ***Local Government Bond Act - Economic Development Projects***

[ACT 533](#) (HB1732) amends the Local Government Bond Act of 1985 to implement Arkansas Constitution, Amendment 97, concerning the financing of economic development projects.

**ECONOMIC DEVELOPMENT****BUSINESS AND INDUSTRY DEVELOPMENT*****Minority, Women-owned, and Service-disabled Veteran-owned Business Enterprises***

[ACT 1080](#) (HB2218) amends the Minority Business Economic Development Act to include women-owned businesses and creates separate contracting goals for the total amount of state-funded contracts for goods and services awarded to women-owned business enterprises, service-disabled veteran-owned minority business enterprises, and all other minority business enterprises. The act also changes the membership of the Minority and Women-owned Business Advisory Council and changes the requirements for the report submitted by the council. The act changes the requirements for state agencies' minority and women-owned business purchasing plans, increases the maximum amount for small procurements if the contract is with a certified minority or women-owned business enterprise, and repeals duplicative contracting goals for service-disabled veteran-owned businesses.

***Nonprofit Incentive Act of 2005 - Repeal***

[ACT 208](#) (SB160) repeals the Nonprofit Incentive Act of 2005.

***Retention Tax Credit - Repair & Partial Replacement of Manufacturing Machinery***

[ACT 465](#) (SB362) sunsets the retention tax credit and the tax refund for major maintenance and improvement projects, clarifies the existing procedure for claiming a refund of tax paid on purchases related to the repair and partial replacement of manufacturing machinery and equipment, and provides an alternative procedure for making such claims. The act also phases in a sales and use tax exemption for purchases related to the repair and partial replacement of manufacturing machinery and equipment and repeals the Economic Investment Tax Credit Act. The act declares an emergency and is effective on and after March 13, 2017.

**DEVELOPMENT FINANCE AUTHORITY (ADFA)*****Entrepreneur Fee Waiver Pilot Program***

[ACT 857](#) (HB1767) establishes the Entrepreneur Fee Waiver Pilot Program for entrepreneurs, which waives the state filing fees, state permit fees, and state licensing fees associated with the formation of a small business in Arkansas for certain entrepreneurs. The act also requires the Secretary of State to provide notice of the program to entrepreneurs filing for the formation of a business in this state and requires the Arkansas Development Finance Authority to submit a report of the effectiveness of the program.

**MINORITY BUSINESSES*****State Contracting Goals***

[ACT 1080](#) (HB2218) amends the Minority Business Economic Development Act to include women-owned businesses and creates separate contracting goals for the total amount of state-funded contracts for goods and services awarded to women-owned business enterprises, service-disabled veteran-owned minority business enterprises, and all other minority business enterprises. The act also changes the membership of the Minority and Women-owned Business Advisory Council and changes the requirements for the report submitted by the council. The act changes the requirements for state agencies' minority and women-owned business purchasing plans, increases the maximum amount for small procurements if the contract is with a certified minority or women-owned business enterprise, and repeals duplicative contracting goals for service-disabled veteran-owned businesses.

## ECONOMIC DEVELOPMENT

### RURAL DEVELOPMENT

#### *Natural Gas Infrastructure Expansion*

[ACT 280](#) (SB265) promotes economic development and natural gas infrastructure expansion through extension projects of gas utilities. The act requires consideration of the economic benefit to the gas utility and its existing ratepayers and the public interest before a certificate of extension project is granted by the Arkansas Public Service Commission.

### SCIENCE AND TECHNOLOGY

#### *Arkansas Acceleration Fund Act - Arkansas Research Alliance Duties*

[ACT 167](#) (SB248) eliminates the duties of the Arkansas Research Alliance under the Arkansas Acceleration Fund Act and provides for the Board of Directors of the Division of Science and Technology of the Arkansas Economic Development Commission to assume most of the alliance's eliminated duties.

### TECHNICAL CORRECTIONS - NATURAL RESOURCES AND ECONOMIC

#### DEVELOPMENT - TITLE 15

[ACT 374](#) (HB1484) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 15 of the Arkansas Code.

## EDUCATION - GENERAL

### ADMINISTRATION - GENERALLY

#### *Accountability System*

[ACT 930](#) (SB647) repeals the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act and establishes the Arkansas Educational Support and Accountability Act, which implements the new federal education law.

#### *Administrator Evaluations*

[ACT 295](#) (HB1424) requires the Department of Education to design a system of administrator leadership support and evaluations.

#### *Immunity*

[ACT 1040](#) (SB621) provides that a superintendent and personnel of the Department of Education are immune from civil liability for the enforcement of a policy that is in compliance with state or federal law.

#### *Obsolete Laws*

[ACT 929](#) (SB562) repeals obsolete laws concerning public education.

#### *Public School Choice Act of 2015*

[ACT 1066](#) (SB372) amends various provisions of the Public School Choice Act of 2015. The act provides that a transfer is voided if the transferred student enrolls in a private or home school, repeals the provision that the State Board of Education may resolve transportation disputes, and establishes a timeline for the nonresident district to notify the resident district of a transfer application. The act requires a school district that claims an exemption from participation in the Public School Choice Act of 2015 because the school district is under an active desegregation court order or desegregation plan to provide certain documentation. The act requires the Department of Education to maintain a list on its website of the school districts that are not required to participate. The act also repeals language requiring the department to collect data to determine if a racially segregative impact has occurred to any school district as a result of participation. The act declares an emergency and is effective on and after April 6, 2017.

#### *School Leadership Coordinating Council*

[ACT 344](#) (HB1019) amends the membership of the School Leadership Coordinating Council.

**EDUCATION - GENERAL****ADMINISTRATION - GENERALLY*****School Rating System***

[ACT 744](#) (HB1608) requires that the school rating system consider multiple measures, including academic achievement and student growth on the annual statewide student assessment, graduation rates, and English learner progress or growth. The act requires the school rating system to consider at least one (1) additional indicator chosen by the Department of Education from a list of indicators set out in the act.

***Schools of Innovation***

[ACT 871](#) (HB2052) requires schools of innovation to demonstrate implementation of professional learning communities.

***Various***

[ACT 936](#) (SB596) amends various references in the law to be consistent with the enactment of the new accountability system, the Arkansas Educational Support and Accountability Act, and the new federal education law.

**BOARD OF EDUCATION*****Agriculture School***

[ACT 742](#) (HB1902) repeals the K-12 Agriculture School Pilot Program, provides that the State Board of Education may designate a charter school as a School for Agricultural Studies, and allows a School for Agricultural Studies to petition the State Board of Education for the creation of a new school district by detachment.

***Meeting Dates - Professional Development Credit***

[ACT 745](#) (HB1646) allows a school district to contract with an outside entity to provide direct-service Medicaid billing services, includes open-enrollment public charter schools in the definition of "public school" as it relates to tornado safety drills, revises the time for which the State Board of Education shall determine the state board's meeting dates for the following year, adds an additional method for a teacher to receive training for teaching an advanced placement course that is given weighted credit, allows a person who holds a license issued by the State Board of Education to obtain professional development credit through micro-credentialing, and establishes the unsafe school choice program. The act also repeals various obsolete provisions in the Arkansas Code concerning education, makes technical corrections, and updates references to the federal education law.

***Teacher Licensure***

[ACT 294](#) (HB1425) authorizes the State Board of Education to establish a tiered system of teacher licensure and allows teacher compensation to be based on licensure levels.

**CHARTER SCHOOLS*****Admission of Expelled Students***

[ACT 990](#) (HB1672) provides that an open-enrollment public charter may allow for the exclusion from admission of a student who has been expelled from another public school district in the same manner as a public school district may allow for the student's exclusion.

***Agriculture School***

[ACT 742](#) (HB1902) repeals the K-12 Agriculture School Pilot Program, provides that the State Board of Education may designate a charter school as a School for Agricultural Studies, and allows a School for Agricultural Studies to petition the State Board of Education for the creation of a new school district by detachment.

***Charter Authorizing Panel***

[ACT 462](#) (SB304) allows the Commissioner of Education to appoint individuals from outside the Department of Education to the public charter authorizing panel.

**EDUCATION - GENERAL**  
**CHARTER SCHOOLS**

***Enrollment in Individual Courses***

[ACT 173](#) (HB1208) provides that a public school district or an open-enrollment public charter school may adopt a policy to allow a student who attends a private school or home school to enroll in an academic course at a public school or an open-enrollment public charter school.

***Facilities***

[ACT 542](#) (SB308) provides that a public charter school has a right of first refusal to purchase or lease an unused or underutilized public school facility.

***Operation and Funding***

[ACT 933](#) (SB416) amends various provisions of the law concerning the operation and funding of charter schools. The act removes references to limited public charter schools, clarifies the procedure for returning state funds when a charter has been revoked, revises requirements for charter applications and enrollment preferences, adds information to the authorizer's annual status report, and clarifies how charter schools are funded during the first year operating under a new license and the first year adding a new campus.

**CURRICULUM**

***African-American History***

[ACT 561](#) (SB519) provides that the Commissioner of Education shall update the course materials for the teaching of African-American history to emphasize the work of American civil rights leaders, including Dr. Martin Luther King Jr. The act requires this information to be taught in conjunction with corresponding state and federal holidays.

***Arkansas History***

[ACT 561](#) (SB519) provides that the Department of Education shall develop materials or units related to Arkansas and the American Civil War with an emphasis on the civilian and military leadership during this period.

***Personal and Family Finance Standards***

[ACT 480](#) (HB1442) requires the Department of Education to develop personal and family finance standards and requires a public high school student earn a credit in a course that includes the standards in grade ten (10), grade eleven (11), or grade twelve (12) in order to graduate from high school. The act applies beginning with the entering ninth grade class of the 2017-2018 school year.

**EDUCATION DEPARTMENT**

***Accountability***

[ACT 869](#) (HB1648) modifies the manner in which the Department of Education shall conduct a Standards of Accreditation of Arkansas Public Schools and School District review, the method of publishing annual school performance reports, and provisions related to school incentive funding.

***Annual Discipline Report***

[ACT 1015](#) (HB1859) modifies the contents of the Department of Education's annual school discipline report and requires the report to be published on the website of the department.

***Charter Authorizing Panel***

[ACT 462](#) (SB304) allows the Commissioner of Education to appoint individuals from outside the Department of Education to the public charter authorizing panel.

## EDUCATION - GENERAL

### EDUCATION DEPARTMENT

#### ***Course Materials - African-American History***

[ACT 561](#) (SB519) provides that the Commissioner of Education shall update the course materials for the teaching of African-American history to emphasize the work of American civil rights leaders, including Dr. Martin Luther King Jr. The act requires this information to be taught in conjunction with corresponding state and federal holidays.

#### ***Course Materials - Arkansas History***

[ACT 561](#) (SB519) provides that the Department of Education shall develop materials or units related to Arkansas and the American Civil War with an emphasis on the civilian and military leadership during this period.

#### ***Electronic Signatures***

[ACT 873](#) (HB1407) provides that a school or school district may submit required signatures electronically with reports or data required to be submitted to the Department of Education and the Department of Career Education.

#### ***Personal and Family Finance Standards***

[ACT 480](#) (HB1442) requires the Department of Education to develop personal and family finance standards and requires a public high school student earn a credit in a course that includes the standards in grade ten (10), grade eleven (11), or grade twelve (12) in order to graduate from high school. The act applies beginning with the entering ninth grade class of the 2017-2018 school year.

#### ***Posting Child Abuse Hotline Telephone Number***

[ACT 379](#) (HB1435) requires the Department of Education to ensure that every public school and open-enrollment public charter school posts a sign that contains the toll-free telephone number for the Child Abuse Hotline in a public area of the school as well as in each student restroom.

#### ***Professional Development Funding***

[ACT 427](#) (HB1154) provides that additional funding appropriated for professional development above the statutory per student amount shall be used to develop and administer professional learning communities for public school districts.

#### ***Professional Licensure Standards Board***

[ACT 564](#) (HB1591) revises the composition of the Professional Licensure Standards Board and amends the duties of the board. The act authorizes the board to establish a code of ethics for teachers working under a waiver from licensure and raises the maximum fine that may be levied by the board. The act requires the Department of Education to include those who have received a waiver from licensure on the website used by school hiring officials to determine if a licensed person has been sanctioned for an ethics complaint involving sexual abuse of a student.

#### ***Recess***

[ACT 1062](#) (SB549) creates a one-year pilot program conducted by the Department of Education to expand the amount of recess provided to students in grades kindergarten through grade six (K-6). The act provides that the department shall seek to identify two (2) schools within the service area of each education service cooperative and two (2) schools not served by an education service cooperative to participate in the pilot program.

## EDUCATION - GENERAL

### EDUCATION DEPARTMENT

#### ***School Rating System***

[ACT 744](#) (HB1608) requires that the school rating system consider multiple measures, including academic achievement and student growth on the annual statewide student assessment, graduation rates, and English learner progress or growth. The act requires the school rating system to consider at least one (1) additional indicator chosen by the Department of Education from a list of indicators set out in the act.

#### ***Teacher Health Insurance***

[ACT 298](#) (HB1307) requires the Department of Education to transfer funds to the Employee Benefits Division of the Department of Finance and Administration for teacher health insurance. The act declares an emergency and is effective on and after July 1, 2017.

### FACILITIES

#### ***Advisory Committee on Public School Academic Facilities***

[ACT 801](#) (HB1929) modifies the membership of the Advisory Committee on Public School Academic Facilities and clarifies that the members of the committee shall be appointed by the Commission for Public School Academic Facilities and Transportation. The act also requires the committee to conduct a comprehensive review of academic facilities programs by July 31, 2018. The act declares an emergency and is effective on and after April 1, 2017.

#### ***Charter School - Right of First Refusal***

[ACT 542](#) (SB308) provides that a public charter school has a right of first refusal to purchase or lease an unused or underutilized public school facility.

#### ***Review Conferences***

[ACT 864](#) (HB1925) modifies the timeline for requesting and conducting a review conference between a public school district and the Division of Public School Academic Facilities and Transportation and modifies the content of the review conference.

#### ***Various***

[ACT 935](#) (SB646) amends various provisions in the law concerning public school academic facilities. The act revises the advertising requirements of a bond sale, repeals requirements relating to the time for the payment of semiannual interest payments for second-lien bonds, adds a definition of "building" in the Arkansas Public School Academic Facilities Funding Act, makes various technical corrections, and requires academic facilities master plans to be updated when new facilities are constructed.

### FUNDING

#### ***Bonded Debt Assistance***

[ACT 931](#) (SB645) provides that savings from refunding school district bonds may be used for any school or school district purpose.

#### ***Enhanced Transportation Funding***

[ACT 445](#) (SB303) provides enhanced transportation funding for the 2016-2017 school year to public school districts with high transportation costs. The act declares an emergency and is effective on and after March 9, 2017.

#### ***Funding Amounts***

[ACT 743](#) (HB1729) modifies the funding amount for the 2017-2018 school year and the 2018-2019 school year concerning per-student foundation funding and state categorical funding. The act provides enhanced transportation funding for school districts that have high transportation costs. The act declares an emergency and is effective on and after March 29, 2017.

## EDUCATION - GENERAL

### FUNDING

#### ***Funding and Indebtedness***

[ACT 741](#) (HB1689) provides methods that an education service cooperative may use to provide necessary facilities; clarifies the definition of "local contribution rate" as it relates to public school employees' health insurance programs; requires a school district to notify the Department of Education upon incurring indebtedness; changes the date for the final close in the general ledger database of a school district, open-enrollment public charter school, or education service cooperative; changes the number of monthly payments for distribution of foundation funding aid; and amends the student growth funding calculation.

#### ***Professional Development***

[ACT 427](#) (HB1154) provides that additional funding appropriated for professional development above the statutory per student amount shall be used to develop and administer professional learning communities for public school districts.

#### ***Special Needs Isolated Funding***

[ACT 129](#) (SB23) revises the density ratio to receive certain special needs isolated funding.

The act declares an emergency and is effective on and after February 6, 2017.

### GIFTED AND TALENTED CHILDREN

#### ***Arkansas School for Mathematics, Sciences, and the Arts***

[ACT 718](#) (SB531) provides that the Arkansas School for Mathematics, Sciences, and the Arts is a residential high school, the board of visitors must meet quarterly, and students from other countries may be selected to attend the school. The act repeals obsolete language concerning the transition of the school to becoming a campus of the University of Arkansas.

### HOME SCHOOLS

#### ***Enrollment in Individual Courses***

[ACT 173](#) (HB1208) provides that a public school district or an open-enrollment public charter school may adopt a policy to allow a student who attends a private school or home school to enroll in an academic course at a public school or an open-enrollment public charter school.

#### ***Notice of Intent to Home School***

[ACT 635](#) (HB1574) revises the contents of the notice of intent to home school that the parent or legal guardian of a student must provide to the superintendent of the local school district and the manner in which the notice may be given. The act provides that the information contained in the notice is exempt from disclosure under the Freedom of Information Act of 1967.

#### ***Participation in Interscholastic Activities at a Public School***

[ACT 592](#) (HB1474) provides that a home-schooled student approved to participate at a public school in an interscholastic activity that is an athletic activity may participate in the athletic activity one (1) calendar year after being approved. The act provides that if the interscholastic activity is not an athletic activity, the home-schooled student may participate immediately after being approved. The act also requires a public school to provide a reasonable alternative to a home-schooled student for any prerequisite for participation in an interscholastic activity if the home-schooled student is unable to meet the prerequisite because of enrollment in a home school.

### PRIVATE SCHOOLS

#### ***Entry upon Campus by a Registered Sex Offender***

[ACT 909](#) (HB1687) concerns the requirements a registered Level 3 or Level 4 sex offender must satisfy to enter upon the campus of a private school.

## EDUCATION - GENERAL

### PRIVATE SCHOOLS

#### *Home-schooled Students' Participation in Interscholastic Activities*

[ACT 453](#) (HB1481) provides that private schools may approve a home-schooled student to participate in interscholastic activities at the private school.

#### *Succeed Scholarship Program - Enrollment Waiver*

[ACT 637](#) (HB1056) allows the superintendent of a student's resident school district to waive the requirement that a student be enrolled in a public school for one (1) academic year in order to be eligible for a Succeed Scholarship.

#### *Succeed Scholarship Program - Private Schools*

[ACT 327](#) (HB1461) provides that a private school is eligible to participate in the Succeed Scholarship Program if the private school is an associate member of or has applied for accreditation by an accrediting association recognized by the State Board of Education. The act declares an emergency and is effective on and after March 2, 2017.

### SCHOOL DISTRICTS - GENERALLY

#### *Accountability*

[ACT 869](#) (HB1648) modifies the manner in which the Department of Education shall conduct a Standards of Accreditation of Arkansas Public Schools and School District review, the method of publishing annual school performance reports, and provisions related to school incentive funding.

#### *Administration*

[ACT 745](#) (HB1646) allows a school district to contract with an outside entity to provide direct-service Medicaid billing services, includes open-enrollment public charter schools in the definition of "public school" as it relates to tornado safety drills, revises the time for which the State Board of Education shall determine the state board's meeting dates for the following year, adds an additional method for a teacher to receive training for teaching an advanced placement course that is given weighted credit, allows a person who holds a license issued by the State Board of Education to obtain professional development credit through micro-credentialing, and establishes the unsafe school choice program. The act also repeals various obsolete provisions in the Arkansas Code concerning education, makes technical corrections, and updates references to the federal education law.

#### *Agriculture School*

[ACT 742](#) (HB1902) repeals the K-12 Agriculture School Pilot Program, provides that the State Board of Education may designate a charter school as a School for Agricultural Studies, and allows a School for Agricultural Studies to petition the State Board of Education for the creation of a new school district by detachment.

#### *Alternative Method of Instruction*

[ACT 862](#) (HB1457) provides that the Commissioner of Education may grant up to ten (10) student attendance days for public school districts that use an alternative instruction plan approved by the commissioner on days when the public school district is closed due to emergency circumstances.

#### *Automated School Bus Safety Camera*

[ACT 398](#) (HB1144) allows a public school district or an open enrollment public charter school to install and operate an automated school bus safety camera on a school bus.

#### *Awarding Credit Based on Subject Matter Competency*

[ACT 872](#) (HB1459) allows a public school district to submit a plan to the Department of Education for approval to award credit based on a demonstration of subject matter competency.

## EDUCATION - GENERAL

### SCHOOL DISTRICTS - GENERALLY

#### ***Board of Directors***

[ACT 589](#) (HB1523) provides that a member of a board of directors of a public school district may be suspended or removed from office if the member does not receive the required training.

#### ***Classified Employees***

[ACT 938](#) (SB570) repeals the requirement that a public school or school district provide a thirty-minute uninterrupted duty-free lunch period for full-time nonexempt classified employees.

#### ***Declaratory Relief Concerning a Tax***

[ACT 1030](#) (HB1821) requires that notice of an action for declaratory relief related to a tax be given to a government entity or school district whose direct revenue could be affected by the outcome of the action. The act declares an emergency and is effective on and after April 6, 2017.

#### ***Delay or Early Release of School***

[ACT 747](#) (HB1905) revises the reasons to delay the start time of a school day or release a school early to include a contagious disease outbreak and a utility outage.

#### ***Discipline***

[ACT 1059](#) (SB609) prohibits a public school district from using out-of-school suspension or expulsion for a kindergarten through grade five (K-5) student unless the student's behavior poses a physical risk to the student or others or causes a serious disruption that cannot be addressed through other means.

#### ***Display of National Motto, United States Flag, and Arkansas Flag***

[ACT 911](#) (HB1980) requires superintendents of public schools and administrative officials of state agencies, if funds are available, to display the national motto of the United States, a representation of the United States flag, and a representation of the Arkansas state flag in each public school library and classroom and each public building or facility.

#### ***Elections***

[ACT 586](#) (HB1632) provides for the county clerk to verify information in a petition for candidacy or a notice of intent to be a write-in candidate for a position on the board of directors of a public school district.

#### ***Electronic Signatures***

[ACT 873](#) (HB1407) provides that a school or school district may submit required signatures electronically with reports or data required to be submitted to the Department of Education and the Department of Career Education.

#### ***Enrollment in Individual Courses***

[ACT 173](#) (HB1208) provides that a public school district or an open-enrollment public charter school may adopt a policy to allow a student who attends a private school or home school to enroll in an academic course at a public school or an open-enrollment public charter school.

#### ***Entities Permitted to Represent a Public School District in Certain Matters***

[ACT 558](#) (SB369) concerns the practice of law by a nonprofit corporation, voluntary association, or instrumentality of the government recognized under 26 U.S.C. § 115.

#### ***Entry of a Registered Sex Offender on a Public School Campus***

[ACT 267](#) (SB32) amends the requirements that a person assessed as a Level 3 sex offender must satisfy in order to enter onto a public school campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold.

## EDUCATION - GENERAL

### SCHOOL DISTRICTS - GENERALLY

#### ***Exemption from Freedom of Information Act***

[ACT 541](#) (SB12) provides that emergency or security plan records and records related to security officers of a public school, public school district, or state-supported institution of higher education are exempt from disclosure under the Freedom of Information Act of 1967.

#### ***Facilities***

[ACT 542](#) (SB308) provides that a public charter school has a right of first refusal to purchase or lease an unused or underutilized public school facility.

#### ***Fund Balances***

[ACT 1105](#) (HB1575) provides that a school district that has a net legal balance that exceeds twenty percent (20%) of the public school district's current year net legal balance revenues shall reduce its net legal balance over a period of five (5) years to no more than twenty percent (20%) of the net legal balance revenues.

#### ***Home-schooled Students - Enrollment***

[ACT 863](#) (HB1740) modifies the requirements for a home-schooled student to enroll or re-enroll in a public school.

#### ***Home-schooled Students - Interscholastic Activities***

[ACT 592](#) (HB1474) provides that a home-schooled student approved to participate at a public school in an interscholastic activity that is an athletic activity may participate in the athletic activity one (1) calendar year after being approved. The act provides that if the interscholastic activity is not an athletic activity, the home-schooled student may participate immediately after being approved. The act also requires a public school to provide a reasonable alternative to a home-schooled student for any prerequisite for participation in an interscholastic activity if the home-schooled student is unable to meet the prerequisite because of enrollment in a home school.

#### ***Inter-district Transfers***

[ACT 1065](#) (SB371) provides that a student may remain in his or her current school if the student's parent relocates within the state due to a military mobilization, deployment, or available military housing. The act provides that a student transfer by agreement between school districts constitutes an independent agreement between the school districts and is not subject to other student transfer laws. The act repeals prohibitions on granting a legal transfer for desegregation-related provisions other than if the resident or receiving school district is under a desegregation-related court order and granting the transfer would violate the court order.

#### ***Member of School District Board of Directors - Ethics***

[ACT 449](#) (HB1589) includes a member of a school district board of directors within certain definitions for purposes of ethics laws.

#### ***Notice of Intent to Home School***

[ACT 635](#) (HB1574) revises the contents of the notice of intent to home school that the parent or legal guardian of a student must provide to the superintendent of the local school district and the manner in which the notice may be given. The act provides that the information contained in the notice is exempt from disclosure under the Freedom of Information Act of 1967.

#### ***Patriotic Societies***

[ACT 1069](#) (SB662) provides that a public school shall allow a patriotic society to speak with students during school hours and use a school building or any property to provide services to students at times other than instructional time during the school day.

**EDUCATION - GENERAL****SCHOOL DISTRICTS - GENERALLY*****Procurement***

[ACT 1124](#) (SB329) raises the purchase price threshold for the requirement of school districts to solicit bids to procure a commodity. The act provides that the Commissioner of Education shall annually adjust the purchase price threshold by the percentage change in the Consumer Price Index for All Urban Consumers.

***Professional Development Concerning Human Trafficking***

[ACT 765](#) (HB1417) concerns the deterrence and education of persons regarding prostitution, sexual solicitation, and human trafficking offenses, including motor vehicle impoundment, increased penalties for sexual solicitation, human trafficking professional development by school districts, and the creation of the Human Trafficking Victim Support Fund.

***Purchase of Motor Vehicles***

[ACT 442](#) (HB1533) allows a school district to purchase a new motor vehicle from a licensed motor vehicle dealer if the purchase price of the motor vehicle does not exceed the fleet price awarded by the Office of State Procurement.

***School Bus Passenger Restraint Systems***

[ACT 375](#) (HB1002) requires that a school district equip a school bus with a passenger restraint system for each student transported if a petition signed by at least ten percent (10%) of a school district's qualified electors is submitted requesting passenger restraint systems and voted on during the annual school elections. The act requires the school district to pay for the passenger restraint systems through the levy of an additional annual ad valorem property tax or with any funds available to the school district.

***School Choice for Foster Children***

[ACT 988](#) (HB1855) provides that a public school or school district shall allow a foster child to transfer to the public school or school district if the Department of Human Services determines that the transfer is in the best interest of the child.

***School District Coordinators***

[ACT 196](#) (SB281) repeals obsolete language concerning school district coordinators.

***Succeed Scholarship Program***

[ACT 637](#) (HB1056) allows the superintendent of a student's resident school district to waive the requirement that a student be enrolled in a public school for one (1) academic year in order to be eligible for a Succeed Scholarship.

***Tuition for Concurrent Enrollment Courses***

[ACT 1118](#) (SB673) provides that a national school lunch student shall not be required to pay the costs of certain endorsed concurrent enrollment courses up to a maximum of six (6) hours. The act requires the costs to be paid by the public school district, by the institution of higher education offering the course, or through a cost-sharing agreement between the public school district and the institution of higher education. The act also provides that any costs paid by an institution of higher education shall not be considered an institutional scholarship.

***Voluntary Universal ACT Assessment Program***

[ACT 601](#) (HB1640) requires a public school district to allow a student to choose to take the ACT under the Voluntary Universal ACT Assessment Program in grade ten (10) or grade eleven (11).

**EDUCATION - GENERAL**

SCHOOL DISTRICTS - GENERALLY

***Volunteers***

[ACT 428](#) (HB1266) provides that a member or the spouse of a member of the board of directors of a public school district may serve as a volunteer or a registered volunteer in the public school district if approved by the board of directors. The act declares an emergency and is effective on and after March 9, 2017.

***Workforce Development Center Authorities***

[ACT 509](#) (SB288) provides that school districts, cities, counties, or vocational-technical schools may act as sponsors to enter into an agreement to create a workforce development center authority. The act allows a sponsor to pledge funds to support the authority, including using its taxing power to dedicate tax revenue to the authority.

SPECIAL EDUCATION

***Building Better Futures***

[ACT 432](#) (HB1308) makes technical corrections to the Building Better Futures Program and Building Better Futures High School Program to align the programs and make the programs consistent. The act provides that a program may be established by an institution of higher education as a comprehensive transition and postsecondary program recognized by the United States Department of Education.

***Dyslexia***

[ACT 1039](#) (SB708) requires the level II dyslexia screening to be consistent with the Arkansas Dyslexia Resource Guide, requires a public school district to report on its website or in writing information concerning the public school district's dyslexia intervention programs, and provides that failure to comply with the dyslexia screening and intervention requirements is a violation of the Standards for Accreditation of Arkansas Public Schools and School Districts.

***Instruction Permit or Driver's License - Eligibility***

[ACT 806](#) (HB2172) amends the law concerning the eligibility of a person under eighteen (18) years of age to apply for an instruction permit or driver's license by waiving the "C" average requirement for students with a "504 Plan."

***Succeed Scholarship Program - Enrollment Waiver***

[ACT 637](#) (HB1056) allows the superintendent of a student's resident school district to waive the requirement that a student be enrolled in a public school for one (1) academic year in order to be eligible for a Succeed Scholarship.

***Succeed Scholarship Program - Private Schools***

[ACT 327](#) (HB1461) provides that a private school is eligible to participate in the Succeed Scholarship Program if the private school is an associate member of or has applied for accreditation by an accrediting association recognized by the State Board of Education. The act declares an emergency and is effective on and after March 2, 2017.

***Various***

[ACT 874](#) (SB518) revises various provisions of the Arkansas Code, including technical corrections, language clarification, alignment of language with federal law, and repeal of obsolete language.

STUDENT ACHIEVEMENT

***College and Career Readiness***

[ACT 128](#) (SB135) removes obsolete references to "Arkansas Works" in the College and Career Coaches Program.

**EDUCATION - GENERAL****STUDENT ACHIEVEMENT*****English Learners***

[ACT 991](#) (HB1607) provides that the assessment scores of an English learner shall not be counted in the accountability ratings of a public school or public school district if the English learner has been enrolled in a public school or private school in the United States for less than twelve (12) months and provides that the assessment scores shall be counted only for growth purposes if the English learner has been enrolled in a public school or private school in the United States for at least twelve (12) months but not more than twenty-four (24) months.

***Reading Level Reports***

[ACT 940](#) (SB494) requires a public school district to report a student's independent reading level twice annually to the parent and each teacher of the student if the student is in grades kindergarten through eight (K-8).

***Voluntary Universal ACT Assessment Program***

[ACT 601](#) (HB1640) requires a public school district to allow a student to choose to take the ACT under the Voluntary Universal ACT Assessment Program in grade ten (10) or grade eleven (11).

**STUDENTS - GENERALLY*****Attendance***

[ACT 867](#) (HB1627) repeals the requirement that students in grades nine through twelve (9-12) attend a full school day for teachers to record attendance as physical presence and repeals the requirement for students enrolled in a private school or home school to be physically present to take a digital learning course taught through a public school or open-enrollment public charter school.

***Awarding Credit Based on Subject Matter Competency***

[ACT 872](#) (HB1459) allows a public school district to submit a plan to the Department of Education for approval to award credit based on a demonstration of subject matter competency.

***Home-schooled Students - Interscholastic Activities***

[ACT 592](#) (HB1474) provides that a home-schooled student approved to participate at a public school in an interscholastic activity that is an athletic activity may participate in the athletic activity one (1) calendar year after being approved. The act provides that if the interscholastic activity is not an athletic activity, the home-schooled student may participate immediately after being approved. The act also requires a public school to provide a reasonable alternative to a home-schooled student for any prerequisite for participation in an interscholastic activity if the home-schooled student is unable to meet the prerequisite because of enrollment in a home school.

***Inter-district Transfers***

[ACT 1065](#) (SB371) provides that a student may remain in his or her current school if the student's parent relocates within the state due to a military mobilization, deployment, or available military housing. The act provides that a student transfer by agreement between school districts constitutes an independent agreement between the school districts and is not subject to other student transfer laws. The act repeals prohibitions on granting a legal transfer for desegregation-related provisions other than if the resident or receiving school district is under a desegregation-related court order and granting the transfer would violate the court order.

**EDUCATION - GENERAL****STUDENTS - GENERALLY*****Medical Marijuana and Effect on Public Schools***

[ACT 1099](#) (HB1935) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to clarify that the amendment does not require a public school to permit a qualifying patient who is a student to be present on school grounds, to attend a school event, or to participate in extracurricular activities in violation of the student discipline policies if the behavior of the qualifying patient is impaired. The act declares an emergency and is effective on and after April 7, 2017.

***Military Basic Training***

[ACT 1064](#) (SB443) provides that a student may receive two (2) units of career focus graduation requirements for completing military basic training before graduating from high school.

***Personal and Family Finance Standards***

[ACT 480](#) (HB1442) requires the Department of Education to develop personal and family finance standards and requires a public high school student earn a credit in a course that includes the standards in grade ten (10), grade eleven (11), or grade twelve (12) in order to graduate from high school. The act applies beginning with the entering ninth grade class of the 2017-2018 school year.

***Succeed Scholarship Program***

[ACT 894](#) (HB1567) provides that up to twenty (20) foster children who live in group homes are eligible to receive a Succeed Scholarship for tuition at a private school. The act declares an emergency and is effective on and after April 5, 2017.

***Sudden Cardiac Arrest Prevention***

[ACT 1013](#) (HB1509) creates the Sudden Cardiac Arrest Prevention Act to amend school district procedures concerning student physical activity to include recognition and management of sudden cardiac arrest. The act also sets penalties for athletics coaches who fail to meet the requirements regarding training on recognition and management of certain conditions including sudden cardiac arrest. The act also requires the Department of Education to establish guidelines for sudden cardiac arrest education.

***Tuition for Concurrent Enrollment Courses***

[ACT 1118](#) (SB673) provides that a national school lunch student shall not be required to pay the costs of certain endorsed concurrent enrollment courses up to a maximum of six (6) hours. The act requires the costs to be paid by the public school district, by the institution of higher education offering the course, or through a cost-sharing agreement between the public school district and the institution of higher education. The act also provides that any costs paid by an institution of higher education shall not be considered an institutional scholarship.

***United States Citizenship Civics Test***

[ACT 478](#) (HB1539) requires a student to take a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services and correctly answer a certain number of questions in order to receive a high school diploma or a high school equivalency diploma. The act applies beginning in the 2018-2019 school year.

**TASK FORCES*****Legislative Task Force on Workforce Education Excellence***

[ACT 951](#) (SB441) creates the Legislative Task Force on Workforce Education Excellence to review and research ways to improve and align career and technical education programs and workforce development programs.

## EDUCATION - GENERAL

### TASK FORCES

#### ***Quality Digital Learning Provider Task Force***

[ACT 939](#) (SB506) repeals as obsolete the pilot program requiring school districts and charter schools to provide at least one (1) digital learning course. The act creates the Quality Digital Learning Provider Task Force to study digital learning and provide recommendations on the delivery of digital learning. The act declares an emergency and is effective on and after April 5, 2017.

### TEACHERS - GENERALLY

#### ***Background Checks***

[ACT 746](#) (HB1579) modifies the requirements for background checks for licensed personnel and classified employees of public school districts.

#### ***Constitutional Officers and Restriction on Employment***

[ACT 961](#) (HB2008) allows a constitutional officer who is credentialed or certified as a tutor, teacher, professor, or adjunct professor to be employed as a tutor, teacher, professor, or adjunct professor with a public school district, educational service cooperative, state-supported vocational education school, or state-supported college or university in this state.

#### ***Income Tax Deduction - Qualified Classroom Investment Expenses***

[ACT 666](#) (HB1014) creates an income tax deduction for teachers who expend money on qualified classroom investment expenses. The act is effective for tax years beginning on and after January 1, 2017.

#### ***Language of Instruction***

[ACT 989](#) (HB1611) allows an educator to provide instruction to a student in the student's native language to facilitate the student's ability to become proficient and learn in English. The act repeals the criminal penalty for instructing students in a language other than English.

#### ***Licensure Assessments***

[ACT 416](#) (SB328) provides that a person applying for a first-time elementary education (K-6) license or a special education (K-12) license must take and pass a stand-alone reading assessment concerning the science of reading.

#### ***Lifetime Teaching License***

[ACT 588](#) (HB1552) allows an educator who is retired under the voluntary retirement, early voluntary retirement, or disability retirement provisions of the Arkansas Teacher Retirement System to be eligible for a lifetime teaching license. The act repeals the requirement that a holder of a lifetime teaching license who has not taught for one (1) or more years to obtain twenty (20) hours of professional development before teaching again.

#### ***Maximum Number of Students***

[ACT 1113](#) (SB691) provides the maximum number of students a teacher may teach without receiving additional compensation and adds teachers in grades five (5) and six (6) to the teachers who may volunteer to teach for additional compensation more than the maximum number of students allowed per day. The act declares an emergency and is effective on and after April 7, 2017.

#### ***Minimum Teacher Compensation***

[ACT 246](#) (HB1155) increases the amounts in the minimum teacher compensation schedule over a period of two (2) years.

#### ***National Board for Professional Teaching Standards Certification***

[ACT 937](#) (SB555) modifies the structure for awarding bonuses to teachers for National Board for Professional Teaching Standards certification.

**EDUCATION - GENERAL****TEACHERS - GENERALLY*****Professional Licensure Standards Board***

[ACT 564](#) (HB1591) revises the composition of the Professional Licensure Standards Board and amends the duties of the board. The act authorizes the board to establish a code of ethics for teachers working under a waiver from licensure and raises the maximum fine that may be levied by the board. The act requires the Department of Education to include those who have received a waiver from licensure on the website used by school hiring officials to determine if a licensed person has been sanctioned for an ethics complaint involving sexual abuse of a student.

***Retirement - Correction of Service Credit Errors***

[ACT 241](#) (HB1290) provides that the Arkansas Teacher Retirement System or its designee may correct an obvious error by an employer or the system that understates the service credit of a member upon which all required contributions have been paid. The act declares an emergency and is effective on and after February 21, 2017.

***Scholarships for Teachers in High-need Subject Areas***

[ACT 934](#) (SB26) creates a program that awards five thousand dollar (\$5,000) scholarships for juniors and seniors in college who agree to teach at a public school for at least five (5) consecutive years in a high-needs subject area. The act provides that if a scholarship recipient does not keep the agreement, the scholarships convert into a loan.

***Scientific Reading Instruction***

[ACT 1063](#) (SB502) imposes requirements on educators concerning scientific reading instruction and requires public school districts and open-enrollment public charter schools to provide professional development in scientific reading instruction.

***Teacher Candidate Loan Forgiveness Program***

[ACT 709](#) (SB27) creates the Teacher Candidate Loan Forgiveness Program, which provides a loan to a junior or senior in college who is majoring in a degree program that will lead to the individual becoming eligible for licensure as a teacher in a high-needs subject area. The act provides that the individual must agree to teach for five (5) consecutive years in a school or school district identified as a critical teacher shortage area. The act allows the loan to be forgiven on a pro rata basis for each year the individual teaches in the critical teacher shortage area.

***Teacher Excellence and Support System***

[ACT 295](#) (HB1424) revises the Teacher Excellence and Support System (TESS), requires schools and school districts to report data collected under TESS for public school accountability purposes, and allows a school or school district to opt out of TESS and use a locally adopted evaluation system with approval of the State Board of Education.

***Teacher Health Insurance***

[ACT 298](#) (HB1307) requires the Department of Education to transfer funds to the Employee Benefits Division of the Department of Finance and Administration for teacher health insurance. The act declares an emergency and is effective on and after July 1, 2017.

***Teacher Licensure***

[ACT 294](#) (HB1425) authorizes the State Board of Education to establish a tiered system of teacher licensure and allows teacher compensation to be based on licensure levels.

***Teacher Opportunity Program***

[ACT 160](#) (HB1303) provides that the priority for the awarding of funds under the Teacher Opportunity Program is for reimbursements to teachers obtaining additional education in STEM fields, computer science, literacy, prekindergarten education, or special education.

## EDUCATION - GENERAL

### TECHNICAL CORRECTIONS - EDUCATION - TITLE 6

[ACT 275](#) (HB1415) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 6 of the Arkansas Code.

### VOCATIONAL AND TECHNICAL SCHOOLS

#### *Certified Nurse Assistants Training*

[ACT 755](#) (HB2174) addresses duplicative training of certified nurse assistants in long-term care facilities by providing an exemption for licensure as a private career school offering resident or correspondence programs for these types of training programs.

## EDUCATION - HIGHER

### CAREER AND TECHNICAL EDUCATION

#### *Technical Skills Assessments*

[ACT 554](#) (SB423) requires the Department of Career Education to recognize third-party, industry-recognized assessments to evaluate a student's knowledge and technical skills necessary to enter into postsecondary education or a career. The act also requires the department to provide a current list of approved assessments.

### COLLEGE PREPARATORY PROGRAMS

#### *Building Better Futures*

[ACT 432](#) (HB1308) makes technical corrections to the Building Better Futures Program and Building Better Futures High School Program to align the programs and make the programs consistent. The act provides that a program may be established by an institution of higher education as a comprehensive transition and postsecondary program recognized by the United States Department of Education.

#### *Technical Skills Assessments*

[ACT 554](#) (SB423) requires the Department of Career Education to recognize third-party, industry-recognized assessments to evaluate a student's knowledge and technical skills necessary to enter into postsecondary education or a career. The act also requires the department to provide a current list of approved assessments.

### CONCURRENT ENROLLMENT

#### *Tuition*

[ACT 1118](#) (SB673) provides that a national school lunch student shall not be required to pay the costs of certain endorsed concurrent enrollment courses up to a maximum of six (6) hours. The act requires the costs to be paid by the public school district, by the institution of higher education offering the course, or through a cost-sharing agreement between the public school district and the institution of higher education. The act also provides that any costs paid by an institution of higher education shall not be considered an institutional scholarship.

### EMPLOYEES

#### *Higher Education Uniform Classification and Compensation*

[ACT 599](#) (HB1785) creates higher education regular salary procedures and restrictions and creates the Higher Education Uniform Classification and Compensation Act. The act declares an emergency and is effective on and after July 1, 2017.

#### *Uniform Classification and Compensation*

[ACT 365](#) (SB289) revises the compensation plan under the Uniform Classification and Compensation Act, amends various laws concerning state employee salaries and benefits, and places the classification, compensation, and benefits authority of employees of institutions of higher education under the Department of Higher Education. The act declares an emergency and is effective on and after July 1, 2017.

## EDUCATION - HIGHER

### HIGHER EDUCATION COORDINATING BOARD

#### ***Funding Formula***

[ACT 148](#) (HB1209) requires the Arkansas Higher Education Coordinating Board to adopt a productivity-based funding model for state-supported institutions of higher education.

#### ***Prevention of Sexual Assault***

[ACT 563](#) (HB1518) requires the Arkansas Higher Education Coordinating Board to develop an action plan to address the prevention of sexual assault.

### HIGHER EDUCATION DEPARTMENT

#### ***Director***

[ACT 866](#) (HB1945) provides that the Governor appoints the Director of the Department of Higher Education.

#### ***Scholarships for Teachers in High-need Subject Areas***

[ACT 934](#) (SB26) creates a program that awards five thousand dollar (\$5,000) scholarships for juniors and seniors in college who agree to teach at a public school for at least five (5) consecutive years in a high-needs subject area. The act provides that if a scholarship recipient does not keep the agreement, the scholarships convert into a loan.

#### ***State Board of Private Career Education***

[ACT 565](#) (HB1650) transfers the State Board of Private Career Education to the Department of Higher Education by a type 2 transfer and amends the powers and duties of the State Board of Private Career Education. The act declares an emergency and is effective on and after March 22, 2017.

#### ***Student Financial Assistance Report***

[ACT 868](#) (HB1804) revises the date by which the Department of Higher Education shall annually report to the Legislative Council on student financial assistance awarded by the department.

### INSTITUTIONS OF HIGHER EDUCATION

#### ***American History and Civil Government Course***

[ACT 870](#) (HB1805) modifies the contents of an American history or a civil government course required for a student to obtain a baccalaureate degree.

#### ***Boards of Visitors - Abolished***

[ACT 1006](#) (HB2163) abolishes the Board of Visitors for the University of Arkansas at Monticello and the Board of Visitors for the University of Arkansas at Pine Bluff.

#### ***Dormitories***

[ACT 556](#) (SB309) repeals the prohibition on a community college or technical college constructing, maintaining, or operating a dormitory or barracks or levying or collecting a tax for a dormitory or barracks.

#### ***Exemption from Freedom of Information Act***

[ACT 541](#) (SB12) provides that emergency or security plan records and records related to security officers of a public school, public school district, or state-supported institution of higher education are exempt from disclosure under the Freedom of Information Act of 1967.

#### ***Mergers***

[ACT 71](#) (SB10) provides that after a merger between a technical college and a four-year institution of higher education or university system, the board of trustees of the four-year institution of higher education or university system is vested with control of the technical college. The act also provides that after the merger, the former governing board of the technical college becomes a board of visitors. The act declares an emergency and is effective on and after January 30, 2017.

**EDUCATION - HIGHER**INSTITUTIONS OF HIGHER EDUCATION***Panic Button Alert Systems***

[ACT 984](#) (HB1897) provides that a state-supported institution of higher education may offer its students, employees, and other personnel a panic button alert system that is available as a smartphone application.

***Workforce Development Center Authorities***

[ACT 509](#) (SB288) provides that school districts, cities, counties, or vocational-technical schools may act as sponsors to enter into an agreement to create a workforce development center authority. The act allows a sponsor to pledge funds to support the authority, including using its taxing power to dedicate tax revenue to the authority.

MEDICAL SCHOOLS***Application of the Law***

[ACT 147](#) (SB118) clarifies that certain sections in the Arkansas Code apply to all medical schools in the state. The act declares an emergency and is effective on and after February 7, 2017.

***Physician Educational License***

[ACT 1061](#) (SB672) provides that an educational license for physicians in Arkansas may be issued to a physician affiliated with a medical school accredited by either a medical or an osteopathic accrediting agency. The act also allows a physician holding an educational license in Arkansas to be affiliated with an accredited medical or osteopathic medical school outside the state. The act declares an emergency and is effective on and after April 6, 2017.

PREMISES, BUILDINGS, AND FACILITIES***Possession of a Concealed Handgun - Advanced Concealed Carry License***

[ACT 562](#) (HB1249) establishes an advanced concealed carry licensing process whereby a concealed carry licensee can undergo training created by the Department of Arkansas State Police to earn an endorsement, enabling him or her to carry a concealed handgun in additional areas, such as most public buildings and facilities and a public university or college campus. The act also expands the places operated by certain private entities where a person with the endorsement may carry a concealed handgun unless the private entity takes affirmative steps to explicitly prohibit the possession of a concealed handgun on the private entity's premises. This act was subsequently amended by Act 859 of 2017. The act is effective on and after September 1, 2017.

***Possession of a Concealed Handgun by a Licensee - Prohibited Places***

[ACT 859](#) (SB724) amends Act 562 of 2017 to prohibit carrying a concealed handgun by a licensee in certain places, including public daycares, collegiate sporting events, the University of Arkansas Medical Sciences, and the Arkansas State Hospital if those places submit a security plan to the Department of Arkansas State Police that would designate them as firearm-sensitive areas where possession of concealed handgun by a licensee is prohibited. The act also clarifies that a private entity may prohibit a person from carrying a concealed handgun under any circumstance by posting appropriate signs and communicating the prohibition verbally or in writing. The act is effective on and after September 1, 2017.

PROGRAMS OF STUDY***Arkansas Victim Assistance Academy***

[ACT 459](#) (HB1406) repeals language that designates the Criminal Justice Institute at the University of Arkansas at Little Rock as the lead agency for the Arkansas Victim Assistance Academy.

**EDUCATION - HIGHER****SCHOLARSHIPS, GRANTS, AND FINANCIAL AID*****Arkansas Academic Challenge Scholarship Awards***

[ACT 1041](#) (SB30) provides that an applicant for an Arkansas Academic Challenge Scholarship may elect for the earned semester credit hours counted for purposes of determining scholarship award amounts to be only those earned after high school graduation and not those awarded as concurrent credit.

***Arkansas Academic Challenge Scholarship Program - Eligibility***

[ACT 719](#) (SB542) provides that a student may attend summer terms at the student's own expense to earn credit hours necessary to maintain eligibility and clarifies that a traditional student who loses eligibility may apply for a scholarship as a nontraditional student.

***Arkansas Academic Challenge Scholarship Program - Scholarship Use***

[ACT 597](#) (HB1957) provides that a recipient of an Arkansas Academic Challenge Scholarship may use the scholarship for courses that lead to a graduate-level or professional degree. The act allows a recipient to receive the highest level scholarship on a pro rata basis while enrolled part-time if the recipient is enrolled in the number of credit hours necessary to complete a degree program.

***Arkansas Academic Challenge Scholarship Program - Traditional Students***

[ACT 315](#) (SB31) allows a student who did not receive a scholarship as a freshman but who completes certain requirements as a freshmen to be classified as a traditional student in subsequent academic years.

***Arkansas Future Grant Program***

[ACT 316](#) (HB1426) creates the Arkansas Future Grant Program to provide grants for students to receive an associate degree or a certification if the students agree to receive mentoring, perform community service, reside in the state for three (3) consecutive years, and begin working six (6) months after receiving an associate degree or a certification. The act provides that the grant converts into a loan if a student does not perform all the requirements in the agreement. The act declares an emergency and is effective on and after March 2, 2017.

***Arkansas Tax-Deferred Tuition Savings Program - 529 Plan Review Committee***

[ACT 547](#) (SB427) requires the Treasurer of State to provide office space, materials, and staff for the 529 Plan Review Committee and allows the individual members of the committee to expend funds appropriated to the members to provide certain services for the benefit of the Arkansas Tax-Deferred Tuition Savings Program. The act declares an emergency and is effective on and after March 21, 2017.

***Arkansas Tax-Deferred Tuition Savings Program - Carry Forward***

[ACT 481](#) (HB1473) provides that a tax deduction for a contribution to a tuition savings account in the Arkansas Tax-Deferred Tuition Savings Program may be carried forward for the next four (4) succeeding tax years.

***Arkansas Tax-Deferred Tuition Savings Program - Contributions***

[ACT 883](#) (HB1802) provides that contributions to a tuition savings account under a tax-deferred tuition savings program established by another state may be deducted from a taxpayer's income tax.

***Arkansas Tax-Deferred Tuition Savings Program - Employer Contributions***

[ACT 884](#) (HB1762) allows an employer to make a matching contribution to an employee's tax-deferred tuition savings program as an employee benefit and limits the maximum contribution amount.

**EDUCATION - HIGHER****SCHOLARSHIPS, GRANTS, AND FINANCIAL AID*****Arkansas Workforce Challenge Scholarship***

[ACT 613](#) (SB528) creates the Arkansas Workforce Challenge Scholarship that is funded by any excess lottery proceeds from the previous academic year and is available to assist a person in obtaining an associate degree or a certification that would lead to being qualified to work in a high-demand occupation in the fields of industry, health care, or information technology. The act declares an emergency and is effective on and after March 23, 2017.

***Arkansas Workforce Improvement Grant Program***

[ACT 316](#) (HB1426) repeals the Arkansas Workforce Improvement Grant Program. The act declares an emergency and is effective on and after March 2, 2017.

***Community Match Rural Physician Recruitment Program***

[ACT 132](#) (HB1030) amends the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the Community Match Rural Physician Recruitment Program to improve and increase access to health care in medically underserved communities. The act also allows a resident of Arkansas who graduated from a foreign medical school to participate in the program.

***Graduate Nursing Practice and Nurse Educator Student Loans and Scholarships***

[ACT 753](#) (HB1538) amends the law concerning graduate nursing practice and nurse educator student loans and scholarships to make doctoral nursing programs eligible for funding.

***Higher Education Opportunities Grant Program***

[ACT 316](#) (HB1426) repeals the Higher Education Opportunities Grant Program and provides that a student who is a recipient of a grant under the program as of the effective day of the act shall continue to receive the grant. The act declares an emergency and is effective on and after March 2, 2017.

***Requirements and Eligibility***

[ACT 1008](#) (HB2243) amends various provisions of the law concerning scholarship programs. The act makes technical corrections, clarifies the award for the Arkansas Governor's Scholarship and Arkansas Governor's Distinguished Scholarship, repeals the Second Effort Scholarship Program, clarifies eligibility criteria for a nontraditional student in the Arkansas Academic Challenge Scholarship Program, and provides that only a first-time recipient of an Arkansas Academic Challenge Scholarship who has earned semester credit hours must submit a transcript to the Department of Higher Education to determine the correct scholarship award amount.

***Scholarships for Teachers in High-need Subject Areas***

[ACT 934](#) (SB26) creates a program that awards five thousand dollar (\$5,000) scholarships for juniors and seniors in college who agree to teach at a public school for at least five (5) consecutive years in a high-needs subject area. The act provides that if a scholarship recipient does not keep the agreement, the scholarships convert into a loan.

***Student Financial Assistance Report***

[ACT 868](#) (HB1804) revises the date by which the Department of Higher Education shall annually report to the Legislative Council on student financial assistance awarded by the department.

**EDUCATION - HIGHER**

SCHOLARSHIPS, GRANTS, AND FINANCIAL AID

***Teacher Candidate Loan Forgiveness Program***

[ACT 709](#) (SB27) creates the Teacher Candidate Loan Forgiveness Program, which provides a loan to a junior or senior in college who is majoring in a degree program that will lead to the individual becoming eligible for licensure as a teacher in a high-needs subject area. The act provides that the individual must agree to teach for five (5) consecutive years in a school or school district identified as a critical teacher shortage area. The act allows the loan to be forgiven on a pro rata basis for each year the individual teaches in the critical teacher shortage area.

***Tuition Benefits for Soldiers and Airmen of the Arkansas National Guard***

[ACT 471](#) (SB278) provides that a soldier or airman of the Arkansas National Guard may attend a state-supported institution of higher education tuition-free. The act repeals the Arkansas National Guard Tuition Incentive Program, but allows a recipient who is receiving a benefit under the repealed program on the effective date of the act to continue receiving the benefit.

***World War I Veterans***

[ACT 844](#) (HB1806) repeals the requirement that World War I veterans be admitted to state-supported institutions of higher education tuition-free.

STUDENTS

***Mental Health and Suicide Prevention Services***

[ACT 1007](#) (HB1666) requires institutions of higher education to provide information on mental health and suicide prevention services to entering students.

TASK FORCES

***Legislative Task Force on Workforce Education Excellence***

[ACT 951](#) (SB441) creates the Legislative Task Force on Workforce Education Excellence to review and research ways to improve and align career and technical education programs and workforce development programs.

TUITION AND FUNDING

***Funding Formula***

[ACT 148](#) (HB1209) requires the Arkansas Higher Education Coordinating Board to adopt a productivity-based funding model for state-supported institutions of higher education.

***Tax-Deferred Tuition Savings Program***

[ACT 883](#) (HB1802) provides that contributions to a tuition savings account under a tax-deferred tuition savings program established by another state may be deducted from a taxpayer's income tax.

***Veterans, Military Members, and Dependents***

[ACT 947](#) (SB773) requires an honorable discharge for a veteran to be eligible for in-state tuition and extends eligibility to Reserve Officers' Training Corps cadets who have executed United States Armed Forces service contracts.

VOCATIONAL AND TECHNICAL EDUCATION

***Crowley's Ridge Technical Institute & East Arkansas Community College - Merger***

[ACT 636](#) (HB1543) specifies the process for a possible voluntary merger of Crowley's Ridge Technical Institute into East Arkansas Community College and provides for appropriation changes if the institutions choose to merge. Section 3 of the act concerning appropriation changes is effective on the date of the merger if the merger occurs before June 30, 2018.

**ELECTIONS**

ABSENTEE VOTING

***Processing Absentee Ballots***

[ACT 790](#) (HB2035) amends the dates for processing absentee ballots.

## ELECTIONS

### BOARD OF ELECTION COMMISSIONERS

#### ***Authority - Sanctions***

[ACT 247](#) (HB1178) amends the authority of the State Board of Election Commissioners to impose certain sanctions.

#### ***Election Officials - Public Notice***

[ACT 798](#) (HB1765) amends the law concerning election administration, public notice of elections, and the criteria for employment as an election official.

#### ***Voting and Elections Transparency***

[ACT 1014](#) (HB2138) creates the Voting and Elections Transparency Act of 2017, requires voters to be notified of certain voting actions, prohibits a person from simultaneously serving on the State Board of Election Commissioners and a county board of election commissioners, and requires the development of a standardized form of documentation for a person who is a resident of a long-term care facility or residential care facility.

### CAMPAIGN PRACTICES

#### ***Electronic Filing***

[ACT 616](#) (HB1010) requires reports from political action committees, exploratory committees, and independent expenditure committees or individuals to be filed electronically; designates the Arkansas Ethics Commission to approve the format utilized for the electronic filings; and permits paper filings under certain circumstances. The act is effective on and after January 1, 2018.

#### ***Electronic Filing of Certain Campaign Reports***

[ACT 318](#) (HB1427) requires candidates to file carryover fund reports and campaign contribution and expenditure reports in electronic form. The act allows a candidate to file paper reports for an election cycle if the candidate does not have access to the technology necessary to submit reports in electronic form and submitting reports in electronic form would constitute a substantial hardship for the candidate. The act also requires the Secretary of State to provide that the website utilized for the submission of electronic reports allows candidates to electronically upload campaign contribution and expenditure information. The provisions of the act concerning electronic filing of reports are effective on and after October 1, 2017.

#### ***Printed Campaign Materials***

[ACT 787](#) (HB1207) amends requirements for printed campaign materials.

### COUNTY ELECTIONS

#### ***Limitation on Candidacy for More than One Elective Office***

[ACT 158](#) (HB1224) prohibits a person from running for election for more than one state, county, municipal, district, or township office if the elections are to be held on the same date.

#### ***Local-option Ballot Question Committee***

[ACT 721](#) (SB426) amends disclosure requirements for local-option public initiatives, referenda, and measures referred to voters and amends registration requirements, reporting requirements, and filing deadlines for local-option ballot question committees.

#### ***Vote Centers***

[ACT 300](#) (HB1015) clarifies proper procedures for voting precincts in counties that have established vote centers.

### FINANCE

#### ***Presidential Electors***

[ACT 578](#) (HB1441) provides that each presidential elector serves without pay but is eligible for reimbursement by the Secretary of State for reasonable and necessary expenses.

## ELECTIONS

### INITIATED OR REFERRED MEASURES

#### ***Deadlines and Reports***

[ACT 721](#) (SB426) amends disclosure requirements for local-option public initiatives, referenda, and measures referred to voters and amends registration requirements, reporting requirements, and filing deadlines for local-option ballot question committees.

#### ***Paid Canvassers and Reports***

[ACT 1104](#) (HB1440) changes the timing of runoff elections, amends reporting requirements concerning initiatives and referenda, and amends the law concerning paid canvassers.

#### ***Public Notice***

[ACT 982](#) (SB698) amends the law concerning the publication of public notice of ballot measures and creates the Mandatory Publication Reimbursement Fund.

### MUNICIPAL ELECTIONS

#### ***Limitation on Candidacy for More than One Elective Office***

[ACT 158](#) (HB1224) prohibits a person from running for election for more than one state, county, municipal, district, or township office if the elections are to be held on the same date.

### POLITICAL PARTIES

#### ***New Political Parties***

[ACT 297](#) (HB1532) amends the nomination requirements for new political parties.

### PRIMARY ELECTIONS

#### ***Timing of Elections***

[ACT 1088](#) (HB1739) amends the timing of primary elections, runoff elections, and special elections.

### RUNOFF ELECTIONS

#### ***Logic and Accuracy Testing***

[ACT 164](#) (SB22) amends the deadline for conducting logic and accuracy testing for runoff elections.

#### ***Timing of Elections***

[ACT 1088](#) (HB1739) amends the timing of primary elections, runoff elections, and special elections.

#### ***Timing of Elections - Reporting Requirements - Paid Canvassers***

[ACT 1104](#) (HB1440) changes the timing of runoff elections, amends reporting requirements concerning initiatives and referenda, and amends the law concerning paid canvassers.

### SCHOOL ELECTIONS

#### ***Candidates for Board of Directors***

[ACT 586](#) (HB1632) provides for the county clerk to verify information in a petition for candidacy or a notice of intent to be a write-in candidate for a position on the board of directors of a public school district.

#### ***Dates***

[ACT 910](#) (HB1621) changes the date of the annual school election. The act is effective on and after January 1, 2018.

#### ***Local Boards of Community Colleges***

[ACT 47](#) (HB1050) provides that the ballot order for the establishment of local boards of community colleges be determined by lot by the county board of election commissioners.

### SPECIAL ELECTIONS

#### ***Timing of Elections***

[ACT 1088](#) (HB1739) amends the timing of primary elections, runoff elections, and special elections.

## ELECTIONS

### TECHNICAL CORRECTIONS - ELECTIONS - TITLE 7

[ACT 256](#) (HB1356) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 7 of the Arkansas Code.

### VOTING PROCEDURES

#### ***Ballot Stubs***

[ACT 621](#) (HB1792) amends the requirements for the delivery and storage of ballot stubs.

#### ***Ballots***

[ACT 908](#) (HB1270) provides that a voter may mark his or her ballot at a voting booth, voting machine, or private voting place that allows for the voter to mark the ballot in secrecy.

#### ***Unopposed Candidates***

[ACT 730](#) (HB1892) amends the law concerning unopposed candidates and permits an unopposed candidate to be declared and certified as elected in the same manner as if the candidate had been voted upon at the election.

#### ***Voter Registration Verification***

[ACT 633](#) (HB1047) requires a voter to present verification of voter registration at the polls in order to vote in any election, permits a voter to cast a provisional vote if the voter does not present verification of voter registration, permits a provisional ballot to be counted under certain circumstances, and provides an exception for residents of long-term care or residential care facilities and active military members.

#### ***Voting and Elections Transparency***

[ACT 1014](#) (HB2138) creates the Voting and Elections Transparency Act of 2017, requires voters to be notified of certain voting actions, prohibits a person from simultaneously serving on the State Board of Election Commissioners and a county board of election commissioners, and requires the development of a standardized form of documentation for a person who is a resident of a long-term care facility or residential care facility.

## EMERGENCY SERVICES

### GENERALLY

#### ***Naloxone Access***

[ACT 70](#) (SB111) amends the Naloxone Access Act to include the employees of the State Crime Laboratory in the group of persons allowed to be prescribed and dispensed an opioid antagonist.

### MANAGEMENT

#### ***911 Addressing***

[ACT 663](#) (HB1477) requires a chief executive of a political subdivision to designate a 911 addressing authority for the area to create and maintain 911 data. The act provides a uniform system for maintenance of the data through the Arkansas Geographic Information Systems Office.

#### ***Public Safety Answering Points -- Creation***

[ACT 574](#) (HB1553) prohibits the creation of new 911 public safety answering points until July 2020 unless the creation is a result of consolidation or replacement of an existing public safety answering point. The act declares an emergency and is effective on and after July 1, 2017.

### PERSONNEL

#### ***Offenses Against a First Responder, Law Enforcement Officer, or Family Members***

[ACT 332](#) (HB1172) creates a sentence enhancement for certain criminal offenses targeting a current or former law enforcement officer, first responder, or a family member of a first responder or law enforcement officer. The act declares an emergency and is effective on and after March 3, 2017.

## EMERGENCY SERVICES

### PROHIBITED ACTS

#### ***Obstruction or Interference with Emergency Medical Personnel or First Responder***

[ACT 952](#) (HB1578) amends the offense of obstruction or interference with emergency medical personnel or a first responder and provides a cause of action against a person who engages in a riot or obstructs or interferes with emergency medical personnel or a first responder.

### TRAUMA SYSTEMS

#### ***Trauma Advisory Council***

[ACT 812](#) (SB612) amends the membership and duties of the Trauma Advisory Council and temporarily allows the Department of Health to waive or substitute education requirements for trauma systems.

## ENERGY

### CONSERVATION

#### ***Utility-sponsored Energy Conservation Programs and Measures***

[ACT 309](#) (HB1421) amends the law concerning the criteria that nonresidential business consumers must meet in order to opt out of utility-sponsored energy conservation programs and measures.

## ENVIRONMENTAL LAW

### AIR POLLUTION AND CONTROL

#### ***NAAQS State Implementation Plan***

[ACT 455](#) (HB1505) amends statutes related to an NAAQS state implementation plan under the Arkansas Water and Air Pollution Control Act.

#### ***Open Burning - Storm Debris***

[ACT 330](#) (HB1521) authorizes counties to burn storm debris based on county-declared disaster emergencies.

#### ***Permit Notice***

[ACT 501](#) (HB1511) provides for notice of the time for issuance of permits under the Arkansas Water and Air Pollution Control Act.

### HAZARDOUS SUBSTANCES

#### ***Asbestos Abatement***

[ACT 456](#) (HB1513) expands the eligibility requirements for the Asbestos Abatement Grant Program and modifies the costs eligible for grant funds.

#### ***Site Assessment***

[ACT 1073](#) (SB613) provides that the Arkansas Department of Environmental Quality may use up to five hundred thousand dollars (\$500,000) per fiscal year from the Hazardous Substance Remedial Action Trust Fund to fund assessments of hazardous waste sites.

#### ***Underground Storage Tanks***

[ACT 534](#) (HB1635) modifies the requirements of secondary containment for underground storage tanks.

### MINING

#### ***Quartz Mining***

[ACT 1121](#) (SB620) exempts from the Arkansas Open-Cut Reclamation Act any crystal quartz mining done on private property if the surface and subsurface rights are owned by the person performing the mining. The act requires the person performing the mining to take steps to cover the land opened for mining after mining operations are completed.

## ENVIRONMENTAL LAW

### PERMITS

#### *Notice*

[ACT 1057](#) (SB364) authorizes the Arkansas Department of Environmental Quality to give notice of hearings and decisions by either first-class mail or e-mail and to post final decisions regarding permits on the department's website.

### POLLUTION PREVENTION

#### *Aboveground Storage Tanks*

[ACT 584](#) (HB1721) provides that the registration of aboveground storage tanks will be optional and changes the eligibility criteria for reimbursement from the Petroleum Storage Tank Trust Fund.

#### *Landfill Disposal Fees*

[ACT 624](#) (HB1669) provides for efficiency in the process of collection, deposit, and use of and accountability for landfill disposal fees.

#### *Nonmunicipal Domestic Sewage Treatment Works*

[ACT 1037](#) (HB2220) provides that the Arkansas Department of Environmental Quality shall not issue a new pollution discharge elimination permit to a nonmunicipal domestic sewage treatment works unless the treatment works is in compliance with all local ordinances, rules, and regulations.

#### *Petroleum Storage Tank Trust Fund*

[ACT 584](#) (HB1721) provides that the registration of aboveground storage tanks will be optional and changes the eligibility criteria for reimbursement from the Petroleum Storage Tank Trust Fund.

#### *Short-term Activity Authorizations*

[ACT 585](#) (HB1716) creates short-term activity authorizations, establishes conditions for waiving the short-term activity fee, and allows the Arkansas Department of Environmental Quality to modify the short-term activity fee for a state agency, board, or commission or a municipality or county.

#### *Voluntary Environmental Stewardship Program*

[ACT 858](#) (SB654) creates the Voluntary Environmental Stewardship Program to reward organizations that use environmental management plans and demonstrate exceptional, sustained environmental performance.

### RECYCLING

#### *Marketing Recyclables - Compliance Advisory Panel*

[ACT 1067](#) (SB633) provides for the elimination of the State Marketing Board for Recyclables, relocates the duties of the board under the Compliance Advisory Panel, gives the advisory panel responsibility for developing and maintaining a program for the coordination of all existing marketing programs for recyclables, and allows former members of the State Marketing Board for Recyclables to join the Compliance Advisory Panel.

#### *Used Tire Program*

[ACT 317](#) (HB1267) transfers the waste tire program to the used tire recycling and accountability program and creates used tire accountability measures, incentives for recycling used tires, equal application of certain used tire fees, and reimbursement funding mechanisms for certain tires.

### TECHNICAL CORRECTIONS - ENVIRONMENTAL LAW - TITLE 8

[ACT 257](#) (HB1314) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 8 of the Arkansas Code.

## ENVIRONMENTAL LAW

### TESTING

#### *State Environmental Laboratory*

[ACT 244](#) (HB1259) amends and modernizes the State Environmental Laboratory Certification Program Act to create an updated laboratory accreditation program.

### WASTEWATER DISPOSAL

#### *Fees - Nonmunicipal Domestic Sewage Treatment Works*

[ACT 987](#) (HB1550) provides for a program regarding initial and annual trust fund contribution fees for nonmunicipal domestic sewage treatment works, ties the fees to the design capacity or modified design capacity of nonmunicipal domestic sewage treatment works, increases trust fund contribution fees, and establishes criteria for reimbursements from the Nonmunicipal Domestic Sewage Treatment Works Trust Fund.

### WATER POLLUTION AND CONTROL

#### *Critical Groundwater County Conservation Board - Fee*

[ACT 632](#) (HB1982) authorizes a critical groundwater county conservation board to increase the conservation fee regarding the Sparta Aquifer for a major water user that does not promptly connect to a newly extended alternate water source.

#### *Permit Notice*

[ACT 501](#) (HB1511) provides for notice of the time for issuance of permits under the Arkansas Water and Air Pollution Control Act.

#### *Sewer Utility and Water System Notice*

[ACT 1120](#) (SB685) provides that a sewer utility may certify to a water system that a common customer is delinquent on the sewer utility bill using any of the notification options provided by the United States Postal Service.

## ETHICS

### FINANCIAL DISCLOSURES

#### *Electronic Filing*

[ACT 616](#) (HB1010) requires reports from political action committees, exploratory committees, and independent expenditure committees or individuals to be filed electronically; designates the Arkansas Ethics Commission to approve the format utilized for the electronic filings; and permits paper filings under certain circumstances. The act is effective on and after January 1, 2018.

#### *Electronic Filing of Certain Campaign Reports*

[ACT 318](#) (HB1427) requires candidates to file carryover fund reports and campaign contribution and expenditure reports in electronic form. The act allows a candidate to file paper reports for an election cycle if the candidate does not have access to the technology necessary to submit reports in electronic form and submitting reports in electronic form would constitute a substantial hardship for the candidate. The act also requires the Secretary of State to provide that the website utilized for the submission of electronic reports allows candidates to electronically upload campaign contribution and expenditure information. The provisions of the act concerning electronic filing of reports are effective on and after October 1, 2017.

## ETHICS

### STATE OFFICIALS

#### ***Gifts from Lobbyists - Exemptions***

[ACT 312](#) (HB1401) provides that the following are not prohibited gifts from lobbyists under Arkansas Constitution, Article 19, § 30: nonalcoholic beverages provided to attendees at a meeting of a civic, social, or cultural organization or group; food and nonalcoholic beverages provided to participants in a bona fide panel, seminar, or speaking engagement at which the audience is a civic, social, or cultural organization or group; and anything of value provided by a recognized political party when serving as the host of certain events. The act also provides that a recognized political party is not a lobbyist for the purposes of Arkansas Constitution, Article 19, § 30, and exempts anything of value provided by a recognized political party when serving as the host of certain events from the statutory prohibition on the receipt of gifts by public servants. The act declares an emergency and is effective on and after March 1, 2017.

#### ***Gifts from Lobbyists - Use of Rooms or Facilities***

[ACT 207](#) (SB169) provides that the use of one (1) or more rooms or facilities owned, operated, or otherwise utilized by a state agency or political subdivision of the state for the purpose of conducting a meeting of a specific governmental body is not a prohibited gift under Arkansas Constitution, Article 19, § 30, concerning the solicitation or acceptance of gifts from lobbyists by certain governmental officials.

#### ***Judicial Immunity***

[ACT 430](#) (HB1007) creates a cause of action against judges and justices who have been convicted of certain offenses and creates an exception to judicial immunity.

#### ***Loans from Lobbyists***

[ACT 1108](#) (SB7) prohibits constitutional officers from soliciting or accepting loans for lobbyists.

#### ***Member of School District Board of Directors***

[ACT 449](#) (HB1589) includes a member of a school district board of directors within certain definitions for purposes of ethics laws.

## FAMILY LAW

### ADOPTION

#### ***Records***

[ACT 519](#) (HB1636) provides adoptees and their relatives with access to adoption records maintained by the Department of Health. The act also provides birth parents with the option of redacting their names from adoption records disclosed to adoptees and their relatives.

### ADULT MALTREATMENT

#### ***Transportation***

[ACT 579](#) (HB1432) amends the law concerning the transportation of maltreated adults who are in the custody of the Department of Human Services or law enforcement. The act provides that a court order is not required for the transportation of a maltreated adult by law enforcement or an emergency medical services provider. The act also establishes a presumption of good faith on the part of certain personnel.

#### ***Visitation***

[ACT 667](#) (HB1678) establishes procedures through which a relative may obtain a court order granting the relative reasonable visitation with an endangered adult or an impaired adult if the Department of Human Services is unreasonably interfering with or denying visitation between the relative and the endangered adult or the impaired adult.

**FAMILY LAW****CHILD SUPPORT*****Enforcement***

[ACT 645](#) (SB567) amends the law concerning the collection of personal information for the purpose of child support enforcement as applied to non-occupational licensees and permit holders.

**CHILD WELFARE*****Child Abuse Hotline Telephone Number***

[ACT 379](#) (HB1435) requires the Department of Education to ensure that every public school and open-enrollment public charter school posts a sign that contains the toll-free telephone number for the Child Abuse Hotline in a public area of the school as well as in each student restroom.

***Child Maltreatment Investigations Oversight Committee***

[ACT 713](#) (SB556) amends confidentiality provisions contained in the Child Maltreatment Act, creates the Child Maltreatment Investigation Committee to review and evaluate the conduct of child maltreatment investigations and service delivery to children and families involved in an investigation of child maltreatment, and exempts the meetings of the committee from the Freedom of Information Act of 1967.

***Home Visitation Program***

[ACT 896](#) (HB1968) repeals provisions requiring the Department of Health and the Department of Human Services to implement a home visitation program. The act also repeals the duty of the State Child Abuse and Neglect Prevention Board to cooperate with the Department of Health and the Department of Human Services for the purpose of adopting rules to implement a home visitation program.

***Notice of Child Maltreatment Reports***

[ACT 528](#) (HB1372) requires that notice of alleged child maltreatment involving an active duty service member or child of an active duty service member be given to military organizations of the United States.

***Protection Plan***

[ACT 963](#) (HB1974) permits the Department of Human Services to implement a protection plan that allows a child to remain in his or her place of residence and includes services to address the safety of the child. The act requires the department to reassess the health and safety of the child and file a petition for dependency-neglect under certain circumstances.

***Records***

[ACT 803](#) (HB1972) authorizes information relating to the confirmation of an investigative determination and a pending or completed investigation of a report of child maltreatment to be released to an attorney ad litem and a court-appointed special advocate of a juvenile who has an open dependency-neglect case if the alleged offender or the minor victim resides in the home or in a proposed placement location that is not a licensed foster home, adoptive home, shelter, or facility.

***Reports - Overturned True Determinations***

[ACT 1025](#) (HB1915) requires the Department of Human Services and the Department of Arkansas State Police to submit two (2) reports annually on true determinations that are administratively or judicially overturned to certain legislative committees. The act requires the reports to include data on overturned true determinations by county and any other information requested by the committees.

## FAMILY LAW

### CHILD WELFARE

#### ***State Child Abuse and Neglect Prevention Board***

[ACT 897](#) (HB1696) transfers the State Child Abuse and Neglect Prevention Board to the Department of Human Services by a Type 3 transfer. The act declares an emergency and is effective on and after July 1, 2017.

#### ***Voluntary Respite Care***

[ACT 319](#) (HB1048) permits the temporary placement of a child with an approved person facilitated by a qualified nonprofit organization. The act declares an emergency and is effective on and after March 2, 2017.

### DOMESTIC VIOLENCE

#### ***Arkansas Victim Assistance Academy***

[ACT 459](#) (HB1406) repeals language that designates the Criminal Justice Institute at the University of Arkansas at Little Rock as the lead agency for the Arkansas Victim Assistance Academy.

#### ***Domestic Battering in the First Degree***

[ACT 301](#) (HB1174) modifies the offense of domestic battering in the first degree to make the offense consistent with the offense of battery in the first degree.

#### ***Grant Advisory Board***

[ACT 777](#) (HB1944) establishes a Grant Advisory Board to assist potential beneficiaries of funds received by the state under the Victims of Crime Act, the STOP Violence Against Women Act, or the Family Violence Prevention and Services Act.

#### ***Shelters***

[ACT 583](#) (HB1420) creates the Arkansas Domestic Violence Shelter Act and the Domestic Violence Shelter Fund. The act establishes procedures for funding domestic violence shelters.

#### ***Wireless Devices***

[ACT 577](#) (HB1534) provides for the transfer of wireless devices to petitioners involved in domestic abuse proceedings.

### FOSTER CARE

#### ***Foster Care Records***

[ACT 329](#) (HB1544) prohibits a foster parent from redisclosing information about a foster child's parents, guardians, or siblings who are not in the home of the foster parent unless the information is used only to assist the foster parent in the care of the foster child.

#### ***Succeed Scholarship Program***

[ACT 894](#) (HB1567) provides that up to twenty (20) foster children who live in group homes are eligible to receive a Succeed Scholarship for tuition at a private school. The act declares an emergency and is effective on and after April 5, 2017.

### GUARDIANSHIP

#### ***Termination of a Guardianship***

[ACT 717](#) (SB268) concerns the reasons for which a guardianship may be terminated by a court.

### HUMAN SERVICES DEPARTMENT

#### ***Division of Child Care and Early Childhood Education***

[ACT 576](#) (HB1545) allows the Division of Child Care and Early Childhood Education of the Department of Human Services to independently promulgate rules concerning child care facilities without the approval of the Arkansas Early Childhood Commission.

## FAMILY LAW

### HUMAN SERVICES DEPARTMENT

#### ***Incarcerated Parents***

[ACT 993](#) (HB2104) requires the Department of Human Services to involve an incarcerated parent in case planning, monitor compliance with services offered by the Department of Correction to the extent permitted by federal law, and offer visitation between a child and his or her incarcerated parent in accordance with the policies of the Department of Correction if visitation is appropriate and in the best interest of the child.

#### ***Placement of Juveniles***

[ACT 1116](#) (SB40) amends provisions in the Arkansas Juvenile Code concerning the placement of juveniles removed from the home and amends the duties of the Department of Human Services if a juvenile is removed from the home.

### JUVENILE LAW

#### ***Arkansas Coalition for Juvenile Justice Board***

[ACT 540](#) (SB341) amends the membership and requirements for membership of the Arkansas Coalition for Juvenile Justice Board.

#### ***Commission for Parent Counsel***

[ACT 861](#) (SB132) creates the Commission for Parent Counsel, which appoints legal counsel to parents of a minor in a juvenile court dependency-neglect proceeding.

#### ***Fictive Kin***

[ACT 700](#) (SB656) expands the definition of "fictive kin" as used under the Arkansas Juvenile Code.

#### ***Human Trafficking As Abuse***

[ACT 209](#) (SB271) adds human trafficking to the definitions of "abuse" and "sexual abuse" within the Arkansas Juvenile Code of 1989 and the Child Maltreatment Act.

#### ***Juvenile Courts and Proceedings***

[ACT 701](#) (SB15) provides that a noncustodial parent is presumed to be a fit parent for the purpose of custody and visitation unless the presumption is rebutted and amends provisions in the law concerning reunification.

#### ***Permanency Plans***

[ACT 996](#) (HB1381) requires a court to consider all relevant factors before authorizing a plan to place custody of a juvenile with a parent, guardian, or custodian. The act requires a court to determine if establishing concurrent permanency planning goals is appropriate. The act also requires reunification services to continue if the court sets a goal of adoption unless the court determines that the reunification services are no longer needed, terminates parental rights, or otherwise finalizes a permanency plan for the juvenile.

#### ***Placement of Juveniles***

[ACT 1116](#) (SB40) amends provisions in the Arkansas Juvenile Code concerning the placement of juveniles removed from the home and amends the duties of the Department of Human Services if a juvenile is removed from the home.

#### ***Resumption of Services and Reinstatement of Parental Rights***

[ACT 994](#) (HB1973) allows the Department of Human Services or an attorney ad litem to file a motion to resume services and a petition to reinstate parental rights for a parent whose parental rights were terminated under the Arkansas Juvenile Code.

#### ***Termination of Parental Rights***

[ACT 995](#) (HB1927) amends the law to include the involuntary termination of parental rights as to a child as a ground for the termination of parental rights.

## **FAMILY LAW**

### JUVENILE LAW

#### ***Termination of Parental Rights - Hearings - Reports***

[ACT 1111](#) (SB306) prohibits factors or issues arising subsequent to the filing of the original petition for dependency-neglect from being used as grounds for the termination of parental rights in certain circumstances and amends the rights and responsibilities of certain persons and entities upon the entry of an order terminating the parental rights of a parent. The act also amends the law concerning reports that must be provided by the Department of Human Services and a court-appointed special advocate before dependency-neglect review hearings and dependency-neglect permanency planning hearings. The act provides that further evidence shall not be presented at a probable cause hearing regarding issues agreed to by the parties if the court accepts a stipulated agreement by the parties that supports the probable cause order entered by the court. The act also allows for the unsupervised visitation between a juvenile and parent in certain circumstances.

### MARRIAGE

#### ***Premarital Agreements***

[ACT 654](#) (HB2032) clarifies the requirement that premarital agreements be in writing, signed, and acknowledged by both parties and defines "acknowledged" as it relates to premarital agreements.

### TECHNICAL CORRECTIONS - FAMILY LAW - TITLE 9

[ACT 251](#) (HB1360) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 9 of the Arkansas Code.

## **FIRE PROTECTION**

### PROTECTION DISTRICTS

#### ***Creation***

[ACT 703](#) (HB2070) creates an alternative procedure to an election by which a fire department may convert to a fire protection district by department petition to the quorum court of the county or counties.

#### ***Washer-extractor Requirements***

[ACT 962](#) (HB1758) requires that fire departments have access to a washer-extractor to be eligible for insurance premium funds.

## **FIREARMS**

### CONCEALED HANDGUN LICENSING

#### ***Auxiliary or Retired Law Enforcement Officers***

[ACT 957](#) (HB1367) concerns the ability of an auxiliary or retired law enforcement officer to carry a concealed handgun and be exempted from the licensing requirements to carry a concealed handgun.

#### ***Current or Former Member of the Armed Forces***

[ACT 1017](#) (HB2110) concerns the requirements for a concealed handgun license for a current or former member of the United States Armed Forces.

#### ***Possession by Licensee in Courthouse***

[ACT 1090](#) (HB1895) concerns the carrying of a concealed handgun by a licensee who is employed by a governmental entity located inside of a courthouse to carry inside the courthouse.

**FIREARMS****CONCEALED HANDGUN LICENSING*****Possession of a Concealed Handgun by a Licensee***

[ACT 562](#) (HB1249) establishes an advanced concealed carry licensing process whereby a concealed carry licensee can undergo training created by the Department of Arkansas State Police to earn an endorsement, enabling him or her to carry a concealed handgun in additional areas, such as most public buildings and facilities and a public university or college campus. The act also expands the places operated by certain private entities where a person with the endorsement may carry a concealed handgun unless the private entity takes affirmative steps to explicitly prohibit the possession of a concealed handgun on the private entity's premises. This act was subsequently amended by Act 859 of 2017. The act is effective on and after September 1, 2017.

***Suspension or Revocation of License***

[ACT 486](#) (HB1362) provides that a person's concealed handgun license shall not be denied, suspended, or revoked by the Department of Arkansas State Police because a person was lawfully exercising his or her rights to carry a firearm under the United States Constitution, the Arkansas Constitution, or Arkansas law.

**POSSESSION*****Auxiliary or Retired Law Enforcement Officers***

[ACT 957](#) (HB1367) concerns the ability of an auxiliary or retired law enforcement officer to carry a concealed handgun and be exempted from the licensing requirements to carry a concealed handgun.

***Carrying a Firearm by a Probation or Parole Officer***

[ACT 239](#) (HB1471) concerns the carrying of a firearm by a probation or parole officer, whether employed by the Department of Community Correction or another entity.

***Defaced Firearm***

[ACT 73](#) (HB1039) provides a defense to prosecution for the offense of possession of a defaced firearm if the firearm was manufactured before January 1, 1968.

***Employer Parking Lot***

[ACT 1071](#) (SB37) allows the carrying of a concealed handgun in a private motor vehicle by a concealed handgun licensee into the parking lot of the licensee's place of employment unless the licensee is otherwise prohibited from doing so. The act also creates a cause of action concerning a violation of certain provisions of the act.

***Possession by Licensee in Courthouse***

[ACT 1090](#) (HB1895) concerns the carrying of a concealed handgun by a licensee who is employed by a governmental entity located inside of a courthouse to carry inside the courthouse.

***Possession of a Concealed Handgun - Advanced Concealed Carry License***

[ACT 562](#) (HB1249) establishes an advanced concealed carry licensing process whereby a concealed carry licensee can undergo training created by the Department of Arkansas State Police to earn an endorsement, enabling him or her to carry a concealed handgun in additional areas, such as most public buildings and facilities and a public university or college campus. The act also expands the places operated by certain private entities where a person with the endorsement may carry a concealed handgun unless the private entity takes affirmative steps to explicitly prohibit the possession of a concealed handgun on the private entity's premises. This act was subsequently amended by Act 859 of 2017. The act is effective on and after September 1, 2017.

## FIREARMS

### POSSESSION

#### ***Possession of a Concealed Handgun by a Licensee - Prohibited Places***

[ACT 859](#) (SB724) amends Act 562 of 2017 to prohibit carrying a concealed handgun by a licensee in certain places, including public daycares, collegiate sporting events, the University of Arkansas Medical Sciences, and the Arkansas State Hospital if those places submit a security plan to the Department of Arkansas State Police that would designate them as firearm-sensitive areas where possession of concealed handgun by a licensee is prohibited. The act also clarifies that a private entity may prohibit a person from carrying a concealed handgun under any circumstance by posting appropriate signs and communicating the prohibition verbally or in writing. The act is effective on and after September 1, 2017.

#### ***Prosecuting Attorneys***

[ACT 1087](#) (HB2020) concerns the carrying of a concealed handgun in a courthouse by a prosecuting attorney or deputy prosecuting attorney.

### PROHIBITED AREAS

#### ***Employer Parking Lot***

[ACT 1071](#) (SB37) allows the carrying of a concealed handgun in a private motor vehicle by a concealed handgun licensee into the parking lot of the licensee's place of employment unless the licensee is otherwise prohibited from doing so. The act also creates a cause of action concerning a violation of certain provisions of the act.

#### ***Possession by Licensee in Courthouse***

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#### ***Possession of a Concealed Handgun - Advanced Concealed Carry License***

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## FREEDOM OF INFORMATION ACT

### EXEMPTIONS

#### ***Arkansas Freedom of Information Task Force***

[ACT 923](#) (HB2132) creates the Arkansas Freedom of Information Act Task Force to evaluate and recommend changes to the Freedom of Information Act of 1967.

**FREEDOM OF INFORMATION ACT****EXEMPTIONS*****Arkansas State Police***

[ACT 483](#) (HB1590) provides that data, records, surveillance footage, security procedures, emergency plans, and other information compiled or possessed by the Department of Arkansas State Police concerning the Governor's Mansion and mansion grounds are confidential and not subject to disclosure under the Freedom of Information Act of 1967.

***Consolidated Waterworks Systems***

[ACT 711](#) (SB435) provides that certain records pertaining to current and former public water system customers and municipally owned utilities system customers are confidential and exempt from the Freedom of Information Act of 1967, and amends the law concerning consolidated waterworks systems and the issuance of revenue bonds by a consolidated waterworks system. The act declares an emergency and is effective on and after March 27, 2017.

***Emergency or Security Records or Information***

[ACT 541](#) (SB12) provides that emergency or security plan records and records related to security officers of a public school, public school district, or state-supported institution of higher education are exempt from disclosure under the Freedom of Information Act of 1967.

***Home Schools***

[ACT 635](#) (HB1574) provides that the information contained in the notice of intent to home school that a parent or legal guardian of a student is required to give the superintendent of the local school district is exempt from disclosure under the Freedom of Information Act of 1967.

***Recordings of Law Enforcement Officer Deaths***

[ACT 531](#) (HB1236) provides that a record that depicts or records the death of a law enforcement officer be confidential and exempt from disclosure under the Freedom of Information Act of 1967, permits certain family members of the deceased law enforcement officer the ability to access the record, and permits a court to authorize a person to access the record upon a showing of good cause. The act declares an emergency and is effective on and after March 20, 2017.

***State Capitol Police***

[ACT 474](#) (SB131) provides that a record or other information related to the operations, emergency procedure, and security personnel of the State Capitol Police is confidential and not subject to disclosure under the Freedom of Information Act of 1967. The act declares an emergency and is effective on and after March 13, 2017.

**MEETINGS*****Child Maltreatment Investigations Oversight Committee***

[ACT 713](#) (SB556) exempts meetings of the Child Maltreatment Investigations Oversight Committee from the Freedom of Information Act of 1967.

**RECORDS*****Information for Public Guidance***

[ACT 1107](#) (HB1623) amends the Freedom of Information Act of 1967 and the requirements concerning information for public guidance. The act declares an emergency and is effective on and after April 7, 2017.

***Juveniles***

[ACT 891](#) (HB2111) concerns the disclosure under the Freedom of Information Act of 1967 of the personal information contained in an investigative file of a law enforcement agency of a person who was a minor at the time of the offense.

## **GAMBLING AND RACING**

### **LICENSING AND FEES**

#### ***Collection Process***

[ACT 425](#) (SB293) amends the process for the disposition of license fees, fines, and other moneys by the Arkansas Racing Commission.

## **GENERAL ASSEMBLY**

### **BUREAU OF LEGISLATIVE RESEARCH**

#### ***Report on Compliance - Local Farm, Foods, and Jobs Act***

[ACT 617](#) (HB1839) creates the Local Food, Farms, and Jobs Act, which requires various entities that receive state funds to make it a goal to ensure that ten percent (10%) of the amount budgeted for the entity's purchases of food products is spent on local farm or food products. The act also requires each entity to submit a compliance report to the Bureau of Legislative Research, which is required to compile and report the information received from the entities. The act requires the Arkansas Agriculture Department to establish a program coordinator position to develop partnerships among vendors, agencies, and providers of local farm or food products and requires the Office of State Procurement to promulgate rules to implement the act.

### **CODE REVISION COMMISSION**

#### ***Initial Drafts of Corrective Legislation - Timeline***

[ACT 598](#) (HB1787) amends the timeline for the Code Revisor to submit initial drafts of corrective legislation to the Arkansas Code Revision Commission.

### **COMMITTEES**

#### ***Child Maltreatment Investigations Oversight Committee***

[ACT 713](#) (SB556) amends confidentiality provisions contained in the Child Maltreatment Act, creates the Child Maltreatment Investigation Committee to review and evaluate the conduct of child maltreatment investigations and service delivery to children and families involved in an investigation of child maltreatment, and exempts the meetings of the committee from the Freedom of Information Act of 1967.

#### ***Joint Committee on Economic and Tax Policy - General Revenue Forecast***

[ACT 823](#) (SB529) changes the deadline for the Chief Fiscal Officer of the State to submit the forecast of general revenues to the Joint Committee on Economic and Tax Policy. The act declares an emergency and is effective on and after July 1, 2017.

### **LEGISLATIVE AUDIT**

#### ***Claims Against Sureties***

[ACT 391](#) (SB348) amends the procedure for claims against sureties by the Legislative Auditor.

### **TASK FORCES**

#### ***Arkansas Tax Reform and Relief Legislative Task Force***

[ACT 78](#) (SB115) reduces all income tax rates for individuals, trusts, and estates with a net income of less than twenty-one thousand dollars (\$21,000) and reduces the bottom income tax rate for individuals, trusts, and estates with a net income between twenty-one thousand dollars (\$21,000) and seventy-five thousand dollars (\$75,000). The act also creates the Arkansas Tax Reform and Relief Legislative Task Force to study tax reform and recommend legislation for the 2019 regular session. The act is identical to Act 79 of 2017. The income tax reductions in Section 2 of the act are effective for tax years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after February 1, 2017.

**GENERAL ASSEMBLY****TASK FORCES*****Arkansas Tax Reform and Relief Legislative Task Force***

[ACT 79](#) (HB1159) reduces all income tax rates for individuals, trusts, and estates with a net income of less than twenty-one thousand dollars (\$21,000) and reduces the bottom income tax rate for individuals, trusts, and estates with a net income between twenty-one thousand dollars (\$21,000) and seventy-five thousand dollars (\$75,000). The act also creates the Arkansas Tax Reform and Relief Legislative Task Force to study tax reform and recommend legislation for the 2019 regular session. The act is identical to Act 78 of 2017. The income tax reductions in Section 2 of the act are effective for tax years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after February 1, 2017.

***Arkansas Water Provider Legislative Task Force***

[ACT 1056](#) (SB376) creates the Arkansas Water Provider Legislative Task Force to study water security and development for the state. The act provides that the task force expires on January 1, 2019.

***Task Force on Alpha-gal - Repeal***

[ACT 264](#) (HB1323) repeals the Task Force on Alpha-gal.

***Task Force on Alpha-gal - Update and Reenactment***

[ACT 570](#) (HB1745) reenacts and updates the law concerning the Task Force on Alpha-gal that was repealed by Act 264 of 2017.

**HEALTH****ABORTION*****Abortion Clinic Updates***

[ACT 383](#) (HB1428) amends laws concerning unlawful abortions; the procedure of denial, suspension, or revocation of a health facilities service license issued for an abortion clinic; and the requirements of an abortion clinic.

***Born-alive Infant Protection***

[ACT 392](#) (SB148) creates born-alive infant protection to prevent a physician, other healthcare professional, or other person from denying or depriving an infant of nourishment or medically appropriate and reasonable medical care and treatment. The act is effective on and after January 1, 2018.

***Dismemberment Abortion - Prohibition***

[ACT 45](#) (HB1032) creates the Arkansas Unborn Child Protection from Dismemberment Abortion Act and prohibits a dismemberment abortion, also known as a dilation and extraction procedure.

***Maintenance of Forensic Samples from Abortions Performed on a Child***

[ACT 1018](#) (HB2024) amends the law concerning maintenance of forensic samples from abortions performed on a child who is less than seventeen (17) years of age.

***Sex Discrimination by Abortion - Prohibition***

[ACT 733](#) (HB1434) creates the Sex Discrimination by Abortion Prohibition Act to prohibit abortions for the purpose of sex-selection. The act is effective on and after January 1, 2018.

***Wrongful Birth Civil Liability Protection***

[ACT 385](#) (SB340) creates the Wrongful Birth Civil Liability Protection Act that abates liability in a civil action for wrongful birth or a civil action for wrongful life.

## HEALTH

### ADULT MALTREATMENT

#### *Long-term Care Ombudsman - Reporting Exemption*

[ACT 1034](#) (HB1613) exempts a long-term care ombudsman from the mandatory reporting requirements for adult maltreatment and long-term care facility resident maltreatment.

### BEHAVIORAL HEALTH

#### *Criminal Justice Efficiency and Safety*

[ACT 423](#) (SB136) creates the Criminal Justice Efficiency and Safety Act of 2017. The act amends the law concerning the Department of Community Correction's ability to supervise, sanction, and discipline probationers and parolees and creates new methods to collect and share inmate data between law enforcement agencies leading to implementation of best practices. The act also amends criminal sentencing procedures and includes the Behavioral Health Crisis Intervention Protocol Act of 2017, which establishes behavioral health crisis stabilization units and behavioral health protocol for communities. Sections 16-23 of the act are effective on and after October 1, 2017, and Section 15 of the act is effective on and after January 1, 2018.

### BOARDS AND COMMISSIONS

#### *Membership and Appointments*

[ACT 540](#) (SB341) amends the law concerning the Emergency Medical Services Advisory Council, the Trauma Advisory Council, the Governor's Commission on People with Disabilities, the State Interagency Council, the Arkansas Early Childhood Commission, and the Arkansas Child Abuse/Rape/Domestic Violence Commission. The act also repeals the Arkansas HIV-AIDS Minority Task Force Act of 2007.

#### *Palliative Care and Quality of Life Interdisciplinary Task Force*

[ACT 735](#) (HB2067) creates the Palliative Care and Quality of Life Interdisciplinary Task Force to consult with and advise the Department of Health on matters relating to the establishment, maintenance, operation, and outcome evaluation of palliative care initiatives in the state and to make certain reports to the General Assembly. The task force expires on December 31, 2019.

#### *Task Force on Alpha-gal - Repeal*

[ACT 264](#) (HB1323) repeals the Task Force on Alpha-gal.

#### *Task Force on Alpha-gal - Update and Reenactment*

[ACT 570](#) (HB1745) reenacts and updates the law concerning the Task Force on Alpha-gal that was repealed by Act 264 of 2017.

### DENTISTRY

#### *Exemptions to Licensure - Modification of Specialty Licenses*

[ACT 489](#) (HB1250) amends the Arkansas Dental Practice Act to create additional exemptions to the practice of dentistry and dental hygiene and to modify dentistry specialty licenses.

### DISABILITIES

#### *Achieving a Better Life Experience*

[ACT 324](#) (HB1404) amends the administrative responsibilities of the Treasurer of State regarding the Achieving a Better Life Experience Program. The act declares an emergency and is effective on and after March 2, 2017.

#### *Service Dogs*

[ACT 652](#) (SB227) requires that all service dogs authorized for accompaniment under the Americans with Disability Act be included among the rights of individuals with disabilities to be accompanied by a service animal.

## HEALTH

### ELEVATOR SAFETY BOARD

#### *Elevator Safety Tests*

[ACT 968](#) (SB354) provides for the witnessing of elevator safety tests by private sector licensed inspectors, eliminates the requirement for semi-annual inspections of elevators, and amends the process for the enforcement of elevator safety laws.

### EMERGENCY SERVICES

#### *Ambulance - Definition*

[ACT 1033](#) (HB2016) amends the definition of "ambulance" to exempt nonemergency transportation vehicles that may accommodate an individual in an upright position or Fowler's position while in a wheelchair without the aid of emergency medical services personnel.

#### *Ambulance Licensing - Counties*

[ACT 1122](#) (SB694) expands the ambulance licensing law to include counties.

#### *Naloxone Access*

[ACT 70](#) (SB111) amends the Naloxone Access Act to include the employees of the State Crime Laboratory in the group of persons allowed to be prescribed and dispensed an opioid antagonist.

#### *Trauma Advisory Council*

[ACT 812](#) (SB612) amends the membership and duties of the Trauma Advisory Council and temporarily allows the Department of Health to waive or substitute education requirements for trauma systems.

### ENVIRONMENT

#### *Asbestos Abatement*

[ACT 456](#) (HB1513) expands the eligibility requirements for the Asbestos Abatement Grant Program and modifies the costs eligible for grant funds.

### FAMILY SERVICES

#### *Home Visitation Program*

[ACT 896](#) (HB1968) repeals provisions requiring the Department of Health and the Department of Human Services to implement a home visitation program. The act also repeals the duty of the State Child Abuse and Neglect Prevention Board to cooperate with the Department of Health and the Department of Human Services for the purpose of adopting rules to implement a home visitation program.

### FETAL REMAINS

#### *Disposition*

[ACT 603](#) (HB1566) requires fetal remains to be disposed of in accordance with the Arkansas Final Disposition Rights Act of 2009, § 20-17-102.

#### *Fetal Death Certificate*

[ACT 168](#) (HB1185) amends the laws concerning fetal death certificates, registrations of termination of pregnancy, and certificates of birth resulting in stillbirth.

### FOOD

#### *Alcohol-infused Candy*

[ACT 1035](#) (HB1826) creates the Chocolate-Covered Cherry Freedom Act of 2017 to allow the transportation into Arkansas of alcohol-infused candies.

#### *Cottage Food Production Operations*

[ACT 399](#) (HB1256) includes chocolate-covered fruits and berries that are not cut in the definition of "cottage food production operation" and provides that sales by a cottage food production operation at an online farmers' market are excluded from the definition of "food service establishment".

## HEALTH

### GENERALLY

#### ***Arkansas Healthcare Decisions Act***

[ACT 974](#) (SB676) amends the Arkansas Healthcare Decisions Act and declarations relating to the use of life-sustaining treatment and transfers of patients within the Arkansas Rights of the Terminally Ill or Permanently Unconscious Act. The act also repeals the law concerning durable power of attorney for health care.

#### ***Colorectal Cancer***

[ACT 516](#) (HB1688) updates the Colorectal Cancer Prevention, Early Detection, and Treatment Act of 2009.

#### ***Physician Order for Life-sustaining Treatment***

[ACT 504](#) (SB356) creates the Arkansas Physician Order for Life-Sustaining Treatment Act and provides for the use of a physician order for life-sustaining treatment form.

#### ***Student Mental Health and Suicide Prevention Services***

[ACT 1007](#) (HB1666) requires institutions of higher education to provide information on mental health and suicide prevention services to entering students.

#### ***Sudden Cardiac Arrest Prevention***

[ACT 1013](#) (HB1509) creates the Sudden Cardiac Arrest Prevention Act to amend school district procedures concerning student physical activity to include recognition and management of sudden cardiac arrest. The act also sets penalties for athletics coaches who fail to meet the requirements regarding training on recognition and management of certain conditions including sudden cardiac arrest. The act also requires the Department of Education to establish guidelines for sudden cardiac arrest education.

### HEALTH CARE PROVIDERS

#### ***Alternative Payment Systems***

[ACT 724](#) (SB498) amends the definition of "healthcare payor" and prohibits waiver of alternative payment systems by contract. The act also provides a mechanism to enforce alternative payment systems.

#### ***Chiropractors***

[ACT 397](#) (HB1171) amends the laws regarding chiropractic practice and the Arkansas State Board of Chiropractic Examiners.

#### ***Demographic Data Reports***

[ACT 970](#) (SB565) amends the law concerning the health professional demographic data report to include additional licensure and practice information of a healthcare professional.

#### ***Direct Primary Care Agreements***

[ACT 1020](#) (HB2240) exempts direct primary care agreements from insurance regulation. The act changes the name of "concierge service arrangements" to "direct primary care agreements" and exempts direct primary care agreements from the laws applicable to hospital and medical service corporations.

#### ***Exemption for Licensure***

[ACT 205](#) (SB170) creates a licensure exemption for licensure for healthcare professionals who are offering free healthcare services through a program in partnership with the Federal Innovative Readiness Training.

#### ***Expenses Incurred by a Crime Victim - Payment***

[ACT 918](#) (HB1843) concerns payment administration to a healthcare provider by the Crime Victims Reparations Board.

## HEALTH

### HEALTH CARE PROVIDERS

#### ***Expenses Incurred by a Victim of a Crime - Sexual Assault***

[ACT 920](#) (HB2080) increases the time period during which a victim is not required to pay for expenses incurred as a result of receiving a medical-legal examination after a sexual assault.

#### ***Hearing Instrument Dispensers***

[ACT 373](#) (HB1034) amends the laws concerning hearing instrument dispensers licensed by the Arkansas Board of Hearing Instrument Dispensers.

#### ***Interstate Medical Licensure Compact Analysis***

[ACT 424](#) (SB78) requires the Arkansas State Medical Board to perform an analysis of the Interstate Medical Licensure Compact to determine whether the State of Arkansas should participate in the Interstate Medical Licensure Compact. The act also requires the board to report on the analysis to the Governor and the General Assembly on or before December 1, 2017, and to issue recommendations regarding any legislation needed based on the analysis on or before July 1, 2018.

#### ***Licensure Renewal Fee Waiver for Active-duty Military***

[ACT 204](#) (SB95) amends laws to waive the licensure renewal fee charged by the Arkansas State Board of Dental Examiners, the State Board of Optometry, the Arkansas State Medical Board, and the Arkansas State Board of Nursing for certain active-duty military healthcare professionals.

#### ***Massage Therapy - Cupping***

[ACT 530](#) (HB1215) amends the laws regarding the practice of massage therapy to include the practice of cupping.

#### ***Medically Necessary Foods - Treatment of Inborn Errors of Metabolism***

[ACT 1096](#) (HB1900) amends the health insurance coverage requirements for the treatment of inborn errors of metabolism. The act defines a "medical disorder requiring specialized nutrients or formulas" and clarifies the diagnoses that are covered and the healthcare providers required to administer the medically necessary foods. The act also excludes benefits provided under the Arkansas Medicaid Program.

#### ***Optometrists - Criminal Background Check***

[ACT 447](#) (HB1526) modifies Act 143 of 2017 regarding the authorization of licensure by endorsement for optometrists to specify that a criminal background check shall include the taking of fingerprints. The act declares an emergency and is effective on and after March 13, 2017.

#### ***Optometrists - Licensure by Endorsement***

[ACT 143](#) (HB1164) authorizes licensure by endorsement for optometrists by the State Board of Optometry. The act declares an emergency and is effective on and after February 7, 2017.

#### ***Physician Order for Life-sustaining Treatment***

[ACT 504](#) (SB356) creates the Arkansas Physician Order for Life-Sustaining Treatment Act and provides for the use of a physician order for life-sustaining treatment form.

#### ***Prior Authorization - Medical Treatment***

[ACT 815](#) (SB665) amends the Prior Authorization Transparency Act, limits retrospective denials of authorized services and authorized benefit inquiries, and exempts certain authorized services from audit recoupment. The act declares an emergency and is effective on and after August 1, 2017.

## HEALTH

### HEALTH CARE PROVIDERS

#### ***Right to Know***

[ACT 754](#) (HB1718) creates the Patient-Right-To-Know Act, which provides for access to contact information by patients and their healthcare providers. The act declares an emergency and is effective on and after March 30, 2017.

#### ***Surgical Technologists***

[ACT 390](#) (SB167) creates the Arkansas Surgical Technologists Act to establish registration of surgical technologists by the Arkansas State Medical Board.

#### ***Telemedicine Update***

[ACT 203](#) (SB146) amends the laws concerning telemedicine by creating the Telemedicine Act and modifying the definitions of "telemedicine" and "originating site" and amends the Arkansas Internet Prescription Consumer Protection Act to conform with the Telemedicine Act. The act also addresses requirements of a professional relationship when using telemedicine, adds standards for the appropriate use of telemedicine, and addresses insurance coverage of telemedicine.

### HEALTH DEPARTMENT

#### ***Arkansas Healthcare Transparency Initiative Update***

[ACT 979](#) (SB566) amends the Arkansas Healthcare Transparency Initiative Act of 2015 to include data from managed care organizations, risk-based provider organizations, the State Health Data Clearinghouse Act, and hospital discharge and emergency department records. The act also amends the Arkansas Healthcare Transparency Initiative Fund.

#### ***Immunization Registry Data Sharing***

[ACT 880](#) (SB301) allows the Department of Health to share immunization registry data with federal, state, and local jurisdictions as well as nations that are part of the Compact of Free Association islands.

#### ***Plumbing Plans and Specifications***

[ACT 157](#) (HB1115) authorizes local jurisdictions to review plumbing plans and specifications in lieu of the Department of Health in certain situations.

#### ***Prescription Drug Monitoring Program - Insurance Carriers and Research***

[ACT 688](#) (SB420) allows insurance carriers to obtain practitioner and dispenser information maintained by the Prescription Drug Monitoring Program and allows prescriber data to be used for research purposes.

#### ***Prescription Drug Monitoring Program - Mandated Prescriber Check***

[ACT 820](#) (SB339) requires a prescriber to check the information on the Prescription Drug Monitoring Program when prescribing certain medications and authorizes the State Board of Health to amend by rule the exemptions for this requirement by a three-fourths vote during the legislative review and approval process. The act also requires certain healthcare licensing boards to promulgate rules limiting the amount of Schedule II narcotics that may be prescribed and dispensed by the licensees of the board.

#### ***Record Maintenance Fee***

[ACT 206](#) (SB191) eliminates the record maintenance fee for visits to local health units and amends the State Health Department Building and Local Grant Trust Fund.

#### ***Scheduling a Marijuana-derived Substance***

[ACT 440](#) (HB1402) concerns the scheduling of a marijuana-derived Schedule VI controlled substance by the Department of Health in the event that the United States Food and Drug Administration has rescheduled or descheduled a marijuana-derived substance under federal law.

## HEALTH

### HEALTH DEPARTMENT

#### ***State Health Department Building and Local Grant Trust Fund***

[ACT 752](#) (HB1807) provides for the deposit of fees authorized under the Department of Health Public Health Laboratory Act of 2003 into the State Health Department Building and Local Grant Trust Fund.

#### ***Volunteer Health Care***

[ACT 958](#) (HB1901) creates the Volunteer Health Care Act to establish a volunteer healthcare program through the Department of Health or other governmental contractor to deliver health services to eligible low-income patients and to provide sovereign immunity to healthcare providers and medical professionals that participate in the volunteer healthcare program.

### HOSPICE

#### ***Registered Nurse Signature for Death of Hospice Patient in a Hospital***

[ACT 1078](#) (HB1851) authorizes a registered nurse employed by a hospice to sign the medical certification of death and pronounce death for a patient who is receiving hospice services and who dies as a hospice patient in a hospital.

### HUMAN SERVICES DEPARTMENT

#### ***Assessment - Medical Transportation Providers***

[ACT 969](#) (SB649) establishes a medical transportation provider assessment fee to be used for federal matching funds and for emergency medical transportation access payments for medical transportation providers to improve the quality and timeliness of medical transports in Arkansas.

#### ***Reorganization***

[ACT 913](#) (HB1289) reorganizes the Department of Human Services to promote and improve efficiency and quality within the department, repeals the Division of Community Service and Nonprofit Support, and creates the Division of Provider Services and Quality Assurance.

#### ***Suicide Prevention Hotline***

[ACT 811](#) (HB1775) requires the Department of Health to establish and maintain a Suicide Prevention Hotline.

### LONG-TERM CARE FACILITIES

#### ***Certified Nurse Assistants Training***

[ACT 755](#) (HB2174) addresses duplicative training of certified nurse assistants in long-term care facilities by providing an exemption for licensure as a private career school offering resident or correspondence programs for these types of training programs.

#### ***Criminal Background Checks - Long-term Care Employees***

[ACT 1077](#) (HB2083) amends the law concerning criminal background checks for a long-term care employee to clarify that expunged, pardoned, or otherwise sealed offenses will not disqualify an individual from employment in a long-term care facility.

#### ***Photography Prohibition***

[ACT 568](#) (HB1626) amends the prohibition of photography in long-term care facilities.

### MEDICAID

#### ***Access to the Prescription Drug Monitoring Program***

[ACT 46](#) (HB1025) amends the Prescription Drug Monitoring Program Act to allow access to the program by the Arkansas Medicaid prescription drug program.

#### ***Diagnosis-related Group Methodology***

[ACT 517](#) (HB1016) converts the hospital reimbursement systems under the Arkansas Medicaid Program to diagnosis-related group methodology.

## HEALTH

### MEDICAID

#### ***Direct Access to Chiropractic Physician***

[ACT 1092](#) (HB1183) authorizes a Medicaid recipient to have direct access to a chiropractic physician without referral from a primary care physician to provide consistency and efficiency of chiropractic coverage in the Arkansas Medicaid Program.

#### ***ElderChoices Program***

[ACT 591](#) (HB1501) modifies and repeals language referencing the superseded ElderChoices program.

#### ***Healthcare Fraud, Medicaid Fraud, and Medicaid Fraud False Claims***

[ACT 978](#) (SB564) clarifies the scope of healthcare fraud, modifies the sentencing scheme of healthcare fraud to be consistent with other Arkansas theft and fraud laws, updates the Medicaid Fraud Act and the Medicaid Fraud False Claims Act, conforms the Medicaid Fraud Act to the Medicaid Fraud False Claims Act, and conforms the Medicaid Fraud False Claims Act to the federal False Claims Act.

#### ***Medicaid Income Offsets for Long-Term Care Medicaid***

[ACT 892](#) (HB2177) clarifies the proper administration by the Department of Human Services of the federal regulations pertaining to post-eligibility treatment of income and deductions of "Medicaid income offsets" of institutionalized individuals of Long-Term Care Medicaid.

#### ***Medicaid Provider-led Organized Care***

[ACT 775](#) (HB1706) creates the Medicaid Provider-Led Organized Care Act to reform the Arkansas Medicaid Program to improve patient outcomes. The act designates that a risk-based provider organization is an insurance company for certain purposes under Arkansas law and is required to pay the insurance premium tax. The act also requires that insurance premium taxes received from risk-based provider organizations be used to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after March 31, 2017.

#### ***Program Savings Plan for the Medicaid Provider-led Organized Care System***

[ACT 802](#) (HB1954) requires a program savings plan for the Medicaid provider-led organized care system and reporting by the Department of Human Services to the General Assembly of savings under the Medicaid reforms.

#### ***Rehabilitative Services for Persons with Mental Illness - Moratorium***

[ACT 699](#) (SB206) codifies the Rehabilitative Services for Persons with Mental Illness moratorium and extends the moratorium until January 1, 2018.

#### ***Reimbursement for Walk-in Clinic When No Primary Care Provider Assigned***

[ACT 546](#) (HB1264) provides for reimbursement from the Arkansas Medicaid Program for healthcare services performed by a walk-in clinic or emergent care clinic when the patient does not have a primary care provider assigned.

#### ***Rules Impacting State Medicaid Costs***

[ACT 605](#) (HB1919) codifies the process for the review of rules impacting state Medicaid costs and exempts medical codes within the Arkansas Medicaid Program from the Arkansas Administrative Procedure Act, the review of rules impacting state Medicaid costs, and legislative review and approval.

## HEALTH

### MEDICAID

#### ***Tobacco Settlement Proceeds to Reduce Waiting List***

[ACT 50](#) (HB1033) allows Tobacco Settlement Funds to be used to reduce the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after January 26, 2017.

### MEDICAL MARIJUANA

#### ***Acquisition of Seeds, Cuttings, Clones, and Plants***

[ACT 1022](#) (HB2094) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to authorize acquisition of seeds, cuttings, clones, and plants by a cultivation facility without prosecution in the courts of this state.

#### ***Arkansas National Guard and United States Military***

[ACT 479](#) (HB1451) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding the Arkansas National Guard and the United States Military to specify that a designated caregiver or a qualifying patient cannot be a member of the Arkansas National Guard or the United States military. The act also specifies that a person may not possess, smoke, or otherwise engage in the use of marijuana on property controlled by the Arkansas National Guard or the United States military.

#### ***Authority to Collect Fines for Violations of Rules Adopted***

[ACT 639](#) (HB1507) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding the authority to collect fines for violations of the rules adopted by the Department of Health, the Medical Marijuana Commission, and the Alcoholic Beverage Control Division of the Department of Finance and Administration.

#### ***Criminal Background Check Procedures***

[ACT 545](#) (HB1057) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to add criminal background check procedures for designated caregivers, dispensaries, cultivation facilities, dispensary agents, and cultivation facility agents.

#### ***Definition of "Excluded Felony Offense"***

[ACT 544](#) (HB1049) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to modify the definition of "excluded felony offense".

#### ***Definition of "Written Certification" and Clarification of Medical Records***

[ACT 5](#) (HB1058) amends the definition of "written certification" within Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", and specifies that an application for a registry identification card is not a medical record.

#### ***Employee Protections and Employee Safety***

[ACT 593](#) (HB1460) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding employee protections and employee safety.

**HEALTH****MEDICAL MARIJUANA*****Extension of Dates***

[ACT 4](#) (HB1026) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding the dates for rulemaking under the amendment, by extending the dates from one hundred twenty (120) days to one hundred eighty (180) days and changing the date to begin accepting applications for dispensaries and cultivation facilities to July 1, 2017. The act is retroactive to November 9, 2016, the effective date of the Arkansas Medical Marijuana Amendment of 2016. The act declares an emergency and is effective on and after January 23, 2017.

***Licenses and Registry Identification Cards - Expiration***

[ACT 594](#) (HB1436) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding the expiration dates of licenses for dispensaries and cultivation facilities and the expiration dates for registry identification cards for dispensary agents and cultivation facility agents.

***Medical Marijuana Commission***

[ACT 638](#) (HB1519) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding the creation of the Medical Marijuana Commission, to place the commission within the Department of Finance and Administration.

***Prohibitions and Limitations on Medical Marijuana***

[ACT 1023](#) (HB1991) enacts prohibitions on medical marijuana regarding self-service machines and being intoxicated while at a dispensary or cultivation facility. The act also limits access to dispensaries and cultivation facilities to individuals who have registry identification cards or are authorized by law to be at the dispensary or cultivation facility. The act also enacts child-proof packaging requirements for medical marijuana. The act amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to specify that food or drink that has been combined with usable marijuana shall not exceed ten milligrams (10 mg) of active tetrahydrocannabinol per portion or for the entirety of the food or drink if portions cannot be determined.

***Prohibitions on Smoking - Warning Label***

[ACT 740](#) (HB1400) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to prohibit smoking of marijuana in certain places and around certain individuals and to prohibit a person under twenty-one (21) years of age from smoking medical marijuana. The act also requires that the Department of Health make rules for a warning label on all marijuana for medical use that communicates the health and safety risks associated with smoking.

***Public Schools***

[ACT 1099](#) (HB1935) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to clarify that the amendment does not require a public school to permit a qualifying patient who is a student to be present on school grounds, to attend a school event, or to participate in extracurricular activities in violation of the student discipline policies if the behavior of the qualifying patient is impaired. The act declares an emergency and is effective on and after April 7, 2017.

**HEALTH****MEDICAL MARIJUANA*****Qualifying Patient and Marijuana Dispensing Data***

[ACT 948](#) (SB769) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to require reporting of qualifying patients and marijuana dispensing data to the Arkansas all-payer claims database established by the Arkansas Healthcare Transparency Initiative.

***Regulation of Advertising, Marketing, Packaging, and Promotion***

[ACT 640](#) (HB1370) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to authorize regulation of advertising, marketing, packaging, and promotion of dispensaries and cultivation facilities by the Alcoholic Beverage Control Division of the Department of Finance and Administration.

***Security and Safety Requirements for Cultivation Facilities***

[ACT 1100](#) (HB2011) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to establish certain security and safety requirements for cultivation facilities licensed in this state and to specify the calculation of distance within the amendment.

***Special Privilege Tax***

[ACT 1098](#) (HB1580) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to provide for a special privilege tax on cultivation facilities, dispensaries, and other marijuana businesses. The act declares an emergency and is effective on and after July 1, 2017.

***Taxation and Proceeds***

[ACT 670](#) (HB1369) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding taxation and distribution of proceeds to direct all of the state sales tax to be deposited into the Arkansas Medical Marijuana Implementation and Operations Special Revenue Fund to be used for the expenses of implementation and administration. The act also provides that any remaining money in the fund after the payment of expenses shall be directed to the General Revenue Fund Account. The act also creates the Medical Marijuana Commission Fund and the Arkansas Medical Marijuana Implementation and Operations Special Revenue Fund.

***Telemedicine - Written Certification***

[ACT 438](#) (HB1556) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to prohibit telemedicine as the method by which a qualifying patient obtains a written certification.

***Temporary Licenses***

[ACT 587](#) (HB1584) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to establish a temporary license for a dispensary or cultivation facility.

***Transfer of Dispensary License and Cultivation Facility License***

[ACT 641](#) (HB1298) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to authorize the transfer of a license for dispensaries and cultivation facilities.

***Transporters, Distributors, and Processors***

[ACT 642](#) (HB1051) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to add a licensure procedure for transporters, distributors, and processors.

## HEALTH

### MEDICAL MARIJUANA

#### *Vaporizers and Pharmacist Consultants*

[ACT 1024](#) (HB2190) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to require a dispensary to make vaporizers available for sale to qualifying patients and to appoint a pharmacist consultant.

### MEDICARE

#### *Medicare Supplement Insurance*

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

### NURSES

#### *Alternative to Discipline Act*

[ACT 325](#) (HB1413) creates the Alternative to Discipline Act to provide for treatment of nurses licensed in Arkansas who suffer from impairment resulting from a diagnosed substance use disorder or a diagnosed mental or physical health condition.

#### *Criminal Background Check Clarification*

[ACT 492](#) (HB1411) clarifies the law regarding criminal background checks for nursing licensure.

#### *Interstate Nurse Licensure Compact*

[ACT 454](#) (HB1482) updates the Interstate Nurse Licensure Compact to become compliant with the new version of the Interstate Nurse Licensure Compact. This act does not become effective until the earlier of the date that the Arkansas State Board of Nursing determines that the Interstate Nurse Licensure Compact has been legislatively enacted by twenty-six (26) states or on and after December 31, 2018.

#### *Signature Authority*

[ACT 372](#) (HB1180) authorizes advanced practice registered nurses and physician assistants to sign certain official documents in lieu of a physician.

### PHARMACISTS AND PHARMACIES

#### *Dialysate or Devices Necessary for Home Peritoneal Kidney Dialysis*

[ACT 722](#) (SB361) creates an exemption from the laws regarding the practice of pharmacy for dialysate or devices necessary for home peritoneal kidney dialysis in certain situations.

#### *Emergency Refill of Prescriptions*

[ACT 282](#) (SB153) modifies the emergency refill of prescriptions by pharmacists to remove the limitation of a seventy-two (72) hour supply of the prescribed medication.

#### *Inspection Procedures and Costs Associated with Inspections*

[ACT 477](#) (HB1560) amends the laws regarding the practice of pharmacy and the Arkansas State Board of Pharmacy to clarify the inspection procedure and the costs associated with inspections and to increase the days required for notification to the Arkansas State Board of Pharmacy in certain circumstances.

#### *Medications - Access and Administration*

[ACT 284](#) (SB162) amends the law concerning the practice of pharmacy to specify that a pharmacist is a healthcare provider and authorizes use of pharmacists to provide access to and administration of certain medications including Naloxone. The act also authorizes dispensing of Naloxone and contraceptives by physicians.

## HEALTH

### PHYSICIAN ASSISTANTS

#### *Signature Authority*

[ACT 372](#) (HB1180) authorizes advanced practice registered nurses and physician assistants to sign certain official documents in lieu of a physician.

### PHYSICIANS

#### *Alternative Payment Systems*

[ACT 724](#) (SB498) amends the definition of "healthcare payor" and prohibits waiver of alternative payment systems by contract. The act also provides a mechanism to enforce alternative payment systems.

#### *Arkansas Peer Review Fairness Act*

[ACT 975](#) (SB611) amends the Arkansas Peer Review Fairness Act to clarify when an investigation begins, to establish standards for external reviews, to provide for unbiased peer review hearing panels, and to clarify legal remedies. The act declares an emergency regarding the legal remedies section (Section 7), and Section 7 is effective on and after April 7, 2017.

#### *Dispensing of Naloxone and Contraceptives*

[ACT 284](#) (SB162) authorizes dispensing of Naloxone and contraceptives by physicians. The act also amends the law concerning the practice of pharmacy and authorizes use of pharmacists to provide access to and administration of certain medications.

#### *Treatment of a Medical Disorder Requiring Specialized Nutrients or Formulas*

[ACT 1096](#) (HB1900) amends the health insurance coverage requirements for the treatment of inborn errors of metabolism. The act defines a "medical disorder requiring specialized nutrients or formulas" and clarifies the diagnoses that are covered and the healthcare providers required to administer the medically necessary foods. The act also excludes benefits provided under the Arkansas Medicaid Program.

### SUBSTANCE ABUSE

#### *Naloxone Access*

[ACT 70](#) (SB111) amends the Naloxone Access Act to include the employees of the State Crime Laboratory in the group of persons allowed to be prescribed and dispensed an opioid antagonist.

#### *Prescription Drug Abuse*

[ACT 72](#) (HB1024) modifies the definition of "chronic nonmalignant pain" within the Combating Prescription Drug Abuse Act.

#### *Public Assistance*

[ACT 566](#) (HB1251) authorizes the state to opt out of the federal requirements prohibiting public assistance based on drug convictions under Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193.

### TECHNICAL CORRECTIONS - PUBLIC HEALTH AND WELFARE - TITLE 20

[ACT 264](#) (HB1323) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 20 of the Arkansas Code.

## HIGHWAYS AND TRANSPORTATION

### BOATING

#### *Training and Safety - Requirements*

[ACT 1072](#) (SB634) requires the completion of a boater training and boater safety program for a person to operate a motorboat or personal watercraft in this state.

## HIGHWAYS AND TRANSPORTATION

### FINANCE AND FUNDING

#### ***Highway Revenue - Interest Income***

[ACT 704](#) (SB664) excludes certain interest income generated from highway revenue from distribution to state funds. The act is effective on and after January 1, 2018.

#### ***Interest Income - Regional Intermodal Facilities and Transportation Research***

[ACT 705](#) (SB605) uses highway revenue interest income to provide funds for regional intermodal facilities and transportation-related research, creates the Future Transportation Research Fund, and creates the Transportation-Related Research Grant Program.

#### ***Municipal Parking Lots***

[ACT 607](#) (SB275) allows a city to use highway revenue distributions under the Municipal Aid Fund for the construction and maintenance of parking lots and sidewalks for city buildings and parks.

#### ***Trail of Tears Historic Bike Route***

[ACT 1009](#) (HB1755) provides that the Arkansas State Highway and Transportation Department may apply for, receive, and use gifts, grants, and donations from private and public sources to install the signs and construct the bicycle lane required for the Trail of Tears Historic Bike Route.

### HIGHWAY AND TRANSPORTATION DEPARTMENT

#### ***Chief of the Arkansas Highway Police Division***

[ACT 446](#) (HB1642) requires that the Director of State Highways and Transportation appoint the Chief of the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department to serve at the pleasure of the director.

#### ***Construction Projects - Reporting***

[ACT 1070](#) (SB632) requires that the Arkansas State Highway and Transportation Department erect signs containing specific details about each public road construction project of ten million dollars (\$10,000,000) or more.

#### ***Employee Tool Allowance***

[ACT 450](#) (HB1641) increases the tool allowance for certain employees of the Arkansas State Highway and Transportation Department who work on highway equipment and facilities.

#### ***Highway and Road Safety Improvements***

[ACT 618](#) (HB1997) requires that the Arkansas State Highway and Transportation Department inspect traffic accident reports submitted by the Department of Arkansas State Police to determine and implement safety improvements necessary to improve the safety of the state highway system and local roads.

#### ***Name Change***

[ACT 707](#) (SB589) changes the name of the Arkansas State Highway and Transportation Department to the Arkansas Department of Transportation.

### HIGHWAY COMMISSION

#### ***Boater Training and Safety Program***

[ACT 1072](#) (SB634) allows the online administration of a boater training and boater safety program approved by the State Highway Commission.

#### ***Construction Manager-General Contractor Method of Procurement Pilot Program***

[ACT 809](#) (HB2273) creates a construction manager-general contractor method of procurement pilot program to develop an alternative, cost-effective, procurement procedure for transportation projects.

## HIGHWAYS AND TRANSPORTATION

### HIGHWAY COMMISSION

#### ***Right to Lease Right-of-Way***

[ACT 964](#) (HB2093) allows the State Highway Commission to execute a lease or rental agreement covering any interest in property, including the right-of-way of a state highway for a period not to exceed five (5) years.

#### ***Special Permit - Agricultural Products***

[ACT 1085](#) (HB2211) provides that the State Highway Commission may issue a special permit authorizing the movement of a truck tractor or semi-trailer combination with five (5) axles hauling agronomic or horticultural crops that exceeds the maximum gross weight provided by law.

#### ***State Aid Engineer***

[ACT 457](#) (HB1643) removes the requirement that the State Aid Engineer be an employee of the State Highway Commission.

#### ***Surplus Property***

[ACT 1036](#) (HB2182) modifies the process by which the State Highway Commission may sell or dispose of surplus property.

### HIGHWAY POLICE

#### ***Chief - Appointment***

[ACT 446](#) (HB1642) requires that the Director of State Highways and Transportation appoint the Chief of the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department to serve at the pleasure of the director.

### INTERMODAL FACILITIES

#### ***Funding***

[ACT 705](#) (SB605) provides funds for regional intermodal facilities from highway revenue interest income.

### MOTOR CARRIERS

#### ***Transportation Network Companies - Tolls and Fees***

[ACT 954](#) (HB1573) authorizes a municipal airport commission or a regional airport authority to impose tolls and fees upon a transportation network company, transportation network company driver, or a motor vehicle used by a transportation network company driver.

### MOTOR VEHICLES

#### ***Leaving the Scene of a Motor Vehicle Accident***

[ACT 615](#) (SB363) provides criminal penalties for a person who leaves the scene of a motor vehicle accident that involves damage to the personal property of another person. The act also requires the driver of a motor vehicle that causes damage to the personal property of another person to leave his or her contact information if the owner of the personal property is not present.

### RAILROADS

#### ***Employees - Sentence Enhancement for Offense***

[ACT 955](#) (HB2116) creates a sentence enhancement for an offense committed against a person solely because the victim is a railroad or public transit employee.

### SAFETY

#### ***Boating Training and Safety - Requirements***

[ACT 1072](#) (SB634) requires the completion of a boater training and boater safety program for a person to operate a motorboat or personal watercraft in this state.

## HIGHWAYS AND TRANSPORTATION

### SAFETY

#### ***Distracted Driving - Penalties***

[ACT 706](#) (SB374) increases the penalties for using a wireless telecommunications device while operating a motor vehicle and creates an enhanced penalty if it is determined that a person was involved in a collision or accident while using a wireless telecommunications device.

#### ***Fleeing***

[ACT 887](#) (HB1885) amends the criminal classification for the offense of fleeing.

#### ***Funeral Processions***

[ACT 816](#) (SB349) grants a funeral procession the right-of-way at an intersection and prohibits motor vehicle interference in certain circumstances.

#### ***Interference with Traffic Control Devices or Barricades***

[ACT 789](#) (HB1302) prohibits a person from interfering with a traffic control device or barricade placed to close a public highway under the authority of the Arkansas State Highway and Transportation Department or local authorities.

#### ***Possession of an Open Container of Alcohol in a Motor Vehicle***

[ACT 849](#) (HB1922) creates the offense of possession of an open container of alcohol in a motor vehicle.

#### ***Review of Accident Reports***

[ACT 618](#) (HB1997) requires that the Arkansas State Highway and Transportation Department inspect traffic accident reports submitted by the Department of Arkansas State Police to determine and implement safety improvements necessary to improve the safety of the state highway system and local roads.

#### ***School Bus Passenger Restraint Systems***

[ACT 375](#) (HB1002) requires that a school bus that is purchased new or leased on or after January 1, 2018, be equipped with a passenger restraint system for each student transported if a petition signed by at least ten percent (10%) of a school district's qualified electors is submitted and voted upon at the annual school election.

#### ***Traffic Stop Safety Guidelines***

[ACT 490](#) (HB1670) requires that the Department of Arkansas State Police establish traffic stop safety guidelines for drivers and passengers that shall be included in the driver's instruction manual and the driver's license examination.

### SPEED LIMITS

#### ***Authority to Increase***

[ACT 1097](#) (HB2057) provides that the State Highway Commission may increase the speed limit of a controlled-access highway to seventy-five miles per hour (75 m.p.h) upon an engineering and traffic investigation and repeals the maximum permissible speed of trucks with a capacity of one-and-one-half tons or more.

### STATE HIGHWAYS

#### ***Arkansas Delta Highway Designations***

[ACT 810](#) (HB2179) provides for the designation of certain highways in the Arkansas Delta to preserve the region's history, promote music heritage tourism in the area, and provide a highway travel route for the music enthusiast.

#### ***Commercial Motor Vehicles - Size and Weight***

[ACT 619](#) (HB1998) amends current Arkansas law concerning certain size and weight provisions for commercial motor vehicles in order to align state law with the requirements of the Fixing America's Surface Transportation Act.

## HIGHWAYS AND TRANSPORTATION

### STATE HIGHWAYS

#### ***Construction Projects - Reporting***

[ACT 1070](#) (SB632) requires that the Arkansas State Highway and Transportation Department erect signs containing specific details about each public road construction project of ten million dollars (\$10,000,000) or more.

#### ***Designation of Delta Rhythm & Bayous Highway***

[ACT 451](#) (HB1054) establishes a highway designation for the Delta Rhythm & Bayous Highway to preserve the region's history and to promote the economic development of cities in close proximity to U.S. Highway 65 South.

#### ***Driver-assistive Truck Platooning Systems***

[ACT 797](#) (HB1754) provides that vehicles equipped with driver-assistive truck platooning systems may follow other vehicles closer than allowed by law and regulates the use of these vehicles on a street or state highway.

#### ***Interference with Traffic Control Devices or Barricades***

[ACT 789](#) (HB1302) prohibits a person from interfering with a traffic control device or barricade placed to close a public highway under the authority of the Arkansas State Highway and Transportation Department or local authorities.

#### ***Operation of All-terrain Vehicles***

[ACT 272](#) (HB1148) limits the number of miles a person may operate an all-terrain vehicle on a public street or highway to three (3) miles in certain circumstances.

#### ***Permit for Special Cargo - Farm Machinery Equipment Dealer***

[ACT 650](#) (SB415) authorizes the State Highway Commission to issue a special permit valid for one (1) year authorizing the movement of a vehicle hauling farm machinery equipment that exceeds the maximum width allowed by law.

#### ***Right-of-Way***

[ACT 964](#) (HB2093) allows the State Highway Commission to execute a lease or rental agreement covering any interest in property, including the right-of-way of a state highway for a period not to exceed five (5) years.

#### ***Trail of Tears Historic Bike Route***

[ACT 1009](#) (HB1755) designates a portion of U.S. Highway 62 as the "Trail of Tears Historic Bike Route".

### TECHNICAL CORRECTIONS - TRANSPORTATION - TITLE 27

#### ***Legislative Corrections - Obsolete Laws***

[ACT 786](#) (HB1657) makes legislative corrections and repeals obsolete laws found in Title 27 of the Arkansas Code.

#### ***Technical Corrections***

[ACT 448](#) (HB1483) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 27 of the Arkansas Code.

### WEIGHT AND LOAD LIMITS AND PERMITS

#### ***Agricultural Products***

[ACT 1085](#) (HB2211) provides that the State Highway Commission may issue a special permit authorizing the movement of a truck tractor or semi-trailer combination with five (5) axles hauling agronomic or horticultural crops that exceeds the maximum gross weight provided by law.

## HIGHWAYS AND TRANSPORTATION

### WEIGHT AND LOAD LIMITS AND PERMITS

#### *Permit for Special Cargo - Farm Machinery Equipment Dealer*

[ACT 650](#) (SB415) authorizes the State Highway Commission to issue a special permit valid for one (1) year authorizing the movement of a vehicle hauling farm machinery equipment that exceeds the maximum width allowed by law.

## IMPROVEMENT DISTRICTS

### PROCEDURES

#### *Accountability Measures*

[ACT 924](#) (HB2238) provides for more accountability and transparency in improvement district procedures regarding appointment of commissioners, vacancies, petitions, and financial reports.

#### *Operations*

[ACT 623](#) (HB1719) allows a county judge or mayor in the area of an improvement district to request or compel production of financial information of the district. The act creates a streamlined procedure for the filling of board vacancies, board meetings, and administration.

#### *Property Owners' District - Dissolution*

[ACT 819](#) (SB715) provides that upon dissolution of a property owners' improvement district, an incorporated property owners' association served or benefitted by the facilities constructed by the district may take over or assume control of the facilities.

## INDIVIDUALS WITH DISABILITIES

### ACCESSIBILITY

#### *Internet Websites*

[ACT 784](#) (HB1983) provides for conditions precedent to filing a claim in state court concerning the accessibility of an internet website for an individual with a disability.

#### *Parking for Persons with Disabilities - Report of Abuse*

[ACT 1003](#) (HB2069) authorizes the Office of Motor Vehicle to develop and implement a means by which a person may report the alleged misuse of parking privileges for persons with disabilities by calling a telephone hotline or submitting a form online or by mail.

#### *Rehabilitative Services for Persons with Mental Illness - Moratorium*

[ACT 699](#) (SB206) codifies the Rehabilitative Services for Persons with Mental Illness moratorium and extends the moratorium until January 1, 2018.

#### *Succeed Scholarship Program - Enrollment Waiver*

[ACT 637](#) (HB1056) allows the superintendent of a student's resident school district to waive the requirement that a student be enrolled in a public school for one (1) academic year in order to be eligible for a Succeed Scholarship.

#### *Succeed Scholarship Program - Private Schools*

[ACT 327](#) (HB1461) provides that a private school is eligible to participate in the Succeed Scholarship Program if the private school is an associate member of or has applied for accreditation by an accrediting association recognized by the State Board of Education. The act declares an emergency and is effective on and after March 2, 2017.

#### *Van Accessible Parking*

[ACT 799](#) (HB1882) creates a van-accessible parking decal to help regulate van-accessible parking enforcement, amends van-accessible parking penalties, and amends the provisions for issuance of a special license plate and certification. Sections 1, 2, 5, 6, 7, and 8 of this act are effective on November 13, 2017, and Sections 3, 4, and 9 are effective on January 1, 2019.

**INDIVIDUALS WITH DISABILITIES****DISCRIMINATION*****Medicare Supplement Insurance***

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

**SERVICES*****Building Better Futures***

[ACT 432](#) (HB1308) makes technical corrections to the Building Better Futures Program and Building Better Futures High School Program to align the programs and make the programs consistent. The act provides that a program may be established by an institution of higher education as a comprehensive transition and postsecondary program recognized by the United States Department of Education.

***Driver's License - Communication Impediment Designation and Decal***

[ACT 366](#) (SB266) authorizes the placement of a communication impediment designation on the driver's license or identification card of a person who has a medical condition that may impede his or her ability to communicate with a law enforcement officer, an emergency medical service provider, or a firefighter. A person who qualifies for the issuance of a communication impediment designation or his or her parent or guardian may purchase a communication impediment decal for his or her license plate. The act is effective on and after November 13, 2017.

***Medicaid Provider-led Organized Care***

[ACT 775](#) (HB1706) creates the Medicaid Provider-Led Organized Care Act to reform the Arkansas Medicaid Program to improve patient outcomes. The act designates that a risk-based provider organization is an insurance company for certain purposes under Arkansas law and is required to pay the insurance premium tax. The act also requires that insurance premium taxes received from risk-based provider organizations be used to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after March 31, 2017.

***Service Dogs***

[ACT 652](#) (SB227) requires that all service dogs authorized for accompaniment under the Americans with Disability Act be included among the rights of individuals with disabilities to be accompanied by a service animal.

***Waiting List - Reduction***

[ACT 50](#) (HB1033) allows Tobacco Settlement Funds to be used to reduce the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after January 26, 2017.

**INSURANCE****CLAIMS*****Healthcare Procedure Code - Reimbursement***

[ACT 500](#) (HB1724) clarifies the healthcare procedure code to be used for reimbursement for digital mammography services. The act declares an emergency and is effective on and after March 15, 2017.

**INSURANCE****CLAIMS*****Valued Policy Law - Total Loss***

[ACT 683](#) (SB579) amends the valued policy law to exclude a total loss by fire or a natural disaster, other than a flood or an earthquake, that is caused by the insured or someone acting on behalf of or in collusion with the insured through a criminal act, intentional misrepresentation, fraud, or deceit. The act clarifies that if a claim is for the total loss of a building that is insured under a blanket insurance policy for a stated amount that covers two (2) or more buildings or that covers buildings and personal property, then settlement will be based on an initial payment of the value assigned for the purpose of rating the policy to each affected building before the loss, with any balance remaining being settled according to the terms and conditions of the blanket insurance policy.

**COMPANIES AND ASSOCIATIONS*****Captive Insurance Companies***

[ACT 370](#) (HB1476) revises certain provisions related to formation and operation of captive insurance companies, amends definitions to be used for licensing and regulation of captive insurers, and amends the requirements for a captive insurance company concerning organization, reporting, conversion, and merger and the necessary sponsorship criteria to form a captive insurance company.

***Insurance Holding Company Regulatory Act***

[ACT 386](#) (SB344) modernizes and updates the Insurance Holding Company Regulatory Act.

**COVERAGE AND BENEFITS*****Emerging Therapy - Choosing Wisely Initiative***

[ACT 1089](#) (HB2014) requires the State and Public School Life and Health Insurance Board to consider a pilot program by July 2018 that explores emerging therapies and cost-effectiveness of treatment under the Choosing Wisely Initiative.

***Medically Necessary Foods - Treatment of Inborn Errors of Metabolism***

[ACT 1096](#) (HB1900) amends the health insurance coverage requirements for the treatment of inborn errors of metabolism. The act defines a "medical disorder requiring specialized nutrients or formulas" and clarifies the diagnoses that are covered and the healthcare providers required to administer the medically necessary foods. The act also excludes benefits provided under the Arkansas Medicaid Program.

***Mortgage Lien Protection***

[ACT 1082](#) (HB2048) amends the law concerning casualty insurance coverage and mortgage lien protection and increases the coverage amount threshold for transactions that are not covered by mortgage lien protection.

***Parity - Anticancer Medication***

[ACT 543](#) (HB1592) provides parity in health benefit plan coverage between orally administered anticancer medication and intravenously administered anticancer medication.

***State and Public School Life and Health Insurance Program***

[ACT 927](#) (SB522) extends the pilot program on coverage for morbid obesity diagnosis and treatment until December 31, 2021. The act requires health benefit plans to provide coverage for the treatment of morbid obesity and provides that the State and Public School Life and Health Insurance Board may discontinue or suspend a morbid obesity plan option if the board determines adjustments are necessary to ensure financial soundness and overall well-being of the State and Public School Life and Health Insurance Program.

**INSURANCE****COVERAGE AND BENEFITS*****Telemedicine Update***

[ACT 203](#) (SB146) amends the laws concerning telemedicine by creating the Telemedicine Act and modifying the definitions of "telemedicine" and "originating site" and amends the Arkansas Internet Prescription Consumer Protection Act to conform with the Telemedicine Act. The act also addresses requirements of a professional relationship when using telemedicine, adds standards for the appropriate use of telemedicine, and addresses insurance coverage of telemedicine.

***Valued Policy Law - Applicable Expense Depreciation***

[ACT 279](#) (SB133) amends the valued policy law to clarify the expense depreciation applicable when determining the value of damaged property.

***Valued Policy Law - Buildings and Personal Property***

[ACT 683](#) (SB579) amends the valued policy law to exclude a total loss by fire or a natural disaster, other than a flood or an earthquake, that is caused by the insured or someone acting on behalf of or in collusion with the insured through a criminal act, intentional misrepresentation, fraud, or deceit. The act clarifies that if a claim is for the total loss of a building that is insured under a blanket insurance policy for a stated amount that covers two (2) or more buildings or that covers buildings and personal property, then settlement will be based on an initial payment of the value assigned for the purpose of rating the policy to each affected building before the loss, with any balance remaining being settled according to the terms and conditions of the blanket insurance policy.

**FUNERAL AND BURIAL INSURANCE*****Prepaid Funeral Benefits - Annuities***

[ACT 368](#) (SB290) amends the definition of "contract" under the Unclaimed Life Insurance Benefits Act to exclude an annuity used to fund a funeral or related expenses or a prepaid funeral benefits contract and amends the definition of "policy" under the Unclaimed Life Insurance Benefits Act to exclude a policy or certificate of life insurance that is used to fund a funeral or related expenses or a prepaid funeral benefits contract.

**HEALTH INSURANCE*****Digital Mammography - Healthcare Procedure Code***

[ACT 500](#) (HB1724) clarifies the healthcare procedure code to be used for reimbursement for digital mammography services. The act declares an emergency and is effective on and after March 15, 2017.

***Mammograms - Breast Ultrasounds***

[ACT 708](#) (HB2022) defines "breast ultrasound" and clarifies that digital breast tomosynthesis is included in the definition of "screening mammography". The act also makes screening mammography and breast ultrasounds an essential health benefit for the diagnosis of breast disease such as cancer and the evaluation of dense breast and revises the age specifications for an essential health benefit. The act also clarifies that insurance coverage for screening mammograms, including digital breast tomosynthesis, and breast ultrasounds shall not prejudice coverage for diagnostic mammograms or breast ultrasounds as recommended by the woman's physician. The act repeals the payment requirements for screening mammograms and clarifies that benefits are subject to policy provisions except that an insurance policy shall not impose a copayment or deductible for a screening mammogram and that breast ultrasounds are not subject to a deductible.

## INSURANCE

### HEALTH INSURANCE

#### ***Medically Necessary Foods - Treatment of Inborn Errors of Metabolism***

[ACT 1096](#) (HB1900) amends the health insurance coverage requirements for the treatment of inborn errors of metabolism. The act defines a "medical disorder requiring specialized nutrients or formulas" and clarifies the diagnoses that are covered and the healthcare providers required to administer the medically necessary foods. The act also excludes benefits provided under the Arkansas Medicaid Program.

#### ***Medicare Supplement Insurance***

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

#### ***Parity - Anticancer Medication***

[ACT 543](#) (HB1592) provides parity in health benefit plan coverage between orally administered anticancer medication and intravenously administered anticancer medication.

#### ***Prior Authorizations - Transparency***

[ACT 815](#) (SB665) amends the Prior Authorization Transparency Act, limits retrospective denials of authorized services and authorized benefit inquiries, and exempts certain authorized services from audit recoupment. The act declares an emergency and is effective on and after August 1, 2017.

### HOMEOWNERS INSURANCE

#### ***Property and Casualty Law - Expense Depreciation***

[ACT 279](#) (SB133) amends the valued policy law to clarify the expense depreciation applicable when determining the value of damaged property.

### INSURANCE DEPARTMENT

#### ***Amendment to Rule 27***

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

**INSURANCE****INSURANCE DEPARTMENT*****General Omnibus***

[ACT 283](#) (SB247) enacts the State Insurance Department's general omnibus bill, including updates to numerous insurance laws. The act also improves the Insurance Commissioner's ability to administer the insurance laws and internal procedures of the State Insurance Department; amends the Arkansas Prepaid Funeral Benefits Law; revises the disclosure of nonpublic personal information by the Insurance Commissioner; amends the Policyholder's Bill of Rights; revises the disclosure of an examination report by the Insurance Commissioner; amends the immunity from prosecution in proceedings of the State Insurance Department; revises the annual statement requirements filed with the Insurance Commissioner; amends the application and licensing requirements of captive insurers; revises the qualifications for holding an insurance adjuster's license; amends the licensure requirements under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act; clarifies the procedure for mandatory reporting of fraudulent insurance acts; repeals the compilation of comparison data for private passenger automobile, homeowners multi-peril, and dwelling fire insurance policies; repeals the requirement of an annual report regarding personal insurance; revises the applicability of the Arkansas Insurance Code to health maintenance organizations; revises the definition of "covered claim" under the Arkansas Property and Casualty Insurance Guaranty Act; amends the Risk Retention and Purchasing Group Act; and clarifies the annual payment date for an insurer's antifraud assessment.

***Online Insurance Verification System - Penalty***

[ACT 1016](#) (HB2193) provides that the State Insurance Department may impose a penalty or fine if an insurance company fails to consistently allow access through an online insurance verification system to verify coverage of motor vehicle liability insurance. The act is effective on and after January 1, 2019.

**LEGAL REPRESENTATION*****Entities Permitted to Represent a Self-Insurance Risk Pool in Certain Matters***

[ACT 558](#) (SB369) concerns the practice of law by a nonprofit corporation, voluntary association, or instrumentality of the government recognized under 26 U.S.C. § 115.

**LIFE INSURANCE AND ANNUITIES*****Unclaimed Life Insurance Benefits***

[ACT 368](#) (SB290) amends the definition of "contract" under the Unclaimed Life Insurance Benefits Act to exclude an annuity used to fund a funeral or related expenses or a prepaid funeral benefits contract and amends the definition of "policy" under the Unclaimed Life Insurance Benefits Act to exclude a policy or certificate of life insurance that is used to fund a funeral or related expenses or a prepaid funeral benefits contract.

**MOTOR VEHICLES*****Fraudulent Insurance Acts - Statute of Limitations***

[ACT 695](#) (SB223) provides the statutes of limitation for fraudulent insurance acts.

***Online Insurance Verification System***

[ACT 1016](#) (HB2193) creates a real-time online insurance verification system to verify the insurance status of a motor vehicle and requires that an insurer maintain the data necessary to verify a motor vehicle's insurance status. The act also provides that failure to operate a motor vehicle without liability insurance results in the suspension of registration and upon conviction is a Class C misdemeanor. The act is effective on and after January 1, 2019.

**INSURANCE****PATIENTS' RIGHTS AND ISSUES*****Prior Authorization - Retrospective Denials***

[ACT 815](#) (SB665) amends the Prior Authorization Transparency Act, limits retrospective denials of authorized services and authorized benefit inquiries, and exempts certain authorized services from audit recoupment. The act declares an emergency and is effective on and after August 1, 2017.

**PAYMENTS, PROCEEDS, AND SETTLEMENTS*****Healthcare Procedure Code - Digital Mammography***

[ACT 500](#) (HB1724) clarifies the healthcare procedure code to be used for reimbursement for digital mammography services. The act declares an emergency and is effective on and after March 15, 2017.

***Mammograms - Breast Ultrasounds***

[ACT 708](#) (HB2022) defines "breast ultrasound" and clarifies that digital breast tomosynthesis is included in the definition of "screening mammography". The act also makes screening mammography and breast ultrasounds an essential health benefit for the diagnosis of breast disease such as cancer and the evaluation of dense breast and revises the age specifications for an essential health benefit. The act also clarifies that insurance coverage for screening mammograms, including digital breast tomosynthesis, and breast ultrasounds shall not prejudice coverage for diagnostic mammograms or breast ultrasounds as recommended by the woman's physician. The act repeals the payment requirements for screening mammograms and clarifies that benefits are subject to policy provisions except that an insurance policy shall not impose a copayment or deductible for a screening mammogram and that breast ultrasounds are not subject to a deductible.

***Parity - Anticancer Medication***

[ACT 543](#) (HB1592) provides parity in health benefit plan coverage between orally administered anticancer medication and intravenously administered anticancer medication.

***Valued Policy Law - Blanket Insurance Policy***

[ACT 683](#) (SB579) amends the valued policy law to exclude a total loss by fire or a natural disaster, other than a flood or an earthquake, that is caused by the insured or someone acting on behalf of or in collusion with the insured through a criminal act, intentional misrepresentation, fraud, or deceit. The act clarifies that if a claim is for the total loss of a building that is insured under a blanket insurance policy for a stated amount that covers two (2) or more buildings or that covers buildings and personal property, then settlement will be based on an initial payment of the value assigned for the purpose of rating the policy to each affected building before the loss, with any balance remaining being settled according to the terms and conditions of the blanket insurance policy.

***Valued Policy Law - Expense Depreciation***

[ACT 279](#) (SB133) amends the valued policy law to clarify the expense depreciation applicable when determining the value of damaged property.

## INSURANCE POLICIES

### ***Blanket Insurance Policy - Buildings and Personal Property***

[ACT 683](#) (SB579) amends the valued policy law to exclude a total loss by fire or a natural disaster, other than a flood or an earthquake, that is caused by the insured or someone acting on behalf of or in collusion with the insured through a criminal act, intentional misrepresentation, fraud, or deceit. The act clarifies that if a claim is for the total loss of a building that is insured under a blanket insurance policy for a stated amount that covers two (2) or more buildings or that covers buildings and personal property, then settlement will be based on an initial payment of the value assigned for the purpose of rating the policy to each affected building before the loss, with any balance remaining being settled according to the terms and conditions of the blanket insurance policy.

### ***Mammograms - Breast Ultrasounds***

[ACT 708](#) (HB2022) defines "breast ultrasound" and clarifies that digital breast tomosynthesis is included in the definition of "screening mammography". The act also makes screening mammography and breast ultrasounds an essential health benefit for the diagnosis of breast disease such as cancer and the evaluation of dense breast and revises the age specifications for an essential health benefit. The act also clarifies that insurance coverage for screening mammograms, including digital breast tomosynthesis, and breast ultrasounds shall not prejudice coverage for diagnostic mammograms or breast ultrasounds as recommended by the woman's physician. The act repeals the payment requirements for screening mammograms and clarifies that benefits are subject to policy provisions except that an insurance policy shall not impose a copayment or deductible for a screening mammogram and that breast ultrasounds are not subject to a deductible.

### ***Medicare Supplement Insurance***

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

### ***Valued Policy Law - Expense Depreciation***

[ACT 279](#) (SB133) amends the valued policy law to clarify the expense depreciation applicable when determining the value of damaged property.

## REGULATION

### ***Captive Insurance Companies***

[ACT 370](#) (HB1476) revises certain provisions related to formation and operation of captive insurance companies, amends definitions to be used for licensing and regulation of captive insurers, and amends the requirements for a captive insurance company concerning organization, reporting, conversion, and merger and the necessary sponsorship criteria to form a captive insurance company.

### ***Direct Primary Care Agreements - Exemption***

[ACT 1020](#) (HB2240) exempts direct primary care agreements from insurance regulation. The act changes the name of "concierge service arrangements" to "direct primary care agreements" and exempts direct primary care agreements from the laws applicable to hospital and medical service corporations.

## INSURANCE

### REGULATION

#### ***Healthcare Transparency Initiative***

[ACT 979](#) (SB566) amends the Arkansas Healthcare Transparency Initiative Act of 2015 to include data from managed care organizations, risk-based provider organizations, the State Health Data Clearinghouse Act, and hospital discharge and emergency department records. The act also amends the Arkansas Healthcare Transparency Initiative Fund.

#### ***Insurance Holding Company Regulatory Act***

[ACT 386](#) (SB344) modernizes and updates the Insurance Holding Company Regulatory Act.

#### ***Medicaid Provider-Led Organized Care Act and Risk-Based Provider Organization***

[ACT 775](#) (HB1706) creates the Medicaid Provider-Led Organized Care Act to reform the Arkansas Medicaid Program to improve patient outcomes. The act designates that a risk-based provider organization is an insurance company for certain purposes under Arkansas law and is required to pay the insurance premium tax. The act also requires that insurance premium taxes received from risk-based provider organizations be used to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after March 31, 2017.

### SCHOOLS AND SCHOOL DISTRICTS

#### ***State and Public School Life and Health Insurance Board - Emerging Therapies***

[ACT 1089](#) (HB2014) requires the State and Public School Life and Health Insurance Board to consider a pilot program by July 2018 that explores emerging therapies and cost-effectiveness of treatment under the Choosing Wisely Initiative.

#### ***Teacher Health Insurance***

[ACT 298](#) (HB1307) requires the Department of Education to transfer funds to the Employee Benefits Division of the Department of Finance and Administration for teacher health insurance. The act declares an emergency and is effective on and after July 1, 2017.

### TITLE INSURANCE

#### ***Negligence***

[ACT 1005](#) (HB1828) provides that a cause of action does not exist for negligence by an insured against a title insurance agency or agent for lack of reasonable care in a title search. The act also clarifies that a title insurance agency or agent does not owe any duty to an insured.

## LABOR AND INDUSTRIAL RELATIONS

### ACTIONS AGAINST EMPLOYER

#### ***Civil Rights Act***

[ACT 191](#) (HB1126) amends the Civil Rights Act of 1993 by amending the definition of "employer" and amending the hate and retaliation provisions of the act.

#### ***Civil Rights Act - Discrimination and Retaliation***

[ACT 783](#) (HB1737) amends and clarifies the discrimination and retaliation provisions of the Arkansas Civil Rights Act of 1993 as it pertains to actions against an employer. The act also addresses the damages available to a prevailing party.

### DRUG TESTING

#### ***Drug-free Workplaces***

[ACT 154](#) (HB1262) provides for the removal of the Department of Labor from the Voluntary Program For Drug-Free Workplaces administered by the Workers' Compensation Commission.

## LABOR AND INDUSTRIAL RELATIONS

### ELEVATOR SAFETY BOARD

#### *Elevator Safety Tests*

[ACT 968](#) (SB354) provides for the witnessing of elevator safety tests by private sector licensed inspectors, eliminates the requirement for semi-annual inspections of elevators, and amends the process for the enforcement of elevator safety laws.

### EMPLOYMENT

#### *Background Check Notice*

[ACT 1028](#) (HB2000) provides that an employer who runs a background check on an employee or applicant shall provide the information to the employee or applicant upon request of the employee or applicant.

#### *Franchisee and Franchisor*

[ACT 966](#) (SB695) defines "franchisee" and "franchisor" and declares that franchisees and their employees are not employees of franchisors under Arkansas labor laws.

### LABOR DEPARTMENT

#### *Elevator Safety Tests*

[ACT 968](#) (SB354) provides for the witnessing of elevator safety tests by private sector licensed inspectors, eliminates the requirement for semi-annual inspections of elevators, and amends the process for the enforcement of elevator safety laws.

#### *Social Media*

[ACT 792](#) (HB2216) amends the law concerning the social media accounts of current and prospective employees. The act prohibits an employer from requiring a current or prospective employee to add another employee, supervisor, or administrator to the list of contacts associated with the current or prospective employee's social media account.

### TECHNICAL CORRECTIONS - LABOR AND INDUSTRIAL RELATIONS - TITLE 11

[ACT 266](#) (HB1312) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 11 of the Arkansas Code.

### UNEMPLOYMENT ELIGIBILITY AND BENEFITS

#### *Severance Pay*

[ACT 734](#) (HB1405) provides for new limits on severance pay for purposes of unemployment benefits calculations and unemployment eligibility.

### UNEMPLOYMENT INSURANCE

#### *Motor Vehicle Owners and Operators*

[ACT 1115](#) (SB635) exempts owner-operators and contracted drivers of motor vehicles from the definition of "employment" under the Department of Workforce Services Law for purposes of unemployment insurance and benefits. The act is effective on and after January 1, 2018.

### WAGES

#### *Employee Benefits - Arkansas Tax-Deferred Tuition Savings Program*

[ACT 884](#) (HB1762) allows an employer to make a matching contribution to an employee's tax-deferred tuition savings program as an employee benefit and limits the maximum contribution amount.

#### *Limitations*

[ACT 643](#) (SB668) prohibits political subdivisions of the state from requiring more than the federal or state government requires from employers with regard to wages or benefits.

## LABOR AND INDUSTRIAL RELATIONS

### WAGES

#### ***Minimum Wage - Overtime***

[ACT 914](#) (HB1846) provides that an employer is exempt from minimum wage and overtime laws for certain actions related to or connected with the employment, unless the employer and employee have executed an express agreement. The act declares an emergency and is effective on and after April 5, 2017.

#### ***Pay Schedule***

[ACT 475](#) (HB1609) requires an employer to pay wages no less frequently than semimonthly.

### WORKERS' COMPENSATION

#### ***Contractors***

[ACT 804](#) (HB2108) amends the law concerning workers' compensation coverage required for a contractor.

#### ***Medicare - Partial Settlement Awards***

[ACT 1058](#) (SB760) clarifies final settlements of workers' compensation claims involving joint petitions under the Workers' Compensation Law, provides that if a claimant is determined to be eligible for Medicare, the parties may petition the Workers' Compensation Commission for a final partial settlement of all issues other than future medical treatment, and states that if the Workers' Compensation Commission determines that a final settlement award is in the best interests of the parties, the commission may order a final settlement award or a partial settlement award.

#### ***Treatment of Rabies***

[ACT 658](#) (HB1813) provides for the treatment of rabies under the Worker's Compensation Law. The act amends portions of the workers' compensation law that resulted from Initiated Measure 1948, No. 4.

### WORKFORCE SERVICES DEPARTMENT

#### ***Employment Stabilization***

[ACT 540](#) (SB341) abolishes the State Employment Security Advisory Council and amends the law concerning employment stabilization and duties belonging to the Director of Workforce Services.

#### ***Personal Services - Unemployment Insurance Administration Fund***

[ACT 1038](#) (SB592) provides that the Department of Workforce Services may use the Unemployment Insurance Administration Fund for personal services.

## LAW ENFORCEMENT

### ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING

#### ***Commission Employees***

[ACT 631](#) (HB1065) provides for additional salary payments for an employee of the Arkansas Commission on Law Enforcement Standards and Training when the employee obtains certain certifications.

### CRIMINAL INVESTIGATION - GENERALLY

#### ***Driving or Boating While Intoxicated***

[ACT 1031](#) (HB2248) requires a warrant based on probable cause to test a person's blood to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood for the purposes of an investigation of driving or boating while intoxicated or underage driving or boating under the influence.

## LAW ENFORCEMENT

### CRIMINAL INVESTIGATION - GENERALLY

#### ***Juvenile Records - Disclosure Under the Freedom of Information Act***

[ACT 891](#) (HB2111) concerns the disclosure under the Freedom of Information Act of 1967 of the personal information contained in an investigative file of a law enforcement agency of a person who was a minor at the time of the offense.

### GENERALLY

#### ***Aggravated Assault upon a Law Enforcement Officer***

[ACT 367](#) (SB20) amends the offense of aggravated assault upon a law enforcement officer by providing for an increased penalty for knowingly discharging a firearm at a law enforcement officer.

#### ***Criminal Justice Efficiency and Safety***

[ACT 423](#) (SB136) creates the Criminal Justice Efficiency and Safety Act of 2017. The act amends the law concerning the Department of Community Correction's ability to supervise, sanction, and discipline probationers and parolees and creates new methods to collect and share inmate data between law enforcement agencies leading to implementation of best practices. The act also amends criminal sentencing procedures and includes the Behavioral Health Crisis Intervention Protocol Act of 2017, which establishes behavioral health crisis stabilization units and behavioral health protocol for communities. Sections 16-23 of the act are effective on and after October 1, 2017, and Section 15 of the act is effective on and after January 1, 2018.

#### ***Criminal or Civil Proceeding - Evidence***

[ACT 398](#) (HB1144) provides that an investigating law enforcement agency may request and use a photograph or video recorded by an automated school bus safety camera as evidence in a criminal or civil proceeding for the violation of certain offenses.

#### ***Enforcement of Military Order of Protection***

[ACT 515](#) (HB1059) criminalizes a violation of a military order of protection and allows the enforcement of a military order of protection as if it were issued in this state.

#### ***Maintenance of Forensic Samples from Abortions Performed on a Child***

[ACT 1018](#) (HB2024) amends the law concerning maintenance of forensic samples from abortions performed on a child who is less than seventeen (17) years of age.

#### ***Records Depicting Death - Freedom of Information Act Exemption***

[ACT 531](#) (HB1236) provides that a record that depicts or records the death of a law enforcement officer be confidential and exempt from disclosure under the Freedom of Information Act of 1967, permits certain family members of the deceased law enforcement officer the ability to access the record, and permits a court to authorize a person to access the record upon a showing of good cause. The act declares an emergency and is effective on and after March 20, 2017.

#### ***Sentence Enhancement for Targeting Law Enforcement***

[ACT 332](#) (HB1172) creates a sentence enhancement for certain criminal offenses targeting a current or former law enforcement officer, first responder, or a family member of a first responder or law enforcement officer. The act declares an emergency and is effective on and after March 3, 2017.

## LAW ENFORCEMENT

### JURISDICTION

#### ***Driving While Intoxicated - Uniform Act on Interstate Fresh Pursuit***

[ACT 400](#) (HB1198) provides that the Uniform Act on Interstate Fresh Pursuit includes pursuit of a person who has committed or who a law enforcement officer reasonably believes has committed the offense of driving while intoxicated. The act also provides that an out-of-state law enforcement officer may pursue and place into a custody a person who he or she reasonably believes has committed the offense of driving while intoxicated.

#### ***State Parks Division of the Department of Parks and Tourism***

[ACT 202](#) (SB172) confers statewide jurisdiction to a certified law enforcement officer employed by the State Parks Division of the Department of Parks and Tourism.

#### ***United States Postal Service Inspectors and Special Agents***

[ACT 946](#) (SB554) provides that a full-time United States Postal Service inspector or special agent is empowered to make an arrest in this state.

### MUNICIPAL LAW ENFORCEMENT

#### ***New or Inactive Law Enforcement Agency***

[ACT 378](#) (HB1431) provides the requirements the chief executive officer of an entity authorized by ordinance to create a new law enforcement agency or reactivate an inactive law enforcement agency shall meet before the Arkansas Commission on Law Enforcement Standards and Training approves the creation of a new law enforcement agency or reactivation of an inactive law enforcement agency.

### POSSESSION OF CONCEALED HANDGUN

#### ***Auxiliary or Retired Law Enforcement Officers***

[ACT 957](#) (HB1367) concerns the ability of an auxiliary or retired law enforcement officer to carry a concealed handgun and be exempted from the licensing requirements to carry a concealed handgun.

### PROBATION AND PAROLE OFFICERS

#### ***Carrying a Firearm***

[ACT 239](#) (HB1471) concerns the carrying of a firearm by a probation or parole officer, whether employed by the Department of Community Correction or another entity.

#### ***Sexual Acts by Probation Officer Prohibited***

[ACT 418](#) (HB1453) prohibits a sexual act between a probation officer employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government, and the person whom the probation officer is supervising.

### SERVICE FIREARMS

#### ***Law Enforcement Training Academies***

[ACT 183](#) (SB173) concerns the administration of a state-funded law enforcement training academy, including the awarding of a service firearm to a person retiring from employment or who dies while employed at a state-funded law enforcement training academy, the ability of a newly-elected county sheriff to train at a state-funded law enforcement training academy, and reimbursement for law enforcement training costs.

**LAW ENFORCEMENT****STATE POLICE*****Concealed Handgun Licensing - Advanced Concealed Carry License***

[ACT 562](#) (HB1249) establishes an advanced concealed carry licensing process whereby a concealed carry licensee can undergo training created by the Department of Arkansas State Police to earn an endorsement, enabling him or her to carry a concealed handgun in additional areas, such as most public buildings and facilities and a public university or college campus. The act also expands the places operated by certain private entities where a person with the endorsement may carry a concealed handgun unless the private entity takes affirmative steps to explicitly prohibit the possession of a concealed handgun on the private entity's premises. This act was subsequently amended by Act 859 of 2017. The act is effective on and after September 1, 2017.

***Concealed Handgun Licensing - Prohibited Places***

[ACT 859](#) (SB724) amends Act 562 of 2017 to prohibit carrying a concealed handgun by a licensee in certain places, including public daycares, collegiate sporting events, the University of Arkansas Medical Sciences, and the Arkansas State Hospital if those places submit a security plan to the Department of Arkansas State Police that would designate them as firearm-sensitive areas where possession of concealed handgun by a licensee is prohibited. The act also clarifies that a private entity may prohibit a person from carrying a concealed handgun under any circumstance by posting appropriate signs and communicating the prohibition verbally or in writing. The act is effective on and after September 1, 2017.

***Emergency Contact System***

[ACT 626](#) (HB1656) authorizes the establishment of an emergency contact information system by the Department of Finance and Administration in conjunction with the Department of Arkansas State Police to assist law enforcement in notifying next of kin in times of emergency. The act amends the definition of "emergency" to include a circumstance in which a person exhibits a symptom that renders him or her unable to independently communicate with emergency contacts. The act is effective on and after January 29, 2018.

***Governor's Mansion - Freedom of Information Act***

[ACT 483](#) (HB1590) provides that data, records, surveillance footage, security procedures, emergency plans, and other information compiled or possessed by the Department of Arkansas State Police concerning the Governor's Mansion and mansion grounds are confidential and not subject to disclosure under the Freedom of Information Act of 1967.

***Health Insurance - Eligible Employees***

[ACT 1054](#) (SB618) clarifies the medical and hospital insurance benefits for eligible employees and eligible retirees of the Department of Arkansas State Police. The act defines "eligible employee" and "eligible retiree" for purposes of insurance benefits of the Department of Arkansas State Police.

***Suspension or Revocation of a Concealed Handgun License***

[ACT 486](#) (HB1362) provides that a person's concealed handgun license shall not be denied, suspended, or revoked by the Department of Arkansas State Police because a person was lawfully exercising his or her rights to carry a firearm under the United States Constitution, the Arkansas Constitution, or Arkansas law.

***Traffic Accident Data Reporting***

[ACT 618](#) (HB1997) requires that the Department of Arkansas State Police report to the Arkansas State Highway and Transportation Department all data collected and maintained relating to accidents on the state highway system and local roads.

## LAW ENFORCEMENT

### STATE POLICE

#### *Traffic Stop Safety Guidelines*

[ACT 490](#) (HB1670) requires that the Department of Arkansas State Police establish traffic stop safety guidelines for drivers and passengers that shall be included in the driver's instruction manual and the driver's license examination.

### TECHNICAL CORRECTIONS - LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND MILITARY AFFAIRS - TITLE 12

[ACT 250](#) (HB1423) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 12 of the Arkansas Code.

[ACT 845](#) (HB1887) makes technical corrections to Title 12 of the Arkansas Code.

### TRAINING AND QUALIFICATIONS

#### *Arkansas Commission on Law Enforcement Standards and Training*

[ACT 497](#) (HB1430) makes technical changes to statutes concerning the Arkansas Commission on Law Enforcement Standards and Training and the administration and operation of the commission as well as the administration and application of law enforcement training and standards. The act also deletes obsolete language.

#### *Newly-elected County Sheriff*

[ACT 183](#) (SB173) concerns the administration of a state-funded law enforcement training academy, including the awarding of a service firearm to a person retiring from employment or who dies while employed at a state-funded law enforcement training academy, the ability of a newly-elected county sheriff to train at a state-funded law enforcement training academy, and reimbursement for law enforcement training costs.

### VEHICLES

#### *Display Flashing Lights - Exceptions and Liability*

[ACT 793](#) (HB2188) authorizes the operation of a police vehicle without the use of the vehicle's siren or flashing lights in certain circumstances without reducing liability.

#### *Unlawful Possession, Purchase, Sale, or Transfer of Blue Lights*

[ACT 439](#) (HB1385) is known as Shannon's Law and concerns the unlawful possession, purchase, sale, or transfer of a blue light or blue lens cap.

## LOTTERY

### ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

#### *Awards*

[ACT 1041](#) (SB30) provides that an applicant for an Arkansas Academic Challenge Scholarship may elect for the earned semester credit hours counted for purposes of determining scholarship award amounts to be only those earned after high school graduation and not those awarded as concurrent credit.

#### *Eligibility*

[ACT 719](#) (SB542) provides that a student may attend summer terms at the student's own expense to earn credit hours necessary to maintain eligibility and clarifies that a traditional student who loses eligibility may apply for a scholarship as a nontraditional student.

#### *Eligibility and Requirements*

[ACT 1008](#) (HB2243) clarifies eligibility criteria for a nontraditional student in the Arkansas Academic Challenge Scholarship Program and provides that only a first-time recipient of an Arkansas Academic Challenge Scholarship who has earned semester credit hours must submit a transcript to the Department of Higher Education to determine the correct scholarship award amount.

## LOTTERY

### ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

#### *Scholarship Use*

[ACT 597](#) (HB1957) provides that a recipient of an Arkansas Academic Challenge Scholarship may use the scholarship for courses that lead to a graduate-level or professional degree. The act allows a recipient to receive the highest level scholarship on a pro rata basis while enrolled part-time if the recipient is enrolled in the number of credit hours necessary to complete a degree program.

#### *Traditional Students*

[ACT 315](#) (SB31) allows a student who did not receive a scholarship as a freshman but who completes certain requirements as a freshmen to be classified as a traditional student in subsequent academic years.

### EMPLOYEES

#### *Salaries*

[ACT 693](#) (SB558) revises the title, grades, and salaries of employees of the Office of the Arkansas Lottery.

### LOTTERY PROCEEDS

#### *Arkansas Workforce Challenge Scholarship*

[ACT 613](#) (SB528) creates the Arkansas Workforce Challenge Scholarship that is funded by any excess lottery proceeds from the previous academic year and is available to assist a person in obtaining an associate degree or a certification that would lead to being qualified to work in a high-demand occupation in the fields of industry, health care, or information technology. The act declares an emergency and is effective on and after March 23, 2017.

### RETAILERS

#### *Ticket Sales*

[ACT 876](#) (SB617) provides that a retailer may accept cash and other noncredit methods, including debit cards, when selling lottery tickets. The act prohibits lottery tickets from being sold by in-store credit or deferred payment such as credit cards.

## MILITARY AND VETERANS

### ACTIVE DUTY SERVICE

#### *Driver's License Extension*

[ACT 131](#) (HB1147) amends the validity period of a driver's license with an extended expiration date until sixty (60) days after the military member separates or is honorably discharged from active duty military service. The act is effective on and after November 13, 2017.

### CONCEALED HANDGUNS

#### *Current or Former Member of the Armed Forces - License Requirements*

[ACT 1017](#) (HB2110) concerns the requirements for a concealed handgun license for a current or former member of the United States Armed Forces.

### MILITARY CODE

#### *Contempt*

[ACT 322](#) (HB1060) increases the fine portion of the punishment for contempt to five hundred dollars (\$500).

#### *Issuance of Process and Subpoenas*

[ACT 77](#) (HB1062) clarifies that a military judge may issue process and mandates.

### MILITARY JUSTICE

#### *Contempt*

[ACT 322](#) (HB1060) increases the fine portion of the punishment for contempt to five hundred dollars (\$500).

## MILITARY AND VETERANS

### MILITARY JUSTICE

#### *Military Order of Protection*

[ACT 515](#) (HB1059) criminalizes a violation of a military order of protection and allows the enforcement of a military order of protection as if it were issued in this state.

#### *Procedural Rules for Courts-martial*

[ACT 75](#) (HB1063) clarifies that executive orders issued by the Governor are binding on the Arkansas National Guard's military courts.

#### *Statute of Limitations*

[ACT 76](#) (HB1061) increases the statute of limitations to five (5) years for offenses under the Military Code of Arkansas.

### MILITARY LEAVE

#### *State Employees*

[ACT 529](#) (HB1530) amends the definition of "military leave" to include employees who are members of an auxiliary of the United States Armed Forces.

### MISREPRESENTATION

#### *Criminal Impersonation in the Second Degree*

[ACT 74](#) (HB1064) amends the offense of criminal impersonation in the second degree to include the impersonation of a member of the United States Armed Forces or National Guard.

#### *Stolen Valor*

[ACT 907](#) (HB1466) makes it a criminal offense for a person to knowingly misrepresent himself or herself as member or veteran of the United States Armed Forces with the purpose of obtaining property, a service, or a benefit.

### NATIONAL GUARD AND RESERVES

#### *Tuition Benefits*

[ACT 471](#) (SB278) provides that a soldier or airman of the Arkansas National Guard may attend a state-supported institution of higher education tuition-free. The act repeals the Arkansas National Guard Tuition Incentive Program, but allows a recipient who is receiving a benefit under the repealed program on the effective date of the act to continue receiving the benefit.

### SERVICE-DISABLED VETERANS

#### *State Contracting Goals*

[ACT 1080](#) (HB2218) amends the Minority Business Economic Development Act to include women-owned businesses and creates separate contracting goals for the total amount of state-funded contracts for goods and services awarded to women-owned business enterprises, service-disabled veteran-owned minority business enterprises, and all other minority business enterprises. The act also changes the membership of the Minority and Women-owned Business Advisory Council and changes the requirements for the report submitted by the council. The act changes the requirements for state agencies' minority and women-owned business purchasing plans, increases the maximum amount for small procurements if the contract is with a certified minority or women-owned business enterprise, and repeals duplicative contracting goals for service-disabled veteran-owned businesses.

### SPECIAL LICENSE PLATES

#### *Gold Star - Eligibility*

[ACT 493](#) (HB1137) amends the eligibility of family members who may apply for a Gold Star license plate.

## MILITARY AND VETERANS

### SPECIAL LICENSE PLATES

#### ***Licensing Fee for Standard Arkansas Plate***

[ACT 573](#) (HB1569) allows an eligible applicant for the issuance or renewal of a military or veteran special license plate to elect to receive a standard Arkansas plate in lieu of the special military or veteran license plate upon payment of one dollar (\$1.00).

#### ***Purple Heart Recipient - Surviving Spouse - Reissuance Fee***

[ACT 965](#) (HB2039) provides that a Purple Heart Recipient special license plate may be reissued free of charge to the surviving spouse of the deceased person to whom it was issued. The act is effective on and after November 13, 2017.

### TUITION AND SCHOLARSHIPS

#### ***In-state Tuition - Eligibility***

[ACT 947](#) (SB773) requires an honorable discharge for a veteran to be eligible for in-state tuition and extends eligibility to Reserve Officers' Training Corps cadets who have executed United States Armed Forces service contracts.

#### ***Tuition Benefits***

[ACT 471](#) (SB278) provides that a soldier or airman of the Arkansas National Guard may attend a state-supported institution of higher education tuition-free. The act repeals the Arkansas National Guard Tuition Incentive Program, but allows a recipient who is receiving a benefit under the repealed program on the effective date of the act to continue receiving the benefit.

#### ***World War I Veterans***

[ACT 844](#) (HB1806) repeals the requirement that World War I veterans be admitted to state-supported institutions of higher education tuition-free.

### VETERANS

#### ***Arkansas Veterans' Commission - Members and Duties***

[ACT 388](#) (SB174) amends the law concerning the duties of the Arkansas Veterans' Commission and allows for an increase in the amount of annual stipends and expense reimbursement for members of the commission.

#### ***Civilian Employment Opportunities Study***

[ACT 959](#) (HB1910) encourages the Department of Veterans Affairs and the Department of Workforce Services to study the need for and the resources available to establish an online central repository that provides service members and veterans with information to assist in finding civilian employment.

#### ***Department of Veterans Affairs Employment Requirements and Qualifications***

[ACT 387](#) (SB159) amends the law concerning certain employment requirements and qualifications of the Director of the Department of Veterans Affairs and Veterans' Claims Specialists.

#### ***Licensure and Certification***

[ACT 248](#) (HB1184) requires a state board and commission to promulgate rules for temporary licensure, certification, or permitting of an active duty service member, returning military veteran, and military spouse.

#### ***Stolen Valor Act***

[ACT 907](#) (HB1466) makes it a criminal offense for a person to knowingly misrepresent himself or herself as member or veteran of the United States Armed Forces with the purpose of obtaining property, a service, or a benefit.

## MILITARY AND VETERANS

### VETERANS

#### *Uniform Data Collection System*

[ACT 807](#) (HB2198) creates a uniform data collection system to locate veterans in Arkansas to ensure appropriate services are provided for veterans and military families.

## MOTOR VEHICLES

### ALL-TERRAIN VEHICLES

#### *Defenses to Prosecution*

[ACT 272](#) (HB1148) limits the number of miles a person may operate an all-terrain vehicle on a public street or highway to three (3) miles in certain circumstances.

### COMMERCIAL DRIVER'S LICENSE

#### *Arkansas Uniform Commercial Driver License Act*

[ACT 463](#) (SB358) amends the Arkansas Uniform Commercial Driver License Act to update and comply with recent changes to the federal definition of "commerce" and "commercial motor vehicle." The act also changes the time frame a court has to notify the Office of Driver Services of a commercial motor vehicle driving offense conviction.

#### *Human Trafficking Prevention Course*

[ACT 922](#) (HB1923) requires the completion of a human trafficking prevention course for the issuance of a Class A commercial driver license.

### COMMERCIAL MOTOR VEHICLES

#### *Online Licensing and Registration*

[ACT 532](#) (HB1691) provides funding to enhance the Arkansas Motor Carrier System and to facilitate an online system for administrative transactions and the registration of commercial motor vehicles that are registered under the International Registration Plan. The act declares an emergency and is effective on and after March 20, 2017.

#### *Size and Weight*

[ACT 619](#) (HB1998) amends current Arkansas law concerning certain size and weight provisions for commercial motor vehicles in order to align state law with the requirements of the Fixing America's Surface Transportation Act.

#### *Special Permit - Agricultural Products*

[ACT 1085](#) (HB2211) provides that the State Highway Commission may issue a special permit authorizing the movement of a truck tractor or semi-trailer combination with five (5) axles hauling agronomic or horticultural crops that exceeds the maximum gross weight provided by law.

### DRIVER'S LICENSE

#### *Active Duty Military Members*

[ACT 131](#) (HB1147) amends the validity period of a driver's license with an extended expiration date until sixty (60) days after the military member separates or is honorably discharged from active duty military service. The act is effective on and after November 13, 2017.

#### *Communication Impediment Designation and Decal*

[ACT 366](#) (SB266) authorizes the placement of a communication impediment designation on the driver's license or identification card of a person who has a medical condition that may impede his or her ability to communicate with a law enforcement officer, an emergency medical service provider, or a firefighter. A person who qualifies for the issuance of a communication impediment designation or his or her parent or guardian may purchase a communication impediment decal for his or her license plate. The act is effective on and after November 13, 2017.

**MOTOR VEHICLES****DRIVER'S LICENSE*****Digital Copy***

[ACT 557](#) (SB428) authorizes the Office of Driver Services to offer a driver's license holder an option to view a digital copy of his or her license for an additional fee and provides that the digital driver's license may be used in lieu of a driver's license when operating a motor vehicle.

***Electric Bicycles***

[ACT 956](#) (HB2185) provides that an electric bicycle or an operator of an electric bicycle is not subject to provisions of law relating to insurance, licensing, registration, operator licenses, and certificates of title.

***Instruction Permit or Driver's License - Eligibility***

[ACT 806](#) (HB2172) amends the law concerning the eligibility of a person under eighteen (18) years of age to apply for an instruction permit or driver's license by waiving the "C" average requirement for students with a "504 Plan."

***Public Defender - Address Displayed***

[ACT 976](#) (SB679) permits a public defender to use a personal post office box as the address displayed on his or her driver's license.

***Reinstatement Fee***

[ACT 915](#) (HB2090) provides a method under certain conditions for a person with a suspended driver's license to pay a one-time reinstatement fee to remove the suspension. The act is effective on and after September 1, 2017, and until January 15, 2019.

***Restricted Driving Permit - Parolee or Probationer***

[ACT 1012](#) (HB2203) creates a restricted driving permit available under certain circumstances to persons on parole or probation who have a suspended driver's license that enables the person to drive to and from work, school, or other specific obligations as permitted by the person's parole or probation officer.

***Validity Periods***

[ACT 460](#) (SB147) amends the law to offer an applicant a choice of either a driver's license validity period of four (4) years or eight (8) years if the applicant is seventy (70) or more years of age and has an expired Class D or Class M license. The act is effective on and after November 13, 2017.

***Voluntary Enhanced Security Driver's License and Identification Card***

[ACT 464](#) (SB359) repeals the expiration date prohibiting the issuance of an enhanced security driver's license, commercial driver's license, or identification card. The act declares an emergency and is effective on and after March 13, 2017.

**DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS*****Blood Test***

[ACT 1031](#) (HB2248) requires a warrant based on probable cause to test a person's blood to determine the person's alcohol concentration, controlled substance content, or other intoxicating substance content in his or her blood for the purposes of an investigation of driving or boating while intoxicated or underage driving or boating under the influence.

***Ignition Interlock Device***

[ACT 1094](#) (HB1268) concerns the installation of an ignition interlock device on the motor vehicle of a person who commits driving or boating while intoxicated, first offense, and the requirements to be granted a waiver of this requirement by the court.

## MOTOR VEHICLES

### DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

#### ***Sentencing and Penalties***

[ACT 1032](#) (HB1668) removes the sentencing option of public service in lieu of imprisonment for a person convicted of a fourth or subsequent offense of driving or boating while intoxicated.

#### ***Uniform Act on Interstate Fresh Pursuit***

[ACT 400](#) (HB1198) provides that the Uniform Act on Interstate Fresh Pursuit includes pursuit of a person who has committed or who a law enforcement officer reasonably believes has committed the offense of driving while intoxicated. The act also provides that an out-of-state law enforcement officer may pursue and place into a custody a person who he or she reasonably believes has committed the offense of driving while intoxicated.

### EQUIPMENT

#### ***Emergency Vehicles - Display Flashing Lights***

[ACT 793](#) (HB2188) clarifies when certain emergency vehicles are required to display flashing lights.

#### ***School Bus Passenger Restraint Systems***

[ACT 375](#) (HB1002) requires that a school bus that is purchased new or leased on or after January 1, 2018, be equipped with a passenger restraint system for each student transported if a petition signed by at least ten percent (10%) of a school district's qualified electors is submitted and voted upon at the annual school election.

#### ***Unlawful Possession, Purchase, Sale, or Transfer of Blue Lights***

[ACT 439](#) (HB1385) is known as Shannon's Law and concerns the unlawful possession, purchase, sale, or transfer of a blue light or blue lens cap.

### FINANCIAL RESPONSIBILITY AND INSURANCE

#### ***Online Insurance Verification System***

[ACT 1016](#) (HB2193) creates a real-time online insurance verification system to verify the insurance status of a motor vehicle and requires that an insurer maintain the data necessary to verify a motor vehicle's insurance status. The act also provides that failure to operate a motor vehicle without liability insurance results in the suspension of registration and upon conviction is a Class C misdemeanor. The act is effective on and after January 1, 2019.

### HIGHWAY COMMISSION

#### ***Permit for Special Cargo - Farm Machinery Equipment Dealer***

[ACT 650](#) (SB415) authorizes the State Highway Commission to issue a special permit valid for one (1) year authorizing the movement of a vehicle hauling farm machinery equipment that exceeds the maximum width allowed by law.

#### ***Speed Limit Increase***

[ACT 1097](#) (HB2057) provides that the State Highway Commission may increase the speed limit of a controlled-access highway to seventy-five miles per hour (75 m.p.h) upon an engineering and traffic investigation and repeals the maximum permissible speed of trucks with a capacity of one-and-one-half tons or more.

### LICENSE PLATES

#### ***Communication Impediment Designation and Decal***

[ACT 366](#) (SB266) allows a person who qualifies for the issuance of a communication impediment designation or his or her parent or guardian to purchase a communication impediment decal for his or her license plate. The act is effective on and after November 13, 2017.

## MOTOR VEHICLES

### LICENSE PLATES

#### *Preprinted Paper Buyer's Tags - Fees*

[ACT 1119](#) (SB510) authorizes the increase of each temporary preprinted paper buyer's tag to no more than five dollars fifty cents (\$5.50) and increases the amount of fees credited to the Revenue Division of the Department of Finance and Administration to offset administrative costs. The act is effective on and after November 13, 2017.

### MOTORCYCLES

#### *Autocycles*

[ACT 689](#) (SB365) amends the law to classify an autocycle as a motorcycle.

#### *Motorized Bicycles - Definitions*

[ACT 956](#) (HB2185) amends the definition of "motorized bicycle" to clarify that it does not include an electric bicycle and classifies an electric bicycle into three types: a class 1 electric bicycle, a class 2 electric bicycle, and a class 3 electric bicycle.

### OFFICE OF DRIVER SERVICES

#### *Digital Copy of Driver's License*

[ACT 557](#) (SB428) authorizes the Office of Driver Services to offer a driver's license holder an option to view a digital copy of his or her license for an additional fee and provides that the digital driver's license may be used in lieu of a driver's license when operating a motor vehicle.

#### *Driver's License Reinstatement Fee*

[ACT 915](#) (HB2090) provides a method under certain conditions for a person with a suspended driver's license to pay a one-time reinstatement fee to remove the suspension. The act is effective on and after September 1, 2017, and until January 15, 2019.

#### *Driver's License Validity Periods*

[ACT 460](#) (SB147) amends the law to offer an applicant a choice of either a driver's license validity period of four (4) years or eight (8) years if the applicant is seventy (70) or more years of age and has an expired Class D or Class M license. The act is effective on and after November 13, 2017.

#### *Driving Record*

[ACT 466](#) (SB360) eliminates the requirement that the Office of Driver Services notify a licensed driver when his or her driving record is provided to a third party. The act declares an emergency and is effective on and after March 13, 2017.

### OFFICE OF MOTOR VEHICLES

#### *Branding of Title*

[ACT 651](#) (SB334) amends the law concerning the branding of a title, including salvage certificates of title and parts-only titles.

#### *Electronically File a Lien*

[ACT 687](#) (SB749) allows a lienholder to electronically file a lien on a motor vehicle, an all-terrain vehicle, a mobile home or manufactured home, or an implement of husbandry if the Office of Motor Vehicle determines it is technologically and economically feasible.

#### *Parking for Persons with Disabilities - Report of Abuse*

[ACT 1003](#) (HB2069) authorizes the Office of Motor Vehicle to develop and implement a means by which a person may report the alleged misuse of parking privileges for persons with disabilities by calling a telephone hotline or submitting a form online or by mail.

## MOTOR VEHICLES

### OFFICE OF MOTOR VEHICLES

#### ***Voluntary Enhanced Security Driver's License And Identification Card***

[ACT 464](#) (SB359) repeals the expiration date prohibiting the issuance of an enhanced security driver's license, commercial driver's license, or identification card. The act declares an emergency and is effective on and after March 13, 2017.

### PARKING

#### ***Persons with Disabilities - Report of Abuse***

[ACT 1003](#) (HB2069) authorizes the Office of Motor Vehicle to develop and implement a means by which a person may report the alleged misuse of parking privileges for persons with disabilities by calling a telephone hotline or submitting a form online or by mail.

#### ***Van Accessible Parking***

[ACT 799](#) (HB1882) creates a van-accessible parking decal to help regulate van-accessible parking enforcement, amends van-accessible parking penalties, and amends the provisions for issuance of a special license plate and certification. Sections 1, 2, 5, 6, 7, and 8 of this act are effective on November 13, 2017, and Sections 3, 4, and 9 are effective on January 1, 2019.

### RECREATIONAL VEHICLES

#### ***Electric Bicycles***

[ACT 956](#) (HB2185) provides the definition of an electric bicycle, the rules applicable to electric bicycles, and the equipment required to operate an electric bicycle.

### REGISTRATION

#### ***Commercial Motor Vehicles - International Registration Plan***

[ACT 532](#) (HB1691) provides funding to enhance the Arkansas Motor Carrier System and to facilitate an online system for administrative transactions and the registration of commercial motor vehicles that are registered under the International Registration Plan. The act declares an emergency and is effective on and after March 20, 2017.

#### ***Electric Bicycles***

[ACT 956](#) (HB2185) provides that an electric bicycle or an operator of an electric bicycle is not subject to provisions of law relating to insurance, licensing, registration, operator licenses, and certificates of title.

#### ***International Registration Plan - Mileage Audit Appeal Procedure***

[ACT 997](#) (HB1683) establishes a mileage audit appeal procedure for registrants who have received apportioned registration under the International Registration Plan and whose records have been the subject of an audit or reexamination under the plan.

#### ***Manufactured Homes***

[ACT 384](#) (SB277) provides for exceptions to the requirement of registration for certain manufactured homes or mobile homes.

#### ***Multiyear Personal-use Vehicle***

[ACT 331](#) (HB1038) amends the definition of a "personal-use vehicle" eligible for multiyear registration to include motor homes, motorcycles, and autocycles. The act is effective on and after November 13, 2017.

### RULES OF THE ROAD

#### ***All-terrain Vehicles - Public Street or Highway***

[ACT 272](#) (HB1148) limits the number of miles a person may operate an all-terrain vehicle on a public street or highway to three (3) miles in certain circumstances.

**MOTOR VEHICLES****RULES OF THE ROAD*****Distracted Driving - Penalties***

[ACT 706](#) (SB374) increases the penalties for using a wireless telecommunications device while operating a motor vehicle and creates an enhanced penalty if it is determined that a person was involved in a collision or accident while using a wireless telecommunications device.

***Driver-assistive Truck Platooning Systems***

[ACT 797](#) (HB1754) provides that vehicles equipped with driver-assistive truck platooning systems may follow other vehicles closer than allowed by law and regulates the use of these vehicles on a street or state highway.

***Electric Bicycles***

[ACT 956](#) (HB2185) provides that an electric bicycle or an operator of an electric bicycle is afforded all the rights and privileges, and is subject to all the duties, of a bicycle or the operator of a bicycle. The act provides that a class 1 electric bicycle or a class 2 electric bicycle may be used on a bicycle path or multi-use path where bicycles are permitted. The act also provides that a class 3 electric bicycle may not be operated on a bicycle path or multi-use path unless it is within or adjacent to a highway or roadway.

***Emergency Vehicles - Display Flashing Lights***

[ACT 793](#) (HB2188) clarifies when certain emergency vehicles are required to display flashing lights.

***Fleeing***

[ACT 887](#) (HB1885) amends the criminal classification for the offense of fleeing.

***Funeral Processions - Right-of-Way***

[ACT 816](#) (SB349) grants a funeral procession the right-of-way at an intersection and prohibits motor vehicle interference in certain circumstances.

***Interference with Traffic Control Devices or Barricades***

[ACT 789](#) (HB1302) prohibits a person from interfering with a traffic control device or barricade placed to close a public highway under the authority of the Arkansas State Highway and Transportation Department or local authorities.

***Leaving the Scene of a Motor Vehicle Accident***

[ACT 615](#) (SB363) provides criminal penalties for a person who leaves the scene of a motor vehicle accident that involves damage to the personal property of another person. The act also requires the driver of a motor vehicle that causes damage to the personal property of another person to leave his or her contact information if the owner of the personal property is not present.

***Moving Violations Committed in the Presence of a Child***

[ACT 714](#) (SB702) increases the additional fine assessed to a person if a criminal offense or moving traffic violation is committed in the presence of a child. The act also creates the Arkansas Children's Advocacy Center Fund.

***Possession of an Open Container of Alcohol in a Motor Vehicle***

[ACT 849](#) (HB1922) creates the offense of possession of an open container of alcohol in a motor vehicle.

***Traffic Stop Safety Guidelines***

[ACT 490](#) (HB1670) requires that the Department of Arkansas State Police establish traffic stop safety guidelines for drivers and passengers that shall be included in the driver's instruction manual and the driver's license examination.

## MOTOR VEHICLES

### SCHOOL BUSES

#### ***Automated School Bus Safety Camera***

[ACT 398](#) (HB1144) allows a public school district or an open enrollment public charter school to install and operate an automated school bus safety camera on a school bus.

#### ***Passenger Restraint Systems***

[ACT 375](#) (HB1002) requires that a school bus that is purchased new or leased on or after January 1, 2018, be equipped with a passenger restraint system for each student transported if a petition signed by at least ten percent (10%) of a school district's qualified electors is submitted and voted upon at the annual school election.

### SPECIAL LICENSE PLATES

#### ***Emergency Medical Service Professionals***

[ACT 800](#) (HB1921) amends who may apply for and the documents required for the issuance of a special license plate for emergency medical service professionals.

#### ***Gold Star - Eligibility***

[ACT 493](#) (HB1137) amends the eligibility of family members who may apply for a Gold Star license plate.

#### ***Little Rock Rangers Soccer Club***

[ACT 1050](#) (SB677) authorizes the issuance of a Little Rock Rangers Soccer Club special license plate to promote and support the Little Rock Rangers Soccer Club.

#### ***Military or Veteran - Licensing Fee for Standard Arkansas Plate***

[ACT 573](#) (HB1569) allows an eligible applicant for the issuance or renewal of a military or veteran special license plate to elect to receive a standard Arkansas plate in lieu of the special military or veteran license plate upon payment of one dollar (\$1.00).

#### ***Purple Heart Recipient - Surviving Spouse - Reissuance Fee***

[ACT 965](#) (HB2039) provides that a Purple Heart Recipient special license plate may be reissued free of charge to the surviving spouse of the deceased person to whom it was issued. The act is effective on and after November 13, 2017.

#### ***Quail Forever***

[ACT 928](#) (SB379) authorizes the issuance of a Quail Forever special license plate to fund the conservation of quail through habitat improvements, public awareness, education, and land management policies.

#### ***Van-accessible Parking Decal***

[ACT 799](#) (HB1882) creates a van-accessible parking decal to help regulate van-accessible parking enforcement, amends van-accessible parking penalties, and amends the provisions for issuance of a special license plate and certification. Sections 1, 2, 5, 6, 7, and 8 of this act are effective on November 13, 2017, and Sections 3, 4, and 9 are effective on January 1, 2019.

### TECHNICAL CORRECTIONS - TRANSPORTATION - TITLE 27

#### ***Legislative Corrections - Obsolete Laws***

[ACT 786](#) (HB1657) makes legislative corrections and repeals obsolete laws found in Title 27 of the Arkansas Code.

#### ***Technical Corrections***

[ACT 448](#) (HB1483) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 27 of the Arkansas Code.

### TITLING

#### ***Brand***

[ACT 651](#) (SB334) amends the law concerning the branding of a title, including salvage certificates of title and parts-only titles.

## MOTOR VEHICLES

### TITLING

#### ***Electric Bicycles***

[ACT 956](#) (HB2185) provides that an electric bicycle or an operator of an electric bicycle is not subject to provisions of law relating to insurance, licensing, registration, operator licenses, and certificates of title.

#### ***Electronically File a Lien***

[ACT 687](#) (SB749) allows a lienholder to electronically file a lien on a motor vehicle, an all-terrain vehicle, a mobile home or manufactured home, or an implement of husbandry if the Office of Motor Vehicle determines it is technologically and economically feasible.

#### ***Sale of Abandoned Vehicles by Self-service Storage Facility***

[ACT 738](#) (HB2158) amends the law to enable the sale of an abandoned vehicle by a self-service storage facility by authorizing the issuance of a new certificate of title to the vehicle purchaser. The act declares an emergency and is effective on and after March 29, 2017.

### TOWING AND STORAGE

#### ***Arkansas Towing and Recovery Board - Creation***

[ACT 953](#) (HB1999) provides the Governor greater latitude when appointing a nonconsent tow representative to the board, clarifies the minimum standards required for a tow facility, and authorizes the tow board to collect permit fees when licensing a vehicle immobilization device.

#### ***Consent Towing***

[ACT 953](#) (HB1999) amends the definition of "nonconsent" and "owner preference" to prevent the misuse of owner preference to protect the vehicle owner, the insurance company, and the lienholder involved in the claim by preserving their right to file a complaint for overcharging or improper notification.

#### ***Wrecker or Towing Vehicle Licensed in Another State - Restrictions***

[ACT 998](#) (HB1867) provides that a wrecker or towing vehicle licensed in another state may only provide towing services in this state in certain circumstances. The restrictions do not apply to certain cities or towns that are divided by a state line and have a greater population than the Arkansas city or town.

## NATURAL RESOURCES

### ALTERNATIVE FUELS

#### ***Clean-burning Motor Fuel***

[ACT 851](#) (HB1735) amends the title of the Arkansas Clean-Burning Motor Fuel Development Act and the law concerning rebates. The act amends and adds definitions to the Arkansas Clean-Burning Motor Fuel Development Act.

### FORESTRY

#### ***Arson Against Timber or Agricultural Product***

[ACT 630](#) (HB1577) increases the statute of limitations for the offense of arson and amends the offense of arson to include starting a fire or causing an explosion with the purpose of destroying or otherwise damaging an area of real property being used for the commercial growth of timber or other agricultural product in certain circumstances.

### OIL, GAS, AND BRINE

#### ***Gas Assessment Fees - Designation as General Revenue***

[ACT 977](#) (SB754) extends the sunset date for the designation of certain gas assessment fees as general revenue. The act declares an emergency and is effective on and after April 7, 2017.

## NATURAL RESOURCES

### OIL, GAS, AND BRINE

#### *Natural Gas Infrastructure Expansion*

[ACT 280](#) (SB265) promotes economic development and natural gas infrastructure expansion through extension projects of gas utilities. The act requires consideration of the economic benefit to the gas utility and its existing ratepayers and the public interest before a certificate of extension project is granted by the Arkansas Public Service Commission.

### STATE PARKS

#### *Boards and Commissions*

[ACT 540](#) (SB341) repeals the Arkansas Scenic Resources Preservation Coordinating Committee.

### WATER

#### *Conservation and Development - Income Tax Credit*

[ACT 1125](#) (SB729) extends the carry-forward period for the income tax credit allowed for water impoundments under the Water Resource Conservation and Development Incentives Act. The act is effective on and after January 1, 2017.

## PROFESSIONS AND OCCUPATIONS

### ACCOUNTANTS

#### *Peer Review Program*

[ACT 278](#) (SB260) requires licensees of the Arkansas State Board of Public Accountancy who perform attest services to enroll in an approved peer review program and have a peer review one (1) time every three (3) years.

#### *Services and Reciprocity*

[ACT 277](#) (SB259) amends provisions in the law concerning the profession of public accountancy.

### APPRAISERS

#### *Appraisal Management Company Registration*

[ACT 535](#) (HB1730) amends the law concerning the profession of appraiser and amends the Appraisal Management Company Registration Act. The act declares an emergency and is effective on and after March 20, 2017.

#### *Arkansas Appraiser Licensing and Certification Board*

[ACT 817](#) (SB670) amends the law concerning membership of the Arkansas Appraiser Licensing and Certification Board.

### ATTORNEYS

#### *Practice of Law*

[ACT 558](#) (SB369) concerns the practice of law by a nonprofit corporation, voluntary association, or instrumentality of the government recognized under 26 U.S.C. § 115.

### BAIL BONDSMEN

#### *Training and Education*

[ACT 917](#) (HB1928) concerns the training and education of bail bondsmen by the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board.

### BARBERS

#### *Regulation*

[ACT 1060](#) (SB730) amends the law concerning barbers, barbershops, and the State Board of Barber Examiners.

### CHIROPRACTORS

#### *Arkansas State Board of Chiropractic Examiners - Appointments*

[ACT 441](#) (HB1443) adds the Arkansas Chiropractic Society as an entity the Governor must consult when making appointments to the Arkansas State Board of Chiropractic Examiners.

## PROFESSIONS AND OCCUPATIONS

### CONTRACTORS AND SUBCONTRACTORS

#### *Financial Statements*

[ACT 805](#) (HB2109) amends the law concerning financial statements required to be submitted by a licensee of the Contractors Licensing Board.

#### *Workers' Compensation*

[ACT 804](#) (HB2108) amends the law concerning workers' compensation coverage required for a contractor.

### COSMETOLOGISTS

#### *Cosmetology Instructor Training*

[ACT 972](#) (SB351) amends the laws regarding cosmetology instructor training to specify certain requirements and training hours.

#### *Domestic Violence and Sexual Assault Awareness Training*

[ACT 488](#) (HB1720) requires cosmetology students to have training in domestic violence and sexual assault awareness in order to be eligible for examination.

#### *Mobile Salons*

[ACT 1081](#) (HB1714) permits the operation of mobile salons and creates a licensing procedure concerning mobile salons.

#### *Schools and Licensing*

[ACT 973](#) (SB606) amends the law concerning schools of cosmetology and the requirements for cosmetology licensing.

### ELECTRICIANS

#### *License Renewal*

[ACT 381](#) (HB1478) eliminates required re-testing of an electrician who fails to timely renew his or her license and provides monetary penalties for failure to renew a license. The act declares an emergency and is effective on and after March 6, 2017.

#### *Specialist Sign Electrician*

[ACT 766](#) (HB1160) amends the definition of a "specialist sign electrician" and creates an optional endorsement to the existing license.

#### *Temporary Electrical Licenses*

[ACT 476](#) (HB1472) expands authority for the number and length of temporary electrical licenses on large industrial projects.

### FUNERAL HOMES AND BURIAL ASSOCIATIONS

#### *State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services*

[ACT 788](#) (SB624) creates the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services within the State Insurance Department and abolishes the State Board of Embalmers and Funeral Directors, the Burial Association Board, and the Arkansas Cemetery Board. The act is effective on and after January 1, 2018.

### HEALTH CARE WORKERS - OTHER

#### *Access to and Use of Expunged and Sealed Records*

[ACT 139](#) (HB1202) amends the Comprehensive Criminal Record Sealing Act of 2013 to allow a state agency or board engaged in the licensing of medical professionals to have access to and use of sealed records of criminal convictions.

#### *Chiropractors*

[ACT 397](#) (HB1171) amends the laws regarding chiropractic practice and the Arkansas State Board of Chiropractic Examiners.

## PROFESSIONS AND OCCUPATIONS

### HEALTH CARE WORKERS - OTHER

#### ***Demographic Data Reports***

[ACT 970](#) (SB565) amends the law concerning the health professional demographic data report to include additional licensure and practice information of a healthcare professional.

#### ***Dentistry and Dental Hygiene***

[ACT 489](#) (HB1250) amends the Arkansas Dental Practice Act to create additional exemptions to the practice of dentistry and dental hygiene and to modify dentistry specialty licenses.

#### ***Exemption for Licensure***

[ACT 205](#) (SB170) creates a licensure exemption for licensure for healthcare professionals who are offering free healthcare services through a program in partnership with the Federal Innovative Readiness Training.

#### ***Hearing Instrument Dispensers***

[ACT 373](#) (HB1034) amends the laws concerning hearing instrument dispensers licensed by the Arkansas Board of Hearing Instrument Dispensers.

#### ***Licensure Renewal Fee Waiver for Active-duty Military***

[ACT 204](#) (SB95) amends laws to waive the licensure renewal fee charged by the Arkansas State Board of Dental Examiners, the State Board of Optometry, the Arkansas State Medical Board, and the Arkansas State Board of Nursing for certain active-duty military healthcare professionals.

#### ***Patient-Right-To-Know Act***

[ACT 754](#) (HB1718) creates the Patient-Right-To-Know Act, which provides for access to contact information by patients and their healthcare providers. The act declares an emergency and is effective on and after March 30, 2017.

#### ***Prescription Drug Monitoring Program - Mandated Prescriber Check***

[ACT 820](#) (SB339) requires a prescriber to check the information on the Prescription Drug Monitoring Program when prescribing certain medications and authorizes the State Board of Health to amend by rule the exemptions for this requirement by a three-fourths vote during the legislative review and approval process. The act also requires certain healthcare licensing boards to promulgate rules limiting the amount of Schedule II narcotics that may be prescribed and dispensed by the licensees of the board.

#### ***Surgical Technologists***

[ACT 390](#) (SB167) creates the Arkansas Surgical Technologists Act to establish registration of surgical technologists by the Arkansas State Medical Board.

### HEALTHCARE WORKERS

#### ***Boards, Commissions, and Advisory Committees***

[ACT 540](#) (SB341) amends the law concerning the Arkansas Board of Examiners in Counseling, the Arkansas State Board of Dental Examiners, the Arkansas Dietetic Licensing Board, the Arkansas Board of Hearing Instrument Dispensers, the Arkansas State Occupational Therapy Examining Committee, the Arkansas Board of Dispensing Opticians, the State Board of Optometry, and the Board of Examiners in Speech-Language Pathology and Audiology. The act also repeals the Medications Administration Advisory Committee, the Arkansas Board of Health Education, the Perfusionists Advisory Committee, and the Home Health Care Services Agency Advisory Council.

### MASSAGE THERAPY

#### ***Massage Therapy - Cupping***

[ACT 530](#) (HB1215) amends the laws regarding the practice of massage therapy to include the practice of cupping.

## PROFESSIONS AND OCCUPATIONS

### NURSES

#### *Alternative to Discipline Act*

[ACT 325](#) (HB1413) creates the Alternative to Discipline Act to provide for treatment of nurses licensed in Arkansas who suffer from impairment resulting from a diagnosed substance use disorder or a diagnosed mental or physical health condition.

#### *Criminal Background Check Clarification*

[ACT 492](#) (HB1411) clarifies the law regarding criminal background checks for nursing licensure.

#### *Interstate Nurse Licensure Compact - Update*

[ACT 454](#) (HB1482) updates the Interstate Nurse Licensure Compact to become compliant with the new version of the Interstate Nurse Licensure Compact. This act does not become effective until the earlier of the date that the Arkansas State Board of Nursing determines that the Interstate Nurse Licensure Compact has been legislatively enacted by twenty-six (26) states or on and after December 31, 2018.

#### *Signature Authority*

[ACT 372](#) (HB1180) authorizes advanced practice registered nurses and physician assistants to sign certain official documents in lieu of a physician.

#### *Signature for Death of Hospice Patient in a Hospital*

[ACT 1078](#) (HB1851) authorizes a registered nurse employed by a hospice to sign the medical certification of death and pronounce death for a patient who is receiving hospice services and who dies as a hospice patient in a hospital.

### OPTOMETRISTS AND OPHTHALMOLOGISTS

#### *Criminal Background Check*

[ACT 447](#) (HB1526) modifies Act 143 of 2017 regarding the authorization of licensure by endorsement for optometrists to specify that a criminal background check shall include the taking of fingerprints. The act declares an emergency and is effective on and after March 13, 2017.

#### *Licensure by Endorsement for Optometrists*

[ACT 143](#) (HB1164) authorizes licensure by endorsement for optometrists by the State Board of Optometry. The act declares an emergency and is effective on and after February 7, 2017.

### PAWNBROKERS

#### *Arkansas Pawnbroker Act*

[ACT 985](#) (HB2164) creates the Arkansas Pawnbrokers Act and creates the Pawnbroker Licensure Commission to promulgate, amend, and rescind rules, forms, and orders that the commission deems necessary or appropriate, including without limitation rules and forms governing the pawnbroker profession.

### PHARMACIES AND PHARMACISTS

#### *Access to and Administration of Certain Medications*

[ACT 284](#) (SB162) amends the law concerning the practice of pharmacy to specify that a pharmacist is a healthcare provider and authorizes use of pharmacists to provide access to and administration of certain medications including Naloxone. The act also authorizes dispensing of Naloxone and contraceptives by physicians.

#### *Dialysate or Devices Necessary for Home Peritoneal Kidney Dialysis*

[ACT 722](#) (SB361) creates an exemption from the laws regarding the practice of pharmacy for dialysate or devices necessary for home peritoneal kidney dialysis in certain situations.

## PROFESSIONS AND OCCUPATIONS

### PHARMACIES AND PHARMACISTS

#### ***Emergency Refill of Prescriptions***

[ACT 282](#) (SB153) modifies the emergency refill of prescriptions by pharmacists to remove the limitation of a seventy-two (72) hour supply of the prescribed medication.

#### ***Inspection Procedures and Costs Associated with Inspections***

[ACT 477](#) (HB1560) amends the laws regarding the practice of pharmacy and the Arkansas State Board of Pharmacy to clarify the inspection procedure and the costs associated with inspections and to increase the days required for notification to the Arkansas State Board of Pharmacy in certain circumstances.

### PHYSICIAN ASSISTANTS

#### ***Signature Authority***

[ACT 372](#) (HB1180) authorizes advanced practice registered nurses and physician assistants to sign certain official documents in lieu of a physician.

### PHYSICIANS

#### ***Alternative Payment Systems***

[ACT 724](#) (SB498) amends the definition of "healthcare payor" and prohibits waiver of alternative payment systems by contract. The act also provides a mechanism to enforce alternative payment systems.

#### ***Audit Recoupment - Authorized Services Exempt***

[ACT 815](#) (SB665) amends the Prior Authorization Transparency Act, limits retrospective denials of authorized services and authorized benefit inquiries, and exempts certain authorized services from audit recoupment. The act declares an emergency and is effective on and after August 1, 2017.

#### ***Dispensing of Naloxone and Contraceptives***

[ACT 284](#) (SB162) authorizes dispensing of Naloxone and contraceptives by physicians. The act also amends the law concerning the practice of pharmacy and authorizes use of pharmacists to provide access to and administration of certain medications.

#### ***Interstate Medical Licensure Compact Analysis***

[ACT 424](#) (SB78) requires the Arkansas State Medical Board to perform an analysis of the Interstate Medical Licensure Compact to determine whether the State of Arkansas should participate in the Interstate Medical Licensure Compact. The act also requires the board to report on the analysis to the Governor and the General Assembly on or before December 1, 2017, and to issue recommendations regarding any legislation needed based on the analysis on or before July 1, 2018.

#### ***Peer Review Fairness Act***

[ACT 975](#) (SB611) amends the Arkansas Peer Review Fairness Act to clarify when an investigation begins, to establish standards for external reviews, to provide for unbiased peer review hearing panels, and to clarify legal remedies. The act declares an emergency regarding the legal remedies section (Section 7), and Section 7 is effective on and after April 7, 2017.

#### ***Physician Educational License***

[ACT 1061](#) (SB672) provides that an educational license for physicians in Arkansas may be issued to a physician affiliated with a medical school accredited by either a medical or an osteopathic accrediting agency. The act also allows a physician holding an educational license in Arkansas to be affiliated with an accredited medical or osteopathic medical school outside the state. The act declares an emergency and is effective on and after April 6, 2017.

## PROFESSIONS AND OCCUPATIONS

### PLUMBERS

#### *Apprentice Plumbers*

[ACT 971](#) (SB514) amends the law concerning the supervision of apprentice plumbers in the final year of an apprenticeship.

### REAL ESTATE LICENSEES

#### *Continuing Education Requirements*

[ACT 496](#) (HB1527) amends the number of hours of continuing education required for real estate licensees and requires at least one (1) classroom hour focusing on personal safety precautions. The act also provides that the Arkansas Real Estate Commission may promulgate rules to increase the number of hours of continuing education required beginning on September 30, 2019.

#### *Exemptions and Complaints*

[ACT 890](#) (HB2042) amends the law concerning real estate license exemptions and amends the law concerning the investigation of complaints by the Arkansas Real Estate Commission.

### TECHNICAL CORRECTIONS - PROFESSIONS, OCCUPATIONS, AND BUSINESSES - TITLE 17

[ACT 252](#) (HB1416) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 17 of the Arkansas Code.

### TELEPHONIC SELLERS

#### *Registration - Secretary of State*

[ACT 728](#) (HB2043) revises the regulations concerning telephonic sellers and moves the regulation of telephonic sellers to the Secretary of State. The act is effective on and after January 1, 2018.

### VETERINARIANS

#### *Livestock Embryo Transfer and Livestock Pregnancy Determination*

[ACT 1074](#) (SB553) provides a certification for individuals who engage in livestock embryo transfer and transplant and livestock pregnancy determination.

## PROPERTY RIGHTS AND INTERESTS

### FARMLAND

#### *Lien on Crops*

[ACT 569](#) (HB1812) amends the law so that the six-month lien period for a landlord does not start until the final payment of rent is due under the lease or rental agreement.

### HOUSING

#### *Fair Housing Commission*

[ACT 774](#) (SB697) requires the Governor to appoint a Director of the Arkansas Fair Housing Commission who serves at the pleasure of the Governor.

### LANDLORDS AND TENANTS

#### *Failure to Vacate*

[ACT 159](#) (SB25) repeals the language that requires the deposit of rent due into the registry of the court by a tenant who enters a plea of not guilty to the offense of refusal to vacate upon notice.

#### *Fair Housing Commission - Actions*

[ACT 473](#) (SB258) amends the procedures concerning who may bring an action by the Fair Housing Commission.

#### *Lien on Crops*

[ACT 569](#) (HB1812) amends the law so that the six-month lien period for a landlord does not start until the final payment of rent is due under the lease or rental agreement.

## PROPERTY RIGHTS AND INTERESTS

### MORTGAGES AND LIENS

#### ***Fraudulent Financing Statements***

[ACT 1114](#) (SB414) amends the Uniform Commercial Code to prevent fraudulent lien filings and unauthorized financing statement filings. The act provides remedies for fraudulent lien filings under the Uniform Commercial Code and clarifies the procedures to remove fraudulent lien filings that are filed for harassment purposes.

#### ***Justice of the Peace - Duties***

[ACT 757](#) (HB1870) removes the duties of the justice of the peace in connection with liens in several lien statutes.

#### ***Mortgage Lien Protection***

[ACT 1082](#) (HB2048) amends the law concerning casualty insurance coverage and mortgage lien protection and increases the coverage amount threshold for transactions that are not covered by mortgage lien protection.

#### ***Residential Real Estate - Notice of Lien***

[ACT 808](#) (HB1750) clarifies the type of transaction designated as a direct sale for which there is no notice required for a lien upon residential real estate.

#### ***Title Insurance - Title Search***

[ACT 1005](#) (HB1828) provides that a cause of action does not exist for negligence by an insured against a title insurance agency or agent for lack of reasonable care in a title search. The act also clarifies that a title insurance agency or agent does not owe any duty to an insured.

### PERSONAL PROPERTY

#### ***Self-service Storage Facilities - Personal Information***

[ACT 628](#) (HB1585) creates a procedure for an operator to dispose of personal information left in a leased self-service storage facility by an occupant who is in default.

### REAL PROPERTY - GENERALLY

#### ***Arson Against Timber or Agricultural Product***

[ACT 630](#) (HB1577) increases the statute of limitations for the offense of arson and amends the offense of arson to include starting a fire or causing an explosion with the purpose of destroying or otherwise damaging an area of real property being used for the commercial growth of timber or other agricultural product in certain circumstances.

#### ***Certificate of Public Convenience and Necessity - Exemptions***

[ACT 273](#) (HB1418) provides an exemption for obtaining a certificate of public convenience and necessity for the construction, operation, or connection of a new or existing substation or metering point and the associated facilities if the public utility owns or has a legally recognized right-of-way, easement, or similar property right to the property traversed by the construction or extension.

#### ***Criminal Trespass***

[ACT 877](#) (HB1554) concerns private real property rights and protects natural resources, agricultural resources, and historical artifacts against theft by a person committing criminal trespass upon private land. The act increases criminal penalties available to a person committing criminal trespass under certain circumstances and also provides for seizure of any conveyance used in the commission of certain types of criminal trespass.

#### ***Defective Asphalt Roof Shingles - Manufacturer Express Warranty***

[ACT 487](#) (HB1377) makes a manufacturer's express warranty against defective asphalt roof shingles available to an initial homeowner and any subsequent homeowner for the time specified in the manufacturer's express warranty.

## PROPERTY RIGHTS AND INTERESTS

### REAL PROPERTY - GENERALLY

#### ***Loitering***

[ACT 847](#) (HB1756) amends the offense of loitering and concerns loitering on both public and private property.

#### ***Partition of Heirs' Property - Appraisal Hearing***

[ACT 1106](#) (HB2156) provides that a court may waive the required appraisal hearing if none of the defendants or cotenants enter a court appearance or file an objection to the appraisal.

#### ***Petition to Quiet Title***

[ACT 377](#) (HB1375) repeals the requirement that a petitioner for a petition to quiet title search voter registration records to identify persons entitled to notice.

#### ***Unauthorized Access to Property***

[ACT 606](#) (HB1665) creates a cause of action concerning unauthorized access to another person's property, including commercial property.

#### ***Use of Property Close to Military Installation***

[ACT 602](#) (HB1703) requires a city ordinance restricting or prohibiting future uses on property located within five (5) miles of an active-duty United States Air Force military installation that might be hazardous to aircraft operation.

### REAL PROPERTY - TRANSFERS AND COVENANTS

#### ***Eminent Domain***

[ACT 731](#) (HB1667) requires a condemning entity's good faith offer to be in writing.

#### ***Petition to Quiet Title***

[ACT 377](#) (HB1375) repeals the requirement that a petitioner for a petition to quiet title search voter registration records to identify persons entitled to notice.

### RULE AGAINST PERPETUITIES

#### ***Power of Alienation***

[ACT 945](#) (SB533) amends the current rule against perpetuities so that perpetual trusts may be created without suspending the power of alienation by granting a trustee the unfettered power to transfer property or by granting a person the power to terminate the trust. The act provides that the statutory rule against perpetuities begins to run from the date the power of alienation is suspended during the life of the trust.

### TAXES AND TAX CREDITS

#### ***Transfer Tax - Exemption from Receipt and Affidavit Requirements***

[ACT 656](#) (HB1940) clarifies that instruments that are exempt from the real property transfer tax are not required to contain a receipt or affidavit of compliance form in certain circumstances.

### UNCLAIMED PROPERTY

#### ***Life Insurance - Annuities***

[ACT 368](#) (SB290) amends the definition of "contract" under the Unclaimed Life Insurance Benefits Act to exclude an annuity used to fund a funeral or related expenses or a prepaid funeral benefits contract and amends the definition of "policy" under the Unclaimed Life Insurance Benefits Act to exclude a policy or certificate of life insurance that is used to fund a funeral or related expenses or a prepaid funeral benefits contract.

#### ***Notice of Abandoned Property***

[ACT 622](#) (HB1752) extends the number of days the holder of property presumed abandoned has to send written notice to the apparent owner before filing a report of abandoned property.

#### ***Securities***

[ACT 421](#) (HB1142) amends the requirements necessary for a security to be presumed abandoned.

## PROPERTY RIGHTS AND INTERESTS

### UNCLAIMED PROPERTY

#### ***Self-service Storage Facility - Sale of Abandoned Vehicles***

[ACT 738](#) (HB2158) amends the law to enable the sale of an abandoned vehicle by a self-service storage facility by authorizing the issuance of a new certificate of title to the vehicle purchaser. The act declares an emergency and is effective on and after March 29, 2017.

## PUBLIC FINANCE

### ACCOUNTING AND BUDGETARY PROCEDURES

#### ***Forecast of General Revenues - Deadline***

[ACT 823](#) (SB529) changes the deadline for the Chief Fiscal Officer of the State to submit the forecast of general revenues to the Joint Committee on Economic and Tax Policy. The act declares an emergency and is effective on and after July 1, 2017.

#### ***Motor Vehicle Limitations and Restrictions***

[ACT 422](#) (HB1524) amends the motor vehicle restrictions and authorizations for the Arkansas State Game and Fish Commission and clarifies that the term "passenger motor vehicles" does not include vehicles that require a commercial driver's license to operate.

### BOARD OF FINANCE

#### ***Return on Investment of State Funds***

[ACT 555](#) (SB292) amends the transfer and investment authority and duties of the Treasurer of State, amends the time requirements applicable to certain transfers of state funds by the Treasurer of State, requires the State Board of Finance to establish the method of computing participants' rate of return and earnings on investments of state funds, and amends the Securities Reserve Fund. The act declares an emergency and is effective on and after July 1, 2017.

### BOND ISSUES

#### ***Local Economic Development Projects***

[ACT 533](#) (HB1732) amends the Local Government Bond Act of 1985 to implement Arkansas Constitution, Amendment 97, concerning the financing of economic development projects.

#### ***Local Governments***

[ACT 685](#) (SB581) creates the Local Job Creation, Job Expansion, and Economic Development Act of 2017 and enacts enabling legislation for Arkansas Constitution, Amendment 97, which removed the cap on the amount of bonds the government may issue. The act creates an economic framework for the implementation of the constitutional amendment.

#### ***Public Corporations for Economic Development***

[ACT 686](#) (SB538) implements Arkansas Constitution, Amendment 97, with respect to public corporations for economic development and allows economic development tax funds to be used to fund economic development projects and pay for economic development services under Arkansas Constitution, Amendments 62 and 97. The act declares an emergency and is effective on and after March 27, 2017.

### DEPOSIT AND INVESTMENT OF PUBLIC FUNDS

#### ***Bonds from State of Israel - Eligible Investment Security***

[ACT 644](#) (SB546) amends the definition of "eligible investment securities" to include a bond from the State of Israel that is guaranteed and backed by the full faith and credit of the government of Israel as the sovereign debt of the State of Israel. The act allows the Treasurer of State to purchase bonds from the State of Israel that qualify as eligible investment securities.

**PUBLIC FINANCE**

FEDERAL FUNDS

***Grant Advisory Board***

[ACT 777](#) (HB1944) establishes a Grant Advisory Board to assist potential beneficiaries of funds received by the state under the Victims of Crime Act, the STOP Violence Against Women Act, or the Family Violence Prevention and Services Act.

PURCHASING AND CONTRACTS

***Exempt Commodities and Services - Community Provider***

[ACT 893](#) (HB1849) amends the law concerning exempt commodities and services to include a community provider that is licensed as a family-style residential home setting approved by the Division of Children and Family Services of the Department of Human Services.

***Exemption - Certain Commodities and Services for Academic Medical Centers***

[ACT 609](#) (SB380) exempts certain commodities and services purchased by an academic medical center from the Arkansas Procurement Law and excludes revenue derived from patient care and self-supporting hospital enterprises of an academic medical center from the definition of "public funds" under the Arkansas Procurement Law.

***Minority, Women-owned, and Service-disabled Veteran-owned Business Enterprises***

[ACT 1080](#) (HB2218) amends the Minority Business Economic Development Act to include women-owned businesses and creates separate contracting goals for the total amount of state-funded contracts for goods and services awarded to women-owned business enterprises, service-disabled veteran-owned minority business enterprises, and all other minority business enterprises. The act also changes the membership of the Minority and Women-owned Business Advisory Council and changes the requirements for the report submitted by the council. The act changes the requirements for state agencies' minority and women-owned business purchasing plans, increases the maximum amount for small procurements if the contract is with a certified minority or women-owned business enterprise, and repeals duplicative contracting goals for service-disabled veteran-owned businesses.

***Motor Vehicles Purchased by School District***

[ACT 442](#) (HB1533) allows a school district to purchase a new motor vehicle from a licensed motor vehicle dealer if the purchase price of the motor vehicle does not exceed the fleet price awarded by the Office of State Procurement.

***Negotiation - Collusion - Ratification and Affirmation***

[ACT 696](#) (SB448) allows agencies to negotiate with bidders and offerors to receive a lower price for a contract, except with respect to construction project contracts; defines "collusion" and provides that collusion is cause for debarment and suspension; and requires that a contract be submitted for review by the Legislative Council or the Joint Budget Committee before it is ratified or affirmed.

***Procurement Goals - Local Farm and Food Products***

[ACT 617](#) (HB1839) creates the Local Food, Farms, and Jobs Act, which requires various entities that receive state funds to make it a goal to ensure that ten percent (10%) of the amount budgeted for the entity's purchases of food products is spent on local farm or food products. The act also requires each entity to submit a compliance report to the Bureau of Legislative Research, which is required to compile and report the information received from the entities. The act requires the Arkansas Agriculture Department to establish a program coordinator position to develop partnerships among vendors, agencies, and providers of local farm or food products and requires the Office of State Procurement to promulgate rules to implement the act.

**PUBLIC FINANCE****PURCHASING AND CONTRACTS*****Procurement Thresholds - Motor Vehicles***

[ACT 1004](#) (HB2096) increases the maximum amount of small procurements, changes the purchase price range for competitive bidding, and changes the threshold for competitive sealed bidding. The act also allows the State Procurement Director to compile a list of qualified vendors across the state for the purposes of procuring motor vehicles.

***Prohibition - Companies That Boycott Israel***

[ACT 710](#) (SB513) prohibits public entities from contracting with and investing in companies that boycott Israel.

***Public-private Partnerships***

[ACT 813](#) (SB651) creates the Partnership for Public Facilities and Infrastructure Act, which allows public-private partnerships for certain qualifying projects; establishes requirements for qualifying projects, public entities issuing requests for proposals for qualifying projects, and private entities submitting proposals for qualifying projects; and regulates financing for qualifying projects. The act also requires the Arkansas Economic Development Commission and the Arkansas Development Finance Authority to jointly promulgate a variety of specific rules to implement the act and requires the commission to audit all qualifying projects and the progress and compliance of the related public and private entities.

***Review of Administrative Decisions on Protests***

[ACT 882](#) (SB449) clarifies that the Arkansas State Claims Commission has exclusive jurisdiction over all claims against the state in connection with the solicitation or award of a contract and clarifies that administrative decisions regarding a protest of a contract solicitation or award are not orders subject to the Arkansas Administrative Procedure Act.

**REVENUE CLASSIFICATION LAW*****General Revenue - Designation of Certain Gas Assessment Fees***

[ACT 977](#) (SB754) extends the sunset date for the designation of certain gas assessment fees as general revenue. The act declares an emergency and is effective on and after April 7, 2017.

**REVENUE STABILIZATION LAW*****Arkansas Medicaid Program Trust Fund - Offset***

[ACT 141](#) (HB1162) amends the amount deposited into the Arkansas Medicaid Program Trust Fund to offset a reduction in the revenues from the soft drink tax.

***Court Awards Fund - Use of Funds***

[ACT 818](#) (SB701) clarifies that the Court Awards Fund consists of state and federal asset forfeitures and states that the fund shall be used for expenditures of the Department of Arkansas State Police.

**STATE TREASURY*****Bonds from State of Israel - Eligible Investment Security***

[ACT 644](#) (SB546) amends the definition of "eligible investment securities" to include a bond from the State of Israel that is guaranteed and backed by the full faith and credit of the government of Israel as the sovereign debt of the State of Israel. The act allows the Treasurer of State to purchase bonds from the State of Israel that qualify as eligible investment securities.

**PUBLIC FINANCE**

STATE TREASURY

***Investment and Transfer Authority - Securities Reserve Fund***

[ACT 555](#) (SB292) amends the transfer and investment authority and duties of the Treasurer of State, amends the time requirements applicable to certain transfers of state funds by the Treasurer of State, requires the State Board of Finance to establish the method of computing participants' rate of return and earnings on investments of state funds, and amends the Securities Reserve Fund. The act declares an emergency and is effective on and after July 1, 2017.

***State Treasury Management Law - Record and Reporting Requirements***

[ACT 291](#) (SB263) amends the record and reporting requirements for financial transactions of the Treasurer of State. The act declares an emergency and is effective on and after June 30, 2017.

***State Treasury Money Management Trust***

[ACT 296](#) (HB1464) amends provisions concerning the State Treasury Money Management Trust, including the use of the trust, fees and charges related to the trust, and distributions from the trust. The act declares an emergency and is effective on and after February 28, 2017.

TECHNICAL CORRECTIONS - PUBLIC FINANCE - TITLE 19

[ACT 263](#) (HB1322) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 19 of the Arkansas Code.

TOBACCO SETTLEMENT PROCEEDS

***Use of Funds to Reduce Waiting List for Developmental Disabilities Waiver***

[ACT 50](#) (HB1033) allows Tobacco Settlement Funds to be used to reduce the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after January 26, 2017.

**PUBLIC OFFICERS AND EMPLOYEES**

APPOINTMENT AND HIRING

***Administrative Office of the Courts***

[ACT 698](#) (SB584) concerns the qualifications of the Director of the Administrative Office of the Courts. The act declares an emergency and is effective on and after March 27, 2017.

***Disqualifying Criminal Offenses***

[ACT 664](#) (HB1808) creates the offense of sexual extortion, provides that a conviction of sexual extortion requires the offender to register as a sex offender, and states that sexual extortion is a disqualifying offense for certain types of licensure and employment.

ATTENDANCE AND LEAVE

***Maternity Leave***

[ACT 182](#) (SB125) permits female state employees to use catastrophic leave for the birth of the employee's biological child or the placement of an adoptive child in the home of the employee without exhausting sick or annual leave. The act also repeals the Shared Leave Program under the Uniform Attendance and Leave Policy Act. The act declares an emergency and is effective on and after February 16, 2017.

***Military Leave***

[ACT 529](#) (HB1530) amends the definition of "military leave" to include employees who are members of an auxiliary of the United States Armed Forces.

## **PUBLIC OFFICERS AND EMPLOYEES**

### ATTENDANCE AND LEAVE

#### ***Military Training Programs***

[ACT 529](#) (HB1530) entitles employees of the state to a leave of absence to participate in military training programs made available by auxiliary branches of the United States Armed Forces.

### COMPENSATION AND BENEFITS

#### ***Commission on Law Enforcement Standards and Training Employees***

[ACT 631](#) (HB1065) provides for additional salary payments for an employee of the Arkansas Commission on Law Enforcement Standards and Training when the employee obtains certain certifications.

#### ***Higher Education Uniform Classification and Compensation***

[ACT 599](#) (HB1785) creates higher education regular salary procedures and restrictions and creates the Higher Education Uniform Classification and Compensation Act. The act declares an emergency and is effective on and after July 1, 2017.

#### ***Lottery***

[ACT 693](#) (SB558) revises the title, grades, and salaries of employees of the Office of the Arkansas Lottery.

#### ***Partial State Contribution of Employee's Premiums***

[ACT 242](#) (HB1306) raises the maximum amount of money that a participating entity may contribute monthly to a fund designated for state employee health benefits to partially defray the cost of life and health benefits for participating state employees and retirees. The act declares an emergency and is effective on and after February 21, 2017.

#### ***State and Public School Life and Health Insurance Program - Morbid Obesity***

[ACT 927](#) (SB522) extends the pilot program on coverage for morbid obesity diagnosis and treatment until December 31, 2021. The act requires health benefit plans to provide coverage for the treatment of morbid obesity and provides that the State and Public School Life and Health Insurance Board may discontinue or suspend a morbid obesity plan option if the board determines adjustments are necessary to ensure financial soundness and overall well-being of the State and Public School Life and Health Insurance Program.

#### ***State Police - Health Insurance***

[ACT 1054](#) (SB618) clarifies the medical and hospital insurance benefits for eligible employees and eligible retirees of the Department of Arkansas State Police. The act defines "eligible employee" and "eligible retiree" for purposes of insurance benefits of the Department of Arkansas State Police.

#### ***Uniform Classification and Compensation***

[ACT 365](#) (SB289) revises the compensation plan under the Uniform Classification and Compensation Act, amends various laws concerning state employee salaries and benefits, and places the classification, compensation, and benefits authority of employees of institutions of higher education under the Department of Higher Education. The act declares an emergency and is effective on and after July 1, 2017.

### ETHICS AND CONFLICTS OF INTEREST

#### ***Abuse of Public Office and Public Trust***

[ACT 431](#) (HB1006) amends criminal offenses concerning abuse of public office and abuse of public trust.

**PUBLIC OFFICERS AND EMPLOYEES****ETHICS AND CONFLICTS OF INTEREST*****Gifts from Lobbyists - Exemptions***

[ACT 312](#) (HB1401) provides that the following are not prohibited gifts from lobbyists under Arkansas Constitution, Article 19, § 30: nonalcoholic beverages provided to attendees at a meeting of a civic, social, or cultural organization or group; food and nonalcoholic beverages provided to participants in a bona fide panel, seminar, or speaking engagement at which the audience is a civic, social, or cultural organization or group; and anything of value provided by a recognized political party when serving as the host of certain events. The act also provides that a recognized political party is not a lobbyist for the purposes of Arkansas Constitution, Article 19, § 30, and exempts anything of value provided by a recognized political party when serving as the host of certain events from the statutory prohibition on the receipt of gifts by public servants. The act declares an emergency and is effective on and after March 1, 2017.

***Gifts from Lobbyists - Use of Rooms and Facilities***

[ACT 207](#) (SB169) provides that the use of one (1) or more rooms or facilities owned, operated, or otherwise utilized by a state agency or political subdivision of the state for the purpose of conducting a meeting of a specific governmental body is not a prohibited gift under Arkansas Constitution, Article 19, § 30, concerning the solicitation or acceptance of gifts from lobbyists by certain governmental officials.

***Loans from Lobbyists***

[ACT 1108](#) (SB7) prohibits constitutional officers from soliciting or accepting loans for lobbyists.

***Member of School District Board of Directors***

[ACT 449](#) (HB1589) includes a member of a school district board of directors within certain definitions for purposes of ethics laws.

**FEES*****County Court Filings***

[ACT 729](#) (HB1662) provides that a county clerk shall not charge fees for the filing of petitions requesting a refund for taxes erroneously assessed and paid.

**JUDICIARY*****Prosecuting Attorney for the First Judicial District***

[ACT 749](#) (HB1777) concerns the funding of expenses and employees of the Phillips County prosecuting attorney in the First Judicial District.

***Prosecuting Attorney for the Thirteenth Judicial District***

[ACT 814](#) (SB547) provides that the Thirteenth Judicial District is a Division B Judicial District. The act is effective on and after July 1, 2017.

***Salaries of District Court Judges and Court Personnel***

[ACT 657](#) (HB1852) amends the salaries of certain district court judges and other court personnel who are not part of the state district court system. The act also repeals obsolete statutes concerning salaries of district court judges and court personnel.

**LOCALLY ELECTED OFFICIALS*****County Treasurer***

[ACT 369](#) (SB283) amends the Uniform Facsimile Signature of Public Officials Act and authorizes the use of a digitized signature of a county treasurer.

***County Treasurers - Commissions***

[ACT 420](#) (HB1634) modifies the law concerning commissions of county treasurers and provides exceptions.

## **PUBLIC OFFICERS AND EMPLOYEES**

### NOTARIES PUBLIC

[ACT 537](#) (HB1450) clarifies Arkansas law related to notaries public. The act also allows notaries public to set fees for services, prevents an employer from canceling a surety bond of a current or former employee even if the employer paid for the surety bond on behalf of the employee, clarifies the circumstances that a notary public may refuse to perform a notarial act, clarifies the requirements of a signature by mark on a notarial document to be legal, and provides that a disinterested third party may sign on behalf of a principal if the principal is physically unable to sign or make a mark on a notarial document.

#### ***Electronic Notary Public***

[ACT 306](#) (HB1479) creates the Electronic Notary Public Act and provides requirements for performing electronic notarial acts.

### POSSESSION OF A HANDGUN

#### ***Possession by Licensee in Courthouse***

[ACT 1090](#) (HB1895) concerns the carrying of a concealed handgun by a licensee who is employed by a governmental entity located inside of a courthouse to carry inside the courthouse.

### RECORDS AND REPORTING

#### ***Loss of Public Funds***

[ACT 498](#) (HB1736) requires a public employee with supervisory fiduciary responsibility over fiscal matters of a public employer to report to Arkansas Legislative Audit a loss of public funds that amounts to one thousand dollars ( \$1,000) or more in a calendar year.

### TECHNICAL CORRECTIONS - PUBLIC OFFICERS AND EMPLOYEES - TITLE 21

[ACT 254](#) (HB1359) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 21 of the Arkansas Code.

### TERMINATION

#### ***Arkansas Whistle-Blower Act - Expedited Hearing***

[ACT 791](#) (HB2055) allows a public employee who was terminated in violation of the Arkansas Whistle-Blower Act to request an expedited hearing on his or her reinstatement until the action on the public employee's termination has been resolved.

### UNITED STATES SENATOR

#### ***Vacancies***

[ACT 310](#) (HB1279) provides that vacancies in the office of United States Senator shall be filled by appointment of the Governor until the next general election or the second general election after the vacancy occurs, depending on the circumstances. The act declares an emergency and is effective on and after March 1, 2017.

## **PUBLIC PROPERTY**

### GENERALLY

#### ***Loitering***

[ACT 847](#) (HB1756) amends the offense of loitering and concerns loitering on both public and private property.

**PUBLIC PROPERTY****GENERALLY*****Possession of a Concealed Handgun - Advanced Concealed Carry License***

[ACT 562](#) (HB1249) establishes an advanced concealed carry licensing process whereby a concealed carry licensee can undergo training created by the Department of Arkansas State Police to earn an endorsement, enabling him or her to carry a concealed handgun in additional areas, such as most public buildings and facilities and a public university or college campus. The act also expands the places operated by certain private entities where a person with the endorsement may carry a concealed handgun unless the private entity takes affirmative steps to explicitly prohibit the possession of a concealed handgun on the private entity's premises. This act was subsequently amended by Act 859 of 2017. The act is effective on and after September 1, 2017.

***Possession of a Concealed Handgun by a Licensee - Prohibited Places***

[ACT 859](#) (SB724) amends Act 562 of 2017 to prohibit carrying a concealed handgun by a licensee in certain places, including public daycares, collegiate sporting events, the University of Arkansas Medical Sciences, and the Arkansas State Hospital if those places submit a security plan to the Department of Arkansas State Police that would designate them as firearm-sensitive areas where possession of concealed handgun by a licensee is prohibited. The act also clarifies that a private entity may prohibit a person from carrying a concealed handgun under any circumstance by posting appropriate signs and communicating the prohibition verbally or in writing. The act is effective on and after September 1, 2017.

**PUBLIC BUILDINGS, FACILITIES, AND PROPERTY*****Display of National Motto, United States Flag, and Arkansas Flag***

[ACT 911](#) (HB1980) requires superintendents of public schools and administrative officials of state agencies, if funds are available, to display the national motto of the United States, a representation of the United States flag, and a representation of the Arkansas state flag in each public school library and classroom and each public building or facility.

***Gold Star Family Memorial Monument***

[ACT 281](#) (SB244) directs the Secretary of State to permit and arrange for the placement on the State Capitol grounds of a monument commemorating Gold Star Families and creates a Gold Star Family Memorial Monument Fund.

***Law Enforcement Officers' Memorial***

[ACT 625](#) (HB1675) amends the law concerning the Law Enforcement Officers' Memorial on the State Capitol Grounds and repeals the Law Enforcement Officers' Memorial Fund.

***Monuments on State Capitol Grounds***

[ACT 274](#) (HB1273) prohibits monument construction or removal on State Capitol grounds unless authorized by an act of the General Assembly and prohibits the Capitol Arts and Grounds Commission from considering the construction of a monument on the State Capitol grounds or the removal of a monument from the State Capitol grounds without legislative authorization. The act declares an emergency and is effective on and after February 22, 2017.

***Naming - Municipal Airports***

[ACT 983](#) (SB430) expands the prohibition on naming of public buildings for certain individuals to municipal airports.

***Public Improvement Contracts - Award Procedures***

[ACT 725](#) (HB1595) provides for a modification to the award procedures for public improvement contracts and increases the bid requirement threshold.

## **PUBLIC PROPERTY**

### PUBLIC BUILDINGS, FACILITIES, AND PROPERTY

#### ***State Capitol Building***

[ACT 526](#) (HB1633) authorizes the Secretary of State to determine the maintenance and management of public properties and other facilities in the State Capitol Building. The act declares an emergency and is effective on and after March 20, 2017.

### PUBLIC WORKS

#### ***Prevailing Wage Law***

[ACT 1068](#) (SB601) repeals the Arkansas Prevailing Wage Law that required contractors for publicly funded capital construction projects to pay employees the prevailing wage in the municipality or county in which the construction was conducted. The act declares an emergency and is effective on and after April 6, 2017.

### TECHNICAL CORRECTIONS - PUBLIC PROPERTY - TITLE 22

[ACT 255](#) (HB1358) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 22 of the Arkansas Code.

## **RETIREMENT**

### JUDICIAL RETIREMENT SYSTEM

#### ***Investment Practices***

[ACT 769](#) (HB1340) prohibits a decision on whether to invest, not invest, or withdraw from investment the funds of the Arkansas Judicial Retirement System from being based on the investment, fund, company, or other investment vehicle being located in the State of Israel.

### LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS

#### ***Board of Trustees - Firemen's Relief and Pension Fund***

[ACT 126](#) (SB165) provides that a retired member of a fire department may serve on the board of trustees of a firemen's relief and pension fund if there is no active member of the fire department available to serve.

#### ***Investment Practices***

[ACT 794](#) (HB1275) provides that an investment decision of a policemen's or firemen's pension and relief fund shall not be based on a consideration that the location of the investment is in the State of Israel.

### LOCAL POLICE AND FIRE RETIREMENT SYSTEM

#### ***Board of Trustees***

[ACT 125](#) (SB164) provides that the Board of Trustees of the Arkansas Local Police and Fire Retirement System may promulgate regulations for compliance with federal taxation requirements.

#### ***Deferred Retirement Option Plan - Participation***

[ACT 608](#) (SB222) provides that at the conclusion of a member's participation in the Local Police and Fire Deferred Retirement Option Plan, the member may defer payment of the account subject to certain requirements.

#### ***Investment Practices***

[ACT 795](#) (HB1277) provides that an investment decision of the Arkansas Local Police and Fire Retirement System shall not be based on a consideration that the investment is located in the State of Israel.

### PUBLIC EMPLOYEES' RETIREMENT SYSTEM

#### ***Board of Trustees - Membership and Vacancies***

[ACT 311](#) (HB1258) amends the law concerning membership and vacancies on the Board of Trustees of the Arkansas Public Employees' Retirement System. The act declares an emergency and is effective on and after March 1, 2017.

**RETIREMENT****PUBLIC EMPLOYEES' RETIREMENT SYSTEM*****Deferred Retirement Option Plan - Participation Cessation***

[ACT 552](#) (SB202) amends the law concerning a member's cessation of participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan. The act is effective on and after January 1, 2018.

***Deferred Retirement Option Plan - Participation Eligibility***

[ACT 502](#) (SB204) amends the law concerning a member's eligibility for participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan. The act declares an emergency and is effective on and after March 15, 2017.

***Exception to Deferred Retirement Option Plan***

[ACT 245](#) (HB1187) creates a reemployment exception for essential seasonal staff of the Arkansas Forestry Commission, the Arkansas Livestock and Poultry Commission, or the State Plant Board who are participants in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan.

***Investment Practices***

[ACT 770](#) (HB1344) prohibits a decision on whether to invest, not invest, or withdraw from investment the funds of the Arkansas Public Employees' Retirement System from being based on the investment, fund, company, or other investment vehicle being located in the State of Israel.

***Military Service Credit - Public Safety Members***

[ACT 437](#) (HB1368) provides that a public safety member who purchases military service credit from the Arkansas Public Employees' Retirement System shall be credited at the regular rate for credited service and not an enhanced rate. The act provides that a public safety member shall pay the same rate for the purchase of service credit as a member of the system who is not a public safety member.

**RETIREMENT SYSTEMS - GENERALLY*****Forfeiture of Benefits***

[ACT 756](#) (HB1336) provides for a beneficiary's forfeiture of benefits under a public retirement system when the beneficiary unlawfully kills a member or retirant.

**STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM*****Executive Secretary - Qualifications and Duties***

[ACT 201](#) (SB154) amends the qualifications and duties of the executive secretary of the Board of Trustees of the Arkansas State Highway Employees' Retirement System.

***Investment Practices***

[ACT 796](#) (HB1324) prohibits a decision on whether to invest, not invest, or withdraw from investment the funds of the Arkansas State Highway Employees' Retirement System from being based on the investment, fund, company, or other investment vehicle being located in the State of Israel.

***Military Service Credit***

[ACT 461](#) (SB163) provides current members of the Arkansas State Highway Employees' Retirement System with a one-time option to purchase military service credit without interest. The act declares an emergency and is effective on and after March 13, 2017.

***Redetermination of Benefits***

[ACT 610](#) (SB155) provides for a cost-of-living adjustment to be incorporated into the calculation of redetermined benefits under the Arkansas State Highway Employees' Retirement System. The act declares an emergency and is effective on and after July 1, 2017.

**RETIREMENT****STATE POLICE RETIREMENT SYSTEM*****Investment Practices***

[ACT 768](#) (HB1341) prohibits a decision on whether to invest, not invest, or withdraw from investment the funds of the State Police Retirement System from being based on the investment, fund, company, or other investment vehicle being located in the State of Israel.

**TEACHER RETIREMENT SYSTEM*****Beneficiaries***

[ACT 243](#) (HB1305) allows members of the Arkansas Teacher Retirement System to designate one or more residual beneficiaries. The act declares an emergency and is effective on and after February 21, 2017.

***Benefit Stipends***

[ACT 782](#) (HB1373) amends the law concerning the application and adjustment of benefit stipends under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after March 31, 2017.

***Buyout Plans***

[ACT 647](#) (SB185) provides that a buyout plan established by the Board of Trustees of the Arkansas Teacher Retirement System may be extended, modified, or expanded by board resolution. The act declares an emergency and is effective on and after March 24, 2017.

***Buyout Plans - Prohibited Terms***

[ACT 503](#) (SB203) prohibits the inclusion of terms requiring a member's retirement from the Arkansas Teacher Retirement System in contract buyout plans. The act declares an emergency and is effective on and after March 15, 2017.

***Concurrent Service Credit***

[ACT 612](#) (SB205) provides members of the Arkansas Teacher Retirement System with the option to waive concurrent service credit. The act declares an emergency and is effective on and after March 23, 2017.

***Contributions***

[ACT 436](#) (HB1365) amends the law concerning employer and member contributions to the Arkansas Teacher Retirement System for settlements and judgments. The act amends the definition of "salary" and permits the purchase of salary or service credit using actuarial costs. The act declares an emergency and is effective on and after March 9, 2017.

***Contributions - Employers***

[ACT 821](#) (SB218) amends the law concerning the modification of an employer's contribution rate under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after April 3, 2017.

***Contributions - Rate Adjustments***

[ACT 550](#) (SB187) amends the law concerning contribution rate adjustments made by the Board of Trustees of the Arkansas Teacher Retirement System. The act permits contribution rate adjustments to be based on actuarial soundness. The act declares an emergency and is effective on and after March 21, 2017.

***Correction of Service Credit Errors***

[ACT 241](#) (HB1290) provides that the Arkansas Teacher Retirement System or its designee may correct an obvious error by an employer or the system that understates the service credit of a member upon which all required contributions have been paid. The act declares an emergency and is effective on and after February 21, 2017.

**RETIREMENT****TEACHER RETIREMENT SYSTEM*****Cost-of-living Adjustment***

[ACT 780](#) (HB1374) amends the law concerning a reversal of the compound cost-of-living adjustment under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after March 31, 2017.

***Disability Retirement***

[ACT 549](#) (SB192) allows members with reciprocal service to retire upon a determination of disability and amends the procedures for disability retirement. The act specifies the disability retirement benefit amount to be received by a member who has been on disability retirement with the Arkansas Teacher Retirement System and returns to regular, covered employment and then returns to disability retirement with the system. The act declares an emergency and is effective on and after March 21, 2017.

***Early Voluntary Retirement - Annuity Reduction***

[ACT 750](#) (HB1286) provides a method by which the Board of Trustees of the Arkansas Teacher Retirement System may set the early voluntary retirement annuity reduction at a percentage rate between five percent (5%) per year and fifteen percent (15%) per year. The act declares an emergency and is effective on and after March 30, 2017.

***Employee Evaluation - Internal Auditor***

[ACT 127](#) (SB142) requires an audit committee created by the Board of Trustees of the Arkansas Teacher Retirement System to perform an annual employee evaluation of an internal auditor of the system.

***Final Average Salary***

[ACT 611](#) (SB141) modifies the final average salary calculation method used under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after March 23, 2017.

***Investment Practices***

[ACT 767](#) (HB1328) prohibits a decision on whether to invest, not invest, or withdraw from investment the funds of the Arkansas Teacher Retirement System or an alternate retirement plan of the system from being based on the investment, fund, company, or other investment vehicle being located in the State of Israel.

***Membership - Embedded Employees***

[ACT 575](#) (HB1287) provides certain employers with the option to pay a surcharge for embedded employees in lieu of membership in the Arkansas Teacher Retirement System.

***Multiplier Rate***

[ACT 551](#) (SB186) authorizes the Board of Trustees of the Arkansas Teacher Retirement System to adjust the multiplier rate for contributory service earned after the first ten (10) years of service when the system's actuary certifies that the amortization period to pay the unfunded liabilities of the system exceeds eighteen (18) years and the board determines that a reduction in the multiplier rate is prudent to maintain actuarial soundness. The act declares an emergency and is effective on and after March 21, 2017.

**RETIREMENT****TEACHER RETIREMENT SYSTEM*****Optional Plans***

[ACT 293](#) (HB1304) amends the requirements for voluntary retirement under the Arkansas Teacher Retirement System, amends the definition of "Arkansas Teacher Retirement System", and defines "covered employer". The act also permits a member of the system to elect to cancel an optional plan designating the member's former spouse as a beneficiary if the member's marital status changes after retirement due to the death of the member's spouse or a divorce or marriage dissolution from the member's spouse. The act declares an emergency and is effective on and after February 28, 2017.

***Pension Advances***

[ACT 199](#) (SB233) prohibits pension advances under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after February 17, 2017.

***Service Credit***

[ACT 436](#) (HB1365) amends the law concerning employer and member contributions to the Arkansas Teacher Retirement System for settlements and judgments. The act amends the definition of "salary" and permits the purchase of salary or service credit using actuarial costs. The act declares an emergency and is effective on and after March 9, 2017.

***Service Credit - Unused Sick Leave***

[ACT 200](#) (SB193) provides service credit for unused sick leave to members of the Arkansas Teacher Retirement System who die during active service on or after July 1, 2013. The act declares an emergency and is effective on and after February 17, 2017.

***Survivor Benefits***

[ACT 505](#) (SB194) amends the law concerning the determination of survivor benefit eligibility under the Arkansas Teacher Retirement System and permits certain survivor benefits to be prorated. The act declares an emergency and is effective on and after March 15, 2017.

***Teacher Deferred Retirement Option Plan - Interest Rate***

[ACT 1049](#) (SB184) modifies the method used to set the Teacher Deferred Retirement Option Plan interest rate. The act declares an emergency and is effective on and after April 6, 2017.

***Teacher Deferred Retirement Option Plan - Plan Deposit***

[ACT 750](#) (HB1286) amends the method for calculating the plan deposit when early participation in the Teacher Deferred Retirement Option Plan is authorized by the Board of Trustees of the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after March 30, 2017.

***Voluntary Retirement***

[ACT 293](#) (HB1304) amends the requirements for voluntary retirement under the Arkansas Teacher Retirement System, amends the definition of "Arkansas Teacher Retirement System", and defines "covered employer". The act also permits a member of the system to elect to cancel an optional plan designating the member's former spouse as a beneficiary if the member's marital status changes after retirement due to the death of the member's spouse or a divorce or marriage dissolution from the member's spouse. The act declares an emergency and is effective on and after February 28, 2017.

**TECHNICAL CORRECTIONS - RETIREMENT AND PENSIONS - TITLE 24**

[ACT 265](#) (HB1355) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 24 of the Arkansas Code.

**STATE AGENCIES, BOARDS, AND COMMISSIONS****ADMINISTRATIVE RULES - GENERALLY*****Application of Foreign Law***

[ACT 980](#) (HB1041) concerns the application of foreign law in the courts, tribunal boards, administrative agencies, or other adjudicative or enforcement authorities of this state regarding a cause of action, contract, or other right conferred under the laws of this state whether subject to litigation, arbitration, agency, or any similarly binding proceeding in this state.

***Filing of State Agency Rules***

[ACT 1079](#) (HB1386) requires the filing of final state agency rules with the Arkansas State Library and amends provisions of the Administrative Procedure Act.

***Rule Report, Sunset, and Extension***

[ACT 781](#) (HB1880) requires a state agency to file a report of all state agency rules, establishes a sunset date for state agency rules, and establishes a process by which a state agency rule may exist beyond the sunset date.

***Rules Impacting State Medicaid Costs***

[ACT 605](#) (HB1919) codifies the process for the review of rules impacting state Medicaid costs and exempts medical codes within the Arkansas Medicaid Program from the Arkansas Administrative Procedure Act, the review of rules impacting state Medicaid costs, and legislative review and approval.

**AGRICULTURE*****Feral Hog Eradication Task Force***

[ACT 1010](#) (HB2063) creates the Feral Hog Eradication Task Force to create a plan for the eradication of feral hogs in Arkansas. The task force will include the directors of state agencies concerned with feral hogs and agriculture in general, representatives of related private entities, and advisory members the task force members may choose. The Arkansas Agriculture Department will provide office space, staff, and materials for the task force. The task force will provide an initial report to the Legislative Council on or before December 31, 2017. The act expires on June 30, 2018.

***Program Coordinator Position***

[ACT 617](#) (HB1839) creates the Local Food, Farms, and Jobs Act, which requires various entities that receive state funds to make it a goal to ensure that ten percent (10%) of the amount budgeted for the entity's purchases of food products is spent on local farm or food products. The act also requires each entity to submit a compliance report to the Bureau of Legislative Research, which is required to compile and report the information received from the entities. The act requires the Arkansas Agriculture Department to establish a program coordinator position to develop partnerships among vendors, agencies, and providers of local farm or food products and requires the Office of State Procurement to promulgate rules to implement the act.

**ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT DIVISION*****Use of Minors***

[ACT 925](#) (HB2141) provides that it is not an offense if a minor purchasing alcohol was doing so at the direction of an authorized agent of the Arkansas Alcoholic Beverage Control Enforcement Division.

**ARTS COUNCIL*****Public Art Program***

[ACT 720](#) (SB419) amends the law concerning the Arkansas Natural Heritage Commission, abolishes the Arkansas Public Art Program, and amends the law concerning the Delta Cultural Center and the Mosaic Templars Cultural Center.

## STATE AGENCIES, BOARDS, AND COMMISSIONS

### ATHLETICS

#### *State Athletic Commission and Professional Wrestling*

[ACT 860](#) (HB2165) exempts a professional wrestling event with an audience of less than 1,500 people from certain rules of the State Athletic Commission and creates an exemption for a professional wrestling event held for a charitable purpose.

### BANK COMMISSIONER

#### *Examination of Technology Service Providers*

[ACT 646](#) (SB208) authorizes the Bank Commissioner to conduct examinations of technology service providers. The act declares an emergency and is effective on and after March 24, 2017.

### BANKING

#### *Economic Development Finance Corporation*

[ACT 507](#) (HB1604) provides for the examination and regulation of economic development finance corporations by the State Bank Department if the nonprofit corporations registering as economic development finance corporations elect to be subject to such examination and regulation. The act declares an emergency and is effective on and after March 15, 2017.

### BURIAL ASSOCIATION

#### *State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services*

[ACT 788](#) (SB624) creates the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services within the State Insurance Department and abolishes the State Board of Embalmers and Funeral Directors, the Burial Association Board, and the Arkansas Cemetery Board. The act is effective on and after January 1, 2018.

### CLAIMS AGAINST THE STATE

#### *Exclusive Jurisdiction - Protests on Contract Solicitations and Awards*

[ACT 882](#) (SB449) clarifies that the Arkansas State Claims Commission has exclusive jurisdiction over all claims against the state in connection with the solicitation or award of a contract and clarifies that administrative decisions regarding a protest of a contract solicitation or award are not orders subject to the Arkansas Administrative Procedure Act.

#### *Venue*

[ACT 967](#) (SB648) concerns the venue of a civil cause of action in which the state is a party. The act declares an emergency and is effective on and after April 5, 2017.

### CODE REVISION COMMISSION

#### *Initial Drafts of Corrective Legislation - Timeline*

[ACT 598](#) (HB1787) amends the timeline for the Code Revisor to submit initial drafts of corrective legislation to the Arkansas Code Revision Commission.

### COLLECTION AGENCIES

#### *Improper Use of or Altering the State Seal*

[ACT 590](#) (HB1514) creates the offense of improper use of or altering the state seal.

### CORRECTIONS

#### *Crime Victim Notification*

[ACT 429](#) (HB1045) requires the VINE victim-notification system to notify victims of a person's release or a modification of a conditional release or discharge from the custody of the State Hospital, regional hospitals, local or regional mental health facilities, or local jail where a person is being held after being found by a court in a criminal case to have a mental disease or defect.

**STATE AGENCIES, BOARDS, AND COMMISSIONS****CORRECTIONS*****Criminal Detention Facility Review Committees***

[ACT 153](#) (SB24) concerns the makeup and administration of a Criminal Detention Facility Review Committee, which inspects and reviews standards of all criminal detention facilities and juvenile detention facilities in the state. The act also abolishes previous Criminal Detention Facility Review Committees and creates new committees to be filled on and after January 1, 2019.

***Criminal Justice Efficiency and Safety***

[ACT 423](#) (SB136) creates the Criminal Justice Efficiency and Safety Act of 2017. The act amends the law concerning the Department of Community Correction's ability to supervise, sanction, and discipline probationers and parolees and creates new methods to collect and share inmate data between law enforcement agencies leading to implementation of best practices. The act also amends criminal sentencing procedures and includes the Behavioral Health Crisis Intervention Protocol Act of 2017, which establishes behavioral health crisis stabilization units and behavioral health protocol for communities. Sections 16-23 of the act are effective on and after October 1, 2017, and Section 15 of the act is effective on and after January 1, 2018.

***Department of Community Correction***

[ACT 240](#) (HB1470) allows the Director of the Department of Community Correction to designate a person to serve on the Arkansas State Council for the Interstate Commission for Adult Offender Supervision.

***Department of Community Correction - Emergency Preparedness Manual***

[ACT 376](#) (HB1469) concerns the confidentiality of the Emergency Preparedness Manual of the Department of Community Correction.

***Department of Correction - Administration***

[ACT 305](#) (HB1429) eliminates an annual report requirement and provides that the Director of the Department of Correction may designate a person to serve as central administrator of and information agent for the Agreement on Detainers.

***Department of Correction Inmates Assigned to a County or Municipal Jail***

[ACT 444](#) (SB273) provides that an inmate of the Department of Correction who has been approved to be released to a county sheriff of an approved jail facility, to a chief of police or other authorized law enforcement officer of a city-operated approved jail facility, or to a community correction center outside the Department of Correction may be used to assist a political subdivision in supporting or working with a nonprofit organization with a chapter, committee, or other governing body based in the county. The act declares an emergency and is effective on and after March 9, 2017.

**CRIME VICTIMS REPARATIONS*****Crime Victims Reparations Board***

[ACT 918](#) (HB1843) concerns payment administration to a healthcare provider by the Crime Victims Reparations Board.

**DENTAL EXAMINERS*****Additional Exemptions to Licensure and Modification of Specialty Licenses***

[ACT 489](#) (HB1250) amends the Arkansas Dental Practice Act to create additional exemptions to the practice of dentistry and dental hygiene and to modify dentistry specialty licenses.

**STATE AGENCIES, BOARDS, AND COMMISSIONS**  
DEVELOPMENT FINANCE AUTHORITY (ADFA)

***Arkansas Student Loan Authority - Transfer***

[ACT 824](#) (SB644) transfers the Arkansas Student Loan Authority to the Arkansas Development Finance Authority by a type 2 transfer and amends the powers and duties of the Arkansas Development Finance Authority. The act declares an emergency and is effective on and after July 1, 2017.

***Entrepreneur Fee Waiver Pilot Program***

[ACT 857](#) (HB1767) establishes the Entrepreneur Fee Waiver Pilot Program for entrepreneurs, which waives the state filing fees, state permit fees, and state licensing fees associated with the formation of a small business in Arkansas for certain entrepreneurs. The act also requires the Secretary of State to provide notice of the program to entrepreneurs filing for the formation of a business in this state and requires the Arkansas Development Finance Authority to submit a report of the effectiveness of the program.

***Public-private Partnerships***

[ACT 813](#) (SB651) creates the Partnership for Public Facilities and Infrastructure Act, which allows public-private partnerships for certain qualifying projects; establishes requirements for qualifying projects, public entities issuing requests for proposals for qualifying projects, and private entities submitting proposals for qualifying projects; and regulates financing for qualifying projects. The act also requires the Arkansas Economic Development Commission and the Arkansas Development Finance Authority to jointly promulgate a variety of specific rules to implement the act and requires the commission to audit all qualifying projects and the progress and compliance of the related public and private entities.

ECONOMIC DEVELOPMENT COMMISSION (AEDC)

***Public-private Partnerships***

[ACT 813](#) (SB651) creates the Partnership for Public Facilities and Infrastructure Act, which allows public-private partnerships for certain qualifying projects; establishes requirements for qualifying projects, public entities issuing requests for proposals for qualifying projects, and private entities submitting proposals for qualifying projects; and regulates financing for qualifying projects. The act also requires the Arkansas Economic Development Commission and the Arkansas Development Finance Authority to jointly promulgate a variety of specific rules to implement the act and requires the commission to audit all qualifying projects and the progress and compliance of the related public and private entities.

EDUCATION - HIGHER

***Boards of Visitors - Abolished***

[ACT 1006](#) (HB2163) abolishes the Board of Visitors for the University of Arkansas at Monticello and the Board of Visitors for the University of Arkansas at Pine Bluff.

***State Board of Private Career Education - Transfer***

[ACT 565](#) (HB1650) transfers the State Board of Private Career Education to the Department of Higher Education by a type 2 transfer and amends the powers and duties of the State Board of Private Career Education. The act declares an emergency and is effective on and after March 22, 2017.

**STATE AGENCIES, BOARDS, AND COMMISSIONS**

EDUCATION - PUBLIC

***Sudden Cardiac Arrest Prevention***

[ACT 1013](#) (HB1509) creates the Sudden Cardiac Arrest Prevention Act to amend school district procedures concerning student physical activity to include recognition and management of sudden cardiac arrest. The act also sets penalties for athletics coaches who fail to meet the requirements regarding training on recognition and management of certain conditions including sudden cardiac arrest. The act also requires the Department of Education to establish guidelines for sudden cardiac arrest education.

EMPLOYEES - GENERALLY

***Loss of Public Funds***

[ACT 498](#) (HB1736) requires a public employee with supervisory fiduciary responsibility over fiscal matters of a public employer to report to Arkansas Legislative Audit a loss of public funds that amounts to one thousand dollars ( \$1,000) or more in a calendar year.

***Maternity Leave***

[ACT 182](#) (SB125) permits female state employees to use catastrophic leave for the birth of the employee’s biological child or the placement of an adoptive child in the home of the employee without exhausting sick or annual leave. The act also repeals the Shared Leave Program under the Uniform Attendance and Leave Policy Act. The act declares an emergency and is effective on and after February 16, 2017.

***State and Public School Life and Health Insurance Board - Emerging Therapies***

[ACT 1089](#) (HB2014) requires the State and Public School Life and Health Insurance Board to consider a pilot program by July 2018 that explores emerging therapies and cost-effectiveness of treatment under the Choosing Wisely Initiative.

ENVIRONMENTAL QUALITY (ADEQ)

***Arkansas Energy Office - Transfer***

[ACT 271](#) (SB256) transfers the Arkansas Energy Office to the Arkansas Department of Environmental Quality by a type 2 transfer.

***Permit Notice***

[ACT 1057](#) (SB364) authorizes the Arkansas Department of Environmental Quality to give notice of hearings and decisions by either first-class mail or e-mail and to post final decisions regarding permits on the department's website.

***Site Assessment***

[ACT 1073](#) (SB613) provides that the Arkansas Department of Environmental Quality may use up to five hundred thousand dollars (\$500,000) per fiscal year from the Hazardous Substance Remedial Action Trust Fund to fund assessments of hazardous waste sites.

FEES AND PENALTIES - GENERALLY

***State Racing Commission***

[ACT 425](#) (SB293) amends the process for the disposition of license fees, fines, and other moneys by the Arkansas Racing Commission.

FINANCE AND ADMINISTRATION (DFA)

***Employees and Contractors - Criminal Background Check***

[ACT 758](#) (HB2033) requires the Department of Finance and Administration to establish a criminal background check policy for certain persons applying for or occupying a position having access to federal tax information.

**STATE AGENCIES, BOARDS, AND COMMISSIONS****FINANCE AND ADMINISTRATION (DFA)*****Enforcement of Business Closure Order***

[ACT 759](#) (HB1682) provides that a business closure order acts as an injunction prohibiting further business operation, provides that a taxpayer who owns a business subject to a business closure order may seek a court order to continue operations during an appeal of a business closure order, and permits the Director of the Department of Finance and Administration to enforce closure of a business while an appeal of a business closure order is pending. The act is effective on and after October 1, 2017.

***Forecast of General Revenues - Deadline***

[ACT 823](#) (SB529) changes the deadline for the Chief Fiscal Officer of the State to submit the forecast of general revenues to the Joint Committee on Economic and Tax Policy. The act declares an emergency and is effective on and after July 1, 2017.

***Medical Marijuana Commission***

[ACT 638](#) (HB1519) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding the creation of the Medical Marijuana Commission, to place the commission within the Department of Finance and Administration.

***Regulation of Advertising, Marketing, Packaging, and Promotion***

[ACT 640](#) (HB1370) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to authorize regulation of advertising, marketing, packaging, and promotion of dispensaries and cultivation facilities by the Alcoholic Beverage Control Division of the Department of Finance and Administration.

***Requirements for Notices***

[ACT 881](#) (SB511) requires the Department of Finance and Administration to provide on a notice of assessment or delinquency the contact information for the taxpayer to use if the taxpayer wants to obtain his or her tax records.

**GAME AND FISH*****Motor Vehicle Limitations and Restrictions***

[ACT 422](#) (HB1524) amends the motor vehicle restrictions and authorizations for the Arkansas State Game and Fish Commission and clarifies that the term "passenger motor vehicles" does not include vehicles that require a commercial driver's license to operate.

**GENERALLY*****Declaratory Relief Concerning a Tax***

[ACT 1030](#) (HB1821) requires that notice of an action for declaratory relief related to a tax be given to a government entity or school district whose direct revenue could be affected by the outcome of the action. The act declares an emergency and is effective on and after April 6, 2017.

***Succession in Case of Emergency***

[ACT 380](#) (HB1452) provides for amendments to the Emergency Interim Executive and Judicial Succession Act, including adding the Auditor of State and Commissioner of State Lands to the list of possible successors to the Office of Governor and repealing provisions concerning emergency interim successors for state officers.

**STATE AGENCIES, BOARDS, AND COMMISSIONS****GEOGRAPHIC INFORMATION SYSTEMS*****Division of Land Surveys - State Surveyor***

[ACT 145](#) (HB1218) changes references to the "Arkansas Geographic Information Systems Board" to the "Arkansas Geographic Information Systems Office", adds the State Surveyor as a person with whom the Land Survey Advisory Board shall work, and shifts various powers and duties formerly belonging to the Arkansas Geographic Information Systems Board to the State Surveyor.

**HEALTH*****Immunization Registry Data Sharing***

[ACT 880](#) (SB301) allows the Department of Health to share immunization registry data with federal, state, and local jurisdictions as well as nations that are part of the Compact of Free Association islands.

***Office of Health Information Technology - Transfer***

[ACT 270](#) (SB257) transfers the Office of Health Information Technology to the Department of Health and amends the duties of the Office of Health Information Technology.

***Palliative Care and Quality of Life Interdisciplinary Task Force***

[ACT 735](#) (HB2067) creates the Palliative Care and Quality of Life Interdisciplinary Task Force to consult with and advise the Department of Health on matters relating to the establishment, maintenance, operation, and outcome evaluation of palliative care initiatives in the state and to make certain reports to the General Assembly. The task force expires on December 31, 2019.

***Prescription Drug Monitoring Program - Access - Arkansas Medicaid Program***

[ACT 46](#) (HB1025) amends the Prescription Drug Monitoring Program Act to allow access to the program by the Arkansas Medicaid prescription drug program.

***Prescription Drug Monitoring Program - Insurance Carriers and Research***

[ACT 688](#) (SB420) allows insurance carriers to obtain practitioner and dispenser information maintained by the Prescription Drug Monitoring Program and allows prescriber data to be used for research purposes.

***Prescription Drug Monitoring Program - Mandated Prescriber Check***

[ACT 820](#) (SB339) requires a prescriber to check the information on the Prescription Drug Monitoring Program when prescribing certain medications and authorizes the State Board of Health to amend by rule the exemptions for this requirement by a three-fourths vote during the legislative review and approval process. The act also requires certain healthcare licensing boards to promulgate rules limiting the amount of Schedule II narcotics that may be prescribed and dispensed by the licensees of the board.

***Record Maintenance Fee***

[ACT 206](#) (SB191) eliminates the record maintenance fee for visits to local health units and amends the State Health Department Building and Local Grant Trust Fund.

***Scheduling a Controlled Substance by the Department of Health***

[ACT 440](#) (HB1402) concerns the scheduling of a marijuana-derived Schedule VI controlled substance by the Department of Health in the event that the United States Food and Drug Administration has rescheduled or descheduled a marijuana-derived substance under federal law.

***State Health Department Building and Local Grant Trust Fund***

[ACT 752](#) (HB1807) provides for the deposit of fees authorized under the Department of Health Public Health Laboratory Act of 2003 into the State Health Department Building and Local Grant Trust Fund.

## STATE AGENCIES, BOARDS, AND COMMISSIONS

### HEALTH

#### ***Suicide Prevention Hotline***

[ACT 811](#) (HB1775) requires the Department of Health to establish and maintain a Suicide Prevention Hotline.

#### ***Volunteer Health Care***

[ACT 958](#) (HB1901) creates the Volunteer Health Care Act to establish a volunteer healthcare program through the Department of Health or other governmental contractor to deliver health services to eligible low-income patients and to provide sovereign immunity to healthcare providers and medical professionals that participate in the volunteer healthcare program.

### HEALTHCARE PROFESSIONAL LICENSING BOARDS

#### ***Access to and Use of Expunged and Sealed Records***

[ACT 139](#) (HB1202) amends the Comprehensive Criminal Record Sealing Act of 2013 to allow a state agency or board engaged in the licensing of medical professionals to have access to and use of sealed records of criminal convictions.

#### ***Demographic Data Reports***

[ACT 970](#) (SB565) amends the law concerning the health professional demographic data report to include additional licensure and practice information of a healthcare professional.

#### ***Exemption for Licensure***

[ACT 205](#) (SB170) creates a licensure exemption for licensure for healthcare professionals who are offering free healthcare services through a program in partnership with the Federal Innovative Readiness Training.

#### ***Licensure Renewal Fee Waiver for Active-duty Military***

[ACT 204](#) (SB95) amends laws to waive the licensure renewal fee charged by the Arkansas State Board of Dental Examiners, the State Board of Optometry, the Arkansas State Medical Board, and the Arkansas State Board of Nursing for certain active-duty military healthcare professionals.

### HERITAGE DEPARTMENT

#### ***Arkansas Natural Heritage Commission***

[ACT 720](#) (SB419) amends the law concerning the Arkansas Natural Heritage Commission, abolishes the Arkansas Public Art Program, and amends the law concerning the Delta Cultural Center and the Mosaic Templars Cultural Center.

#### ***Civil War Museum Feasibility Study***

[ACT 921](#) (HB2201) directs the Department of Arkansas Heritage to conduct a feasibility study concerning the establishment of a Civil War museum in Arkansas.

#### ***Technical Corrections***

[ACT 634](#) (HB1760) makes technical corrections concerning the Arkansas Natural Heritage Commission.

### HIGHER EDUCATION

#### ***Classification and Compensation***

[ACT 365](#) (SB289) revises the compensation plan under the Uniform Classification and Compensation Act, amends various laws concerning state employee salaries and benefits, and places the classification, compensation, and benefits authority of employees of institutions of higher education under the Department of Higher Education. The act declares an emergency and is effective on and after July 1, 2017.

### HUMAN SERVICES

#### ***Access to the Prescription Drug Monitoring Program***

[ACT 46](#) (HB1025) amends the Prescription Drug Monitoring Program Act to allow access to the program by the Arkansas Medicaid prescription drug program.

**STATE AGENCIES, BOARDS, AND COMMISSIONS****HUMAN SERVICES*****Assessment on Medical Transportation Providers***

[ACT 969](#) (SB649) establishes a medical transportation provider assessment fee to be used for federal matching funds and for emergency medical transportation access payments for medical transportation providers to improve the quality and timeliness of medical transports in Arkansas.

***Medicaid Income Offsets for Long-Term Care Medicaid***

[ACT 892](#) (HB2177) clarifies the proper administration by the Department of Human Services of the federal regulations pertaining to post-eligibility treatment of income and deductions of "Medicaid income offsets" of institutionalized individuals of Long-Term Care Medicaid.

***Office of Chief Counsel Name Correction***

[ACT 302](#) (HB1288) corrects the name of the Office of Chief Counsel of the Department of Human Services within the law regarding the membership of the Child Death and Near Fatality Multidisciplinary Review Committee.

***Program Savings Plan for the Medicaid Provider-Led Organized Care System***

[ACT 802](#) (HB1954) requires a program savings plan for the Medicaid provider-led organized care system and reporting by the Department of Human Services to the General Assembly of savings under the Medicaid reforms.

***Rehabilitative Services for Persons with Mental Illness - Moratorium***

[ACT 699](#) (SB206) codifies the Rehabilitative Services for Persons with Mental Illness moratorium and extends the moratorium until January 1, 2018.

***Reorganization***

[ACT 913](#) (HB1289) reorganizes the Department of Human Services to promote and improve efficiency and quality within the department, repeals the Division of Community Service and Nonprofit Support, and creates the Division of Provider Services and Quality Assurance.

***Rules Impacting State Medicaid Costs***

[ACT 605](#) (HB1919) codifies the process for the review of rules impacting state Medicaid costs and exempts medical codes within the Arkansas Medicaid Program from the Arkansas Administrative Procedure Act, the review of rules impacting state Medicaid costs, and legislative review and approval.

***State Child Abuse and Neglect Prevention Board***

[ACT 897](#) (HB1696) transfers the State Child Abuse and Neglect Prevention Board to the Department of Human Services by a Type 3 transfer. The act declares an emergency and is effective on and after July 1, 2017.

**INSURANCE*****Arkansas Healthcare Transparency Initiative Update***

[ACT 979](#) (SB566) amends the Arkansas Healthcare Transparency Initiative Act of 2015 to include data from managed care organizations, risk-based provider organizations, the State Health Data Clearinghouse Act, and hospital discharge and emergency department records. The act also amends the Arkansas Healthcare Transparency Initiative Fund.

**STATE AGENCIES, BOARDS, AND COMMISSIONS**INSURANCE***General Omnibus***

[ACT 283](#) (SB247) enacts the State Insurance Department's general omnibus bill, including updates to numerous insurance laws. The act also improves the Insurance Commissioner's ability to administer the insurance laws and internal procedures of the State Insurance Department; amends the Arkansas Prepaid Funeral Benefits Law; revises the disclosure of nonpublic personal information by the Insurance Commissioner; amends the Policyholder's Bill of Rights; revises the disclosure of an examination report by the Insurance Commissioner; amends the immunity from prosecution in proceedings of the State Insurance Department; revises the annual statement requirements filed with the Insurance Commissioner; amends the application and licensing requirements of captive insurers; revises the qualifications for holding an insurance adjuster's license; amends the licensure requirements under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act; clarifies the procedure for mandatory reporting of fraudulent insurance acts; repeals the compilation of comparison data for private passenger automobile, homeowners multi-peril, and dwelling fire insurance policies; repeals the requirement of an annual report regarding personal insurance; revises the applicability of the Arkansas Insurance Code to health maintenance organizations; revises the definition of "covered claim" under the Arkansas Property and Casualty Insurance Guaranty Act; amends the Risk Retention and Purchasing Group Act; and clarifies the annual payment date for an insurer's antifraud assessment.

***Regulation - Insurance Holding Company Regulatory Act***

[ACT 386](#) (SB344) modernizes and updates the Insurance Holding Company Regulatory Act.

***State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services***

[ACT 788](#) (SB624) creates the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services within the State Insurance Department and abolishes the State Board of Embalmers and Funeral Directors, the Burial Association Board, and the Arkansas Cemetery Board. The act is effective on and after January 1, 2018.

***State Insurance Department - Rule 27***

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

JUDICIARY***Administrative Office of the Courts***

[ACT 698](#) (SB584) concerns the qualifications of the Director of the Administrative Office of the Courts. The act declares an emergency and is effective on and after March 27, 2017.

***Data Concerning a Victim of a Sex Offense***

[ACT 571](#) (HB1686) encourages the Administrative Office of the Courts to design a method to track and accumulate data on the familial or residential status of a victim of a sex offense in relation to the offender in a manner that protects against directly or indirectly revealing the identity of the victim.

***Juvenile Courts - Commission for Parent Counsel***

[ACT 861](#) (SB132) creates the Commission for Parent Counsel, which appoints legal counsel to parents of a minor in a juvenile court dependency-neglect proceeding.

## STATE AGENCIES, BOARDS, AND COMMISSIONS

### LAW ENFORCEMENT

#### ***Arkansas Commission on Law Enforcement Standards and Training***

[ACT 497](#) (HB1430) makes technical changes to statutes concerning the Arkansas Commission on Law Enforcement Standards and Training and the administration and operation of the commission as well as the administration and application of law enforcement training and standards. The act also deletes obsolete language.

#### ***Commission on Law Enforcement Standards and Training Employees***

[ACT 631](#) (HB1065) provides for additional salary payments for an employee of the Arkansas Commission on Law Enforcement Standards and Training when the employee obtains certain certifications.

#### ***Law Enforcement Training Academies***

[ACT 183](#) (SB173) concerns the administration of a state-funded law enforcement training academy, including the awarding of a service firearm to a person retiring from employment or who dies while employed at a state-funded law enforcement training academy, the ability of a newly-elected county sheriff to train at a state-funded law enforcement training academy, and reimbursement for law enforcement training costs.

#### ***New or Inactive Law Enforcement Agency***

[ACT 378](#) (HB1431) provides the requirements the chief executive officer of an entity authorized by ordinance to create a new law enforcement agency or reactivate an inactive law enforcement agency shall meet before the Arkansas Commission on Law Enforcement Standards and Training approves the creation of a new law enforcement agency or reactivation of an inactive law enforcement agency.

### LIVESTOCK AND POULTRY

#### ***Powers and Duties***

[ACT 1011](#) (HB2175) repeals provisions concerning the Agriculture Department and the Arkansas Livestock and Poultry Commission, amends the powers and duties of the Arkansas Livestock and Poultry Commission, and amends the law concerning the control of contagious diseases.

### LOTTERY

#### ***Salaries***

[ACT 693](#) (SB558) revises the title, grades, and salaries of employees of the Office of the Arkansas Lottery.

### MEDICAL BOARD

#### ***Executive Director and Deputy Director***

[ACT 69](#) (SB39) amends the title of the Executive Secretary to Executive Director and authorizes the Arkansas State Medical Board to employ an Executive Director of the Arkansas State Medical Board and a Deputy Director of the Arkansas State Medical Board.

#### ***Interstate Medical Licensure Compact Analysis***

[ACT 424](#) (SB78) requires the Arkansas State Medical Board to perform an analysis of the Interstate Medical Licensure Compact to determine whether the State of Arkansas should participate in the Interstate Medical Licensure Compact. The act also requires the board to report on the analysis to the Governor and the General Assembly on or before December 1, 2017, and to issue recommendations regarding any legislation needed based on the analysis on or before July 1, 2018.

#### ***Surgical Technologists***

[ACT 390](#) (SB167) creates the Arkansas Surgical Technologists Act to establish registration of surgical technologists by the Arkansas State Medical Board.

## STATE AGENCIES, BOARDS, AND COMMISSIONS

### NURSING BOARD

#### ***Alternative to Discipline***

[ACT 325](#) (HB1413) creates the Alternative to Discipline Act to provide for treatment of nurses licensed in Arkansas who suffer from impairment resulting from a diagnosed substance use disorder or a diagnosed mental or physical health condition.

#### ***Criminal Background Check Clarification***

[ACT 492](#) (HB1411) clarifies the law regarding criminal background checks for nursing licensure.

#### ***Interstate Nurse Licensure Compact - Update***

[ACT 454](#) (HB1482) updates the Interstate Nurse Licensure Compact to become compliant with the new version of the Interstate Nurse Licensure Compact. This act does not become effective until the earlier of the date that the Arkansas State Board of Nursing determines that the Interstate Nurse Licensure Compact has been legislatively enacted by twenty-six (26) states or on and after December 31, 2018.

### PARKS, RECREATION, AND TRAVEL

#### ***Jurisdiction of Law Enforcement Officers***

[ACT 202](#) (SB172) confers statewide jurisdiction to a certified law enforcement officer employed by the State Parks Division of the Department of Parks and Tourism.

#### ***War Memorial Stadium Commission - Transfer***

[ACT 269](#) (SB255) transfers the War Memorial Stadium Commission to the Department of Parks and Tourism by a type 2 transfer. The act declares an emergency and is effective on and after February 22, 2017.

### PHARMACY BOARD

#### ***Dialysate or Devices Necessary for Home Peritoneal Kidney Dialysis***

[ACT 722](#) (SB361) creates an exemption from the laws regarding the practice of pharmacy for dialysate or devices necessary for home peritoneal kidney dialysis in certain situations.

#### ***Inspection Procedures and Costs Associated with Inspections***

[ACT 477](#) (HB1560) amends the laws regarding the practice of pharmacy and the Arkansas State Board of Pharmacy to clarify the inspection procedure and the costs associated with inspections and to increase the days required for notification to the Arkansas State Board of Pharmacy in certain circumstances.

### PROCUREMENT

#### ***Contracts***

[ACT 710](#) (SB513) prohibits public entities from contracting with and investing in companies that boycott Israel.

#### ***Goals for Local Farm and Food Products - Rules***

[ACT 617](#) (HB1839) creates the Local Food, Farms, and Jobs Act, which requires various entities that receive state funds to make it a goal to ensure that ten percent (10%) of the amount budgeted for the entity's purchases of food products is spent on local farm or food products. The act also requires each entity to submit a compliance report to the Bureau of Legislative Research, which is required to compile and report the information received from the entities. The act requires the Arkansas Agriculture Department to establish a program coordinator position to develop partnerships among vendors, agencies, and providers of local farm or food products and requires the Office of State Procurement to promulgate rules to implement the act.

## STATE AGENCIES, BOARDS, AND COMMISSIONS

### PUBLIC SERVICE COMMISSION

#### ***Certificate of Public Convenience and Necessity***

[ACT 273](#) (HB1418) provides an exemption for obtaining a certificate of public convenience and necessity for the construction, operation, or connection of a new or existing substation or metering point and the associated facilities if the public utility owns or has a legally recognized right-of-way, easement, or similar property right to the property traversed by the construction or extension.

#### ***Regulation - Natural Gas***

[ACT 280](#) (SB265) promotes economic development and natural gas infrastructure expansion through extension projects of gas utilities. The act requires consideration of the economic benefit to the gas utility and its existing ratepayers and the public interest before a certificate of extension project is granted by the Arkansas Public Service Commission.

#### ***Telecommunications Regulatory Reform Act of 2013***

[ACT 419](#) (HB1593) modifies certain provisions of the Telecommunications Regulatory Reform Act of 2013 concerning eligible telecommunications carriers to comply with recent developments in federal law. The act declares an emergency and is effective on and after July 1, 2017.

### REAL ESTATE

#### ***Arkansas Fair Housing Commission***

[ACT 774](#) (SB697) requires the Governor to appoint a Director of the Arkansas Fair Housing Commission who serves at the pleasure of the Governor.

### RECORDS AND REPORTS - GENERALLY

#### ***Electronic Submissions and Publications***

[ACT 960](#) (HB1823) creates the Arkansas Paperwork Efficiency and Transparency Act and permits state agencies, courts, and local government entities to accept electronic submissions and permit electronic publications of documents in addition to any statutory requirement regarding paper submissions and publications. The act expires after four (4) years.

### SECURITIES

#### ***Securities Commissioner - Multistate Automated Licensing System***

[ACT 620](#) (HB1799) amends the Uniform Money Services Act and clarifies the licensing, reporting, and surety bond requirements for licensees. The acts also requires an anti-money laundering program and allows the Securities Commissioner to participate in a multistate automated licensing system.

#### ***Securities Commissioner - Powers and Duties***

[ACT 668](#) (HB1800) amends various state securities laws and amends certain provisions for the filing fees, disposition of fines, and funds of the Securities Department. The act clarifies the powers and duties of the Securities Commissioner and the procedure for judicial review of a final order of the Securities Commissioner under the Arkansas Securities Act. The act also amends certain provisions for exempt securities, exempt transactions, and covered securities transactions under the Arkansas Securities Act and provides an exemption for crowdfunding.

### STATE BANK BOARD

#### ***Arkansas Capital Development Company and Development Finance Corporation***

[ACT 426](#) (SB366) repeals the Arkansas Development Finance Corporation Act and the Arkansas Capital Development Company Act.

## STATE AGENCIES, BOARDS, AND COMMISSIONS

### STATE BANK DEPARTMENT

#### ***Bank Commissioner - Emergency Powers***

[ACT 169](#) (HB1311) modifies the definition of "state of emergency" to include a cyberattack on or a cybersecurity breach of a bank or other depository institution under the Arkansas Banking Code of 1997. The act clarifies that the emergency powers of the Bank Commissioner are available in the event of a cyberattack on or a cybersecurity breach of a bank or other depository institution.

### STATE BOARD OF OPTOMETRY

#### ***Criminal Background Check***

[ACT 447](#) (HB1526) modifies Act 143 of 2017 regarding the authorization of licensure by endorsement for optometrists to specify that a criminal background check shall include the taking of fingerprints. The act declares an emergency and is effective on and after March 13, 2017.

#### ***Licensure by Endorsement***

[ACT 143](#) (HB1164) authorizes licensure by endorsement for optometrists by the State Board of Optometry. The act declares an emergency and is effective on and after February 7, 2017.

### STATE HOLIDAYS

#### ***Martin Luther King Jr. and Robert E. Lee***

[ACT 561](#) (SB519) removes Robert E. Lee Day from the official state holiday it shared with Dr. Martin Luther King Jr. Day in January and makes Robert R. Lee Day a state memorial day in October.

### STATE OFFICERS

#### ***Succession in Case of Emergency***

[ACT 380](#) (HB1452) provides for amendments to the Emergency Interim Executive and Judicial Succession Act, including adding the Auditor of State and Commissioner of State Lands to the list of possible successors to the Office of Governor and repealing provisions concerning emergency interim successors for state officers.

### STATE POLICE

#### ***Concealed Handgun Licensing - Advanced Concealed Carry License***

[ACT 562](#) (HB1249) establishes an advanced concealed carry licensing process whereby a concealed carry licensee can undergo training created by the Department of Arkansas State Police to earn an endorsement, enabling him or her to carry a concealed handgun in additional areas, such as most public buildings and facilities and a public university or college campus. The act also expands the places operated by certain private entities where a person with the endorsement may carry a concealed handgun unless the private entity takes affirmative steps to explicitly prohibit the possession of a concealed handgun on the private entity's premises. This act was subsequently amended by Act 859 of 2017. The act is effective on and after September 1, 2017.

**STATE AGENCIES, BOARDS, AND COMMISSIONS**

STATE POLICE

***Concealed Handgun Licensing - Prohibited Places***

[ACT 859](#) (SB724) amends Act 562 of 2017 to prohibit carrying a concealed handgun by a licensee in certain places, including public daycares, collegiate sporting events, the University of Arkansas Medical Sciences, and the Arkansas State Hospital if those places submit a security plan to the Department of Arkansas State Police that would designate them as firearm-sensitive areas where possession of concealed handgun by a licensee is prohibited. The act also clarifies that a private entity may prohibit a person from carrying a concealed handgun under any circumstance by posting appropriate signs and communicating the prohibition verbally or in writing. The act is effective on and after September 1, 2017.

***Health Insurance***

[ACT 1054](#) (SB618) clarifies the medical and hospital insurance benefits for eligible employees and eligible retirees of the Department of Arkansas State Police. The act defines "eligible employee" and "eligible retiree" for purposes of insurance benefits of the Department of Arkansas State Police.

***Use of Court Awards Fund***

[ACT 818](#) (SB701) clarifies that the Court Awards Fund consists of state and federal asset forfeitures and states that the fund shall be used for expenditures of the Department of Arkansas State Police.

TECHNICAL CORRECTIONS - STATE GOVERNMENT - TITLE 25

[ACT 307](#) (HB1485) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 25 of the Arkansas Code.

VETERAN'S AFFAIRS

***Licensure and Certification***

[ACT 248](#) (HB1184) requires a state board and commission to promulgate rules for temporary licensure, certification, or permitting of an active duty service member, returning military veteran, and military spouse.

VETERINARY MEDICAL EXAMINING BOARD

***Livestock Embryo Transfer and Livestock Pregnancy Determination***

[ACT 1074](#) (SB553) provides a certification for individuals who engage in livestock embryo transfer and transplant and livestock pregnancy determination.

WORKFORCE SERVICES

***Drug Screening and Testing Program - Temporary Assistance for Needy Families***

[ACT 314](#) (SB123) updates the Drug Screening and Testing Act of 2015 to make the two-year pilot program of suspicion-based drug screening and testing for each applicant and recipient of the Temporary Assistance for Needy Families (TANF) Program permanent. The act also amends the reporting requirements and the drug panel testing required by the program.

**TAXES**

ADMINISTRATION OF LOCAL TAXES

***Assessment Procedures and Standards - Education and Training Requirements***

[ACT 659](#) (HB1772) extends the time to file a petition for review of an assessment made for property tax purposes, amends the rules for the equalization of assessments, outlines the procedure for hearings on property assessments, and requires the establishment and adoption of uniform hearing procedures for county equalization boards. The act also establishes "preponderance of the evidence" as the burden of proof for property assessment appeals and establishes continuing education and training requirements for members of county equalization boards.

**TAXES**ADMINISTRATION OF LOCAL TAXES***Delinquent Assessments***

[ACT 161](#) (SB116) provides that the additional fee paid by a person paying a delinquent property assessment shall help pay for the expense of assessing property and shall be paid into the assessor's late assessment fee fund, subject to appropriation by the quorum court.

***Property Tax - Assessment on State-owned Leases***

[ACT 1076](#) (HB2127) allows for the assessment and collection of property tax from the lessee of certain state-owned property. The act is effective for assessment years beginning on and after January 1, 2017.

ADMINISTRATION OF STATE TAXES***Access to Tax Information - Criminal Background Check***

[ACT 758](#) (HB2033) requires the Department of Finance and Administration to establish a criminal background check policy for certain persons applying for or occupying a position having access to federal tax information.

***Arkansas Tax Reform and Relief Legislative Task Force***

[ACT 78](#) (SB115) reduces all income tax rates for individuals, trusts, and estates with a net income of less than twenty-one thousand dollars (\$21,000) and reduces the bottom income tax rate for individuals, trusts, and estates with a net income between twenty-one thousand dollars (\$21,000) and seventy-five thousand dollars (\$75,000). The act also creates the Arkansas Tax Reform and Relief Legislative Task Force to study tax reform and recommend legislation for the 2019 regular session. The act is identical to Act 79 of 2017. The income tax reductions in Section 2 of the act are effective for tax years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after February 1, 2017.

***Arkansas Tax Reform and Relief Legislative Task Force***

[ACT 79](#) (HB1159) reduces all income tax rates for individuals, trusts, and estates with a net income of less than twenty-one thousand dollars (\$21,000) and reduces the bottom income tax rate for individuals, trusts, and estates with a net income between twenty-one thousand dollars (\$21,000) and seventy-five thousand dollars (\$75,000). The act also creates the Arkansas Tax Reform and Relief Legislative Task Force to study tax reform and recommend legislation for the 2019 regular session. The act is identical to Act 78 of 2017. The income tax reductions in Section 2 of the act are effective for tax years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after February 1, 2017.

***Business Closure Order***

[ACT 759](#) (HB1682) provides that a business closure order acts as an injunction prohibiting further business operation, provides that a taxpayer who owns a business subject to a business closure order may seek a court order to continue operations during an appeal of a business closure order, and permits the Director of the Department of Finance and Administration to enforce closure of a business while an appeal of a business closure order is pending. The act is effective on and after October 1, 2017.

***Erroneously Paid Refunds***

[ACT 999](#) (HB1681) provides that erroneously paid refunds are considered underpayments of tax and are subject to assessment, creates statutes of limitation specific to assessments for erroneously paid refunds, provides a formal mechanism to issue assessments for erroneously paid refunds, and provides that tax liens may be filed and executions issued to recover erroneously paid refunds.

**TAXES****ADMINISTRATION OF STATE TAXES*****License, Permit, and Registration - Grounds for Cancellation or Refusal***

[ACT 762](#) (HB1680) clarifies the ability of the Director of the Department of Finance and Administration to cancel or refuse to issue, extend, or reinstate a license, permit, or registration under state tax law for a person's failure to pay interest and penalties on a delinquent tax. The act is effective on and after January 1, 2018.

***Medical Marijuana Taxation and Proceeds***

[ACT 670](#) (HB1369) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", regarding taxation and distribution of proceeds to direct all of the state sales tax to be deposited into the Arkansas Medical Marijuana Implementation and Operations Special Revenue Fund to be used for the expenses of implementation and administration. The act also provides that any remaining money in the fund after the payment of expenses shall be directed to the General Revenue Fund Account. The act also creates the Medical Marijuana Commission Fund and the Arkansas Medical Marijuana Implementation and Operations Special Revenue Fund.

***Notice of Proposed Assessment - Requirements***

[ACT 881](#) (SB511) requires the Department of Finance and Administration to provide on a notice of assessment or delinquency the contact information for the taxpayer to use if the taxpayer wants to obtain his or her tax records.

***Tax Records - Disclosure to Bankruptcy Trustee***

[ACT 435](#) (HB1561) allows for the disclosure of confidential and privileged tax records to a bankruptcy trustee or an employee of a bankruptcy trustee.

**CAUSES OF ACTION*****Declaratory Relief Concerning a Tax***

[ACT 1030](#) (HB1821) requires that notice of an action for declaratory relief related to a tax be given to a government entity or school district whose direct revenue could be affected by the outcome of the action. The act declares an emergency and is effective on and after April 6, 2017.

**COLLECTION AND ENFORCEMENT*****Delinquent Personal Taxes***

[ACT 197](#) (SB282) amends the law concerning the collection and distribution of delinquent personal taxes by extending the time in which the county collector must pay over to the county treasurer and requires that all penalties be deposited as county revenues in the county general fund.

***Property Tax - Notice of County Website - Publication of Delinquent Taxes***

[ACT 514](#) (SB114) requires that the internet address for the county's official website be included on all property tax bills and amends the requirements for publishing delinquent taxes on mineral interests to include publication on a dedicated website. The act is effective for tax years beginning on and after January 1, 2017.

***Sale or Forfeiture of Real Property - County Equalization Board***

[ACT 162](#) (SB117) provides that a member of a county equalization board shall be a qualified elector of the county who has owned real property in the county for at least one (1) year. The act also provides that a county equalization board may not accept an application for adjustment of the determination of a property's tax exempt status or of the valuation of agricultural land, pasture land, or timberland.

**TAXES****COLLECTION AND ENFORCEMENT*****Tax-delinquent Property - Post-auction Private Sale***

[ACT 1053](#) (SB450) amends the procedure for selling tax-delinquent land to allow the Commissioner of State Lands to offer to sell tax-delinquent property at a post-auction private sale.

**FRANCHISE TAX*****Deadline for Report***

[ACT 458](#) (HB1644) changes the deadline for filing a franchise tax report. The act is effective for tax years beginning on and after January 1, 2017.

**INCOME TAX*****Adopt Federal Changes - Child Support and Gambling Debts***

[ACT 155](#) (HB1390) adopts recent changes to the Internal Revenue Code. The act also clarifies that child support payments are not included in the gross income of the recipient and that gambling losses are deductible to the extent of gambling winnings. The act is effective for tax years beginning on and after January 1, 2015.

***Annual Withholding Statement - Deadline***

[ACT 433](#) (HB1564) changes the deadline for an employer's annual withholding statement for income taxes to January 31.

***Arkansas Tax-Deferred Tuition Savings Program - Carry Forward***

[ACT 481](#) (HB1473) provides that a tax deduction for a contribution to a tuition savings account in the Arkansas Tax-Deferred Tuition Savings Program may be carried forward for the next four (4) succeeding tax years.

***Arkansas Tax-Deferred Tuition Savings Program - Contributions***

[ACT 883](#) (HB1802) provides that contributions to a tuition savings account under a tax-deferred tuition savings program established by another state may be deducted from a taxpayer's income tax.

***Arkansas Tax-Deferred Tuition Savings Program - Employee Benefit***

[ACT 884](#) (HB1762) allows an employer to make a matching contribution to an employee's tax-deferred tuition savings program as an employee benefit and limits the maximum contribution amount.

***Corporate Returns - Filing Date***

[ACT 48](#) (HB1156) provides for Arkansas corporate income tax returns to be filed by April 15 beginning in the 2016 tax year. The act declares an emergency and is effective on and after January 26, 2017.

***Corporate Subchapter S Election***

[ACT 434](#) (HB1563) requires a corporation filing a federal Subchapter S income tax return to file an Arkansas Subchapter S income tax return. The act is effective for tax years beginning on and after January 1, 2018.

***Credit - Apprenticeships and Work-based Learning Programs***

[ACT 1042](#) (SB505) consolidates the youth apprenticeship program income tax credit with the youth apprenticeship/work-based learning program tax credit and expands the income tax credit for employing an apprentice to apply to all apprentices above a certain age who are employed in an apprenticeship or a work-based learning program. The act is effective for tax years beginning on and after January 1, 2018.

**TAXES****INCOME TAX*****Credit - Waste Reduction, Reuse, and Recycling Equipment***

[ACT 1046](#) (SB688) amends the income tax credit for waste reduction, reuse, or recycling equipment to allow a taxpayer to claim the credit for a qualified expansion project or a qualified steel specialty products manufacturing facility, subject to certain conditions. The act declares an emergency and is effective on and after April 6, 2017.

***Credit - Water Impoundments - Carry Forward***

[ACT 1125](#) (SB729) extends the carry-forward period for the income tax credit allowed for water impoundments under the Water Resource Conservation and Development Incentives Act. The act is effective on and after January 1, 2017.

***Deduction - Qualified Classroom Investment Expenses***

[ACT 666](#) (HB1014) creates an income tax deduction for teachers who expend money on qualified classroom investment expenses. The act is effective for tax years beginning on and after January 1, 2017.

***Exemption - Community Match Rural Physician Recruitment Program***

[ACT 763](#) (HB1031) creates an income tax exemption for incentives received under the Community Match Rural Physician Recruitment Program. The act is effective for tax years beginning on and after January 1, 2017.

***Exemption for Military Retirement - Unemployment Compensation As Income***

[ACT 141](#) (HB1162) exempts military retirement and survivor benefits from income tax and includes unemployment compensation in the definition of “gross income”.

***Historic Rehabilitation Income Tax Credit - Increase***

[ACT 393](#) (SB253) increases the Arkansas historic rehabilitation income tax credit for projects that start on or after July 1, 2017. The act declares an emergency and is effective on and after July 1, 2017.

***Partnership Income - Apportionment Method Required***

[ACT 482](#) (HB1562) requires that partnership income be determined for state income tax purposes by using an apportionment method. The act is effective for tax years beginning on and after January 1, 2018.

***Reduction - Arkansas Tax Reform and Relief Legislative Task Force***

[ACT 78](#) (SB115) reduces all income tax rates for individuals, trusts, and estates with a net income of less than twenty-one thousand dollars (\$21,000) and reduces the bottom income tax rate for individuals, trusts, and estates with a net income between twenty-one thousand dollars (\$21,000) and seventy-five thousand dollars (\$75,000). The act also creates the Arkansas Tax Reform and Relief Legislative Task Force to study tax reform and recommend legislation for the 2019 regular session. The act is identical to Act 79 of 2017. The income tax reductions in Section 2 of the act are effective for tax years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after February 1, 2017.

**TAXES****INCOME TAX*****Reduction - Arkansas Tax Reform and Relief Legislative Task Force***

[ACT 79](#) (HB1159) reduces all income tax rates for individuals, trusts, and estates with a net income of less than twenty-one thousand dollars (\$21,000) and reduces the bottom income tax rate for individuals, trusts, and estates with a net income between twenty-one thousand dollars (\$21,000) and seventy-five thousand dollars (\$75,000). The act also creates the Arkansas Tax Reform and Relief Legislative Task Force to study tax reform and recommend legislation for the 2019 regular session. The act is identical to Act 78 of 2017. The income tax reductions in Section 2 of the act are effective for tax years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after February 1, 2017.

***Withholding Requirements - Members and Owners of Pass-through Entities***

[ACT 760](#) (HB1559) amends the corporate income tax withholding requirements for members or owners of a pass-through entity to include Subchapter C corporations. The act is effective for tax years beginning on and after January 1, 2018.

**PREMIUM TAXES*****Medicaid Provider-led Organized Care - Risk-Based Provider Organization***

[ACT 775](#) (HB1706) creates the Medicaid Provider-Led Organized Care Act to reform the Arkansas Medicaid Program to improve patient outcomes. The act designates that a risk-based provider organization is an insurance company for certain purposes under Arkansas law and is required to pay the insurance premium tax. The act also requires that insurance premium taxes received from risk-based provider organizations be used to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after March 31, 2017.

**PRIVILEGE TAXES*****Amusement Devices - Eligible Facility***

[ACT 949](#) (SB551) amends the definition of "any money or property", "other articles", "other valuable things", or "any representative of anything that is esteemed of value" as it relates to facilities eligible to offer coin-operated amusement devices.

***Medical Marijuana Special Privilege Tax***

[ACT 1098](#) (HB1580) amends Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to provide for a special privilege tax on cultivation facilities, dispensaries, and other marijuana businesses. The act declares an emergency and is effective on and after July 1, 2017.

***Paid Fantasy Sports Games***

[ACT 1075](#) (HB2250) concerns the regulation and taxing of paid fantasy sports games.

***Soft Drink Tax - Exemption - Effective Date***

[ACT 596](#) (HB1987) changes the effective date of Section 62 of Acts 2017, No. 141, concerning an exemption from the Arkansas Soft Drink Tax Act for simple syrup used in preparing tea.

**TAXES****PRIVILEGE TAXES*****Soft Drink Tax - Reduction - Soft Drink Syrup and Simple Syrup***

[ACT 141](#) (HB1162) exempts military retirement and survivor benefits from income tax and includes unemployment compensation in the definition of “gross income”. The act also removes candy and soft drinks from the definition of “food” and “food ingredients”, which subjects candy and soft drinks to the full sales and use tax, and imposes the full sales and use tax on digital codes and specified digital products, including digital audio works, digital books, and digital audio-visual works. The act reduces the tax on soft drink syrup and simple syrup and exempts simple syrup used in preparing tea from the soft drink tax. The act also amends the amount deposited into the Arkansas Medicaid Program Trust Fund to offset the reduction in the revenues from the soft drink tax. The act is effective for tax years beginning on and after January 1, 2018, with the exception of the section concerning the deposits into the Arkansas Medicaid Program Trust Fund and the exemption from the soft drink tax (per Act 596 of 2017).

**PROPERTY TAX*****Assessment on State-owned Leases***

[ACT 1076](#) (HB2127) allows for the assessment and collection of property tax from the lessee of certain state-owned property. The act is effective for assessment years beginning on and after January 1, 2017.

***Assessment Procedures and Standards - Education and Training Requirements***

[ACT 659](#) (HB1772) extends the time to file a petition for review of an assessment made for property tax purposes, amends the rules for the equalization of assessments, outlines the procedure for hearings on property assessments, and requires the establishment and adoption of uniform hearing procedures for county equalization boards. The act also establishes “preponderance of the evidence” as the burden of proof for property assessment appeals and establishes continuing education and training requirements for members of county equalization boards.

***Delinquent Taxes***

[ACT 152](#) (SB124) extends the deadline for the homestead property tax credit to the next business day following October 15 of the year after the assessment if October 15 falls on a weekend or holiday. The act provides that property taxes are delinquent after October 15 in the year of the delinquency.

***Exemption - Public School Buildings***

[ACT 943](#) (SB442) provides that public school buildings that are owned, leased on a lease-purchase agreement, or leased below fair market value by a public school district or an open-enrollment public charter school are exempt from taxation under Arkansas Constitution, Article 16, § 5.

***Homestead Credit Eligibility***

[ACT 49](#) (HB1157) provides that a property owner may claim only one (1) property tax credit per calendar year and adds the definition of “assessed value”. The act declares an emergency and is effective on and after January 26, 2017.

***Publication of Notice of Delinquent Taxes - Mineral Interests***

[ACT 514](#) (SB114) requires that the internet address for the county's official website be included on all property tax bills and amends the requirements for publishing delinquent taxes on mineral interests to include publication on a dedicated website. The act is effective for tax years beginning on and after January 1, 2017.

**TAXES****PROPERTY TAX*****Recovery Fee for Heavy Equipment Property Rentals - Payment of Property Taxes***

[ACT 394](#) (HB1384) allows a person in the business of renting heavy equipment property in this state to charge a recovery fee for the rental of an item of heavy equipment property and requires the person charging the recovery fee to use the collected recovery fees to pay ad valorem taxes levied on the business's tangible personal property located in Arkansas. The act is effective on and after January 1, 2018.

**REAL PROPERTY TRANSFER TAX*****Exemption from Receipt and Affidavit Requirements***

[ACT 656](#) (HB1940) clarifies that instruments that are exempt from the real property transfer tax are not required to contain a receipt or affidavit of compliance form in certain circumstances.

**SEVERANCE TAXES*****Distribution***

[ACT 1019](#) (HB1844) amends the distribution of revenues derived from the severance tax.

**STATE SALES AND USE TAXES*****Candy and Soft Drinks - Specified Digital Products and Digital Codes***

[ACT 141](#) (HB1162) exempts military retirement and survivor benefits from income tax and includes unemployment compensation in the definition of “gross income”. The act also removes candy and soft drinks from the definition of “food” and “food ingredients”, which subjects candy and soft drinks to the full sales and use tax, and imposes the full sales and use tax on digital codes and specified digital products, including digital audio works, digital books, and digital audio-visual works. The act reduces the tax on soft drink syrup and simple syrup and exempts simple syrup used in preparing tea from the soft drink tax. The act also amends the amount deposited into the Arkansas Medicaid Program Trust Fund to offset the reduction in the revenues from the soft drink tax. The act is effective for tax years beginning on and after January 1, 2018, with the exception of the section concerning the deposits into the Arkansas Medicaid Program Trust Fund and the exemption from the soft drink tax (per Act 596 of 2017).

***Discounts***

[ACT 1126](#) (SB657) modifies the law concerning the discount available to taxpayers for prompt submission of sales tax returns and payments. The act is effective on and after October 1, 2017.

***Economic Investment Tax Credit Act - Repeal***

[ACT 465](#) (SB362) sunsets the retention tax credit and the tax refund for major maintenance and improvement projects, clarifies the existing procedure for claiming a refund of tax paid on purchases related to the repair and partial replacement of manufacturing machinery and equipment, and provides an alternative procedure for making such claims. The act also phases in a sales and use tax exemption for purchases related to the repair and partial replacement of manufacturing machinery and equipment and repeals the Economic Investment Tax Credit Act. The act declares an emergency and is effective on and after March 13, 2017.

***Exemption - Sale of Certain Aircraft by Arkansas Seller***

[ACT 595](#) (HB2278) provides for a sales and use tax exemption for the sale of certain aircraft sold by a seller in Arkansas. The act declares an emergency and is effective on and after March 23, 2017.

## TAXES

### STATE SALES AND USE TAXES

***Exemption - Sales by Charitable Organizations - Motivation Factor***

[ACT 665](#) (HB1221) amends the sales and use tax exemption for charitable organizations to eliminate the requirement that the majority of purchasers of items from a charitable organization be motivated to make the purchases mainly for the purpose of making a donation. The act is effective on and after October 1, 2017.

***Exemption - Vehicles Used for Transportation Under Certain State Programs***

[ACT 661](#) (HB1649) amends the eligibility requirements for the sales and use tax exemption for new motor vehicles purchased either by nonprofit organizations or with Urban Mass Transit Administration Funds and used for transportation under certain programs of the Department of Human Services. The act is effective on and after October 1, 2017.

***Refund - Partial Replacement and Repair of Certain Machinery and Equipment***

[ACT 465](#) (SB362) sunsets the retention tax credit and the tax refund for major maintenance and improvement projects, clarifies the existing procedure for claiming a refund of tax paid on purchases related to the repair and partial replacement of manufacturing machinery and equipment, and provides an alternative procedure for making such claims. The act also phases in a sales and use tax exemption for purchases related to the repair and partial replacement of manufacturing machinery and equipment and repeals the Economic Investment Tax Credit Act. The act declares an emergency and is effective on and after March 13, 2017.

### TECHNICAL CORRECTIONS - TAXATION - TITLE 26

[ACT 262](#) (HB1321) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 26 of the Arkansas Code.

## TECHNOLOGY

### COMPUTERS AND SOFTWARE

***Examination of Technology Service Providers - Bank Commissioner***

[ACT 646](#) (SB208) authorizes the Bank Commissioner to conduct examinations of technology service providers. The act declares an emergency and is effective on and after March 24, 2017.

***Vehicles with Driver-assistive Truck Platooning Systems***

[ACT 797](#) (HB1754) authorizes and regulates the use of vehicles equipped with driver-assistive truck platooning systems.

### STATE GOVERNMENT

***Commission on Information Age Communities***

[ACT 540](#) (SB341) repeals the Commission on Information Age Communities Act.

***Data Transparency***

[ACT 912](#) (HB1793) creates the Data and Transparency Panel within the Department of Information Systems. The act also creates the positions of Chief Data Officer and Chief Privacy Officer within the Department of Information Systems.

***Digital Signature***

[ACT 369](#) (SB283) amends the Uniform Facsimile Signature of Public Officials Act and authorizes the use of a digitized signature of a county treasurer.

***Electronic Notary Public***

[ACT 306](#) (HB1479) creates the Electronic Notary Public Act and provides requirements for performing electronic notarial acts.

## TECHNOLOGY

### STATE GOVERNMENT

#### *Electronic Submissions and Publications*

[ACT 960](#) (HB1823) creates the Arkansas Paperwork Efficiency and Transparency Act and permits state agencies, courts, and local government entities to accept electronic submissions and permit electronic publications of documents in addition to any statutory requirement regarding paper submissions and publications. The act expires after four (4) years.

## TOBACCO

### SETTLEMENT PROCEEDS

#### *Use to Reduce Waiting List for Developmental Disabilities Waiver*

[ACT 50](#) (HB1033) allows Tobacco Settlement Funds to be used to reduce the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after January 26, 2017.

## TOURISM

### CULTURAL RESOURCES, MUSEUMS, AND LIBRARIES

#### *Arkansas Entertainers Hall of Fame*

[ACT 776](#) (HB2169) transfers oversight of the Arkansas Entertainers Hall of Fame to the Advertising and Tourist Promotion Commission of the city of Pine Bluff and abolishes the Arkansas Entertainers Hall of Fame Board. The act is effective on and after January 1, 2018.

#### *Boards and Committees*

[ACT 540](#) (SB341) amends the law concerning membership of the State Library Board and repeals the Arkansas Museum of Natural Resources Advisory Committee.

#### *Civil War Museum Feasibility Study*

[ACT 921](#) (HB2201) directs the Department of Arkansas Heritage to conduct a feasibility study concerning the establishment of a Civil War museum in Arkansas.

#### *Delta Cultural Center and the Mosaic Templars Cultural Center*

[ACT 720](#) (SB419) amends the law concerning the Arkansas Natural Heritage Commission, abolishes the Arkansas Public Art Program, and amends the law concerning the Delta Cultural Center and the Mosaic Templars Cultural Center.

#### *Filing of State Agency Rules*

[ACT 1079](#) (HB1386) requires the filing of final state agency rules with the Arkansas State Library and amends provisions of the Administrative Procedure Act.

#### *Poet Laureate*

[ACT 292](#) (HB1261) amends the membership of the committee responsible for recommending a person to be appointed as Poet Laureate by the Governor and amends the term length of a Poet Laureate.

### PARKS AND TOURISM DEPARTMENT

#### *Arkansas Entertainers Hall of Fame*

[ACT 776](#) (HB2169) transfers oversight of the Arkansas Entertainers Hall of Fame to the Advertising and Tourist Promotion Commission of the city of Pine Bluff and abolishes the Arkansas Entertainers Hall of Fame Board. The act is effective on and after January 1, 2018.

#### *Jurisdiction of Law Enforcement Officers*

[ACT 202](#) (SB172) confers statewide jurisdiction to a certified law enforcement officer employed by the State Parks Division of the Department of Parks and Tourism.

## TOURISM

### PARKS AND TOURISM DEPARTMENT

#### *War Memorial Stadium Commission*

[ACT 269](#) (SB255) transfers the War Memorial Stadium Commission to the Department of Parks and Tourism by a type 2 transfer. The act declares an emergency and is effective on and after February 22, 2017.

### PROMOTION AND DEVELOPMENT

#### *Wine Tourism*

[ACT 508](#) (SB284) establishes a retail off-premises permit for the sale of wine at grocery stores and provides additional grant funds to support Arkansas wine production and wine tourism in the state. Sections of the act authorizing grocery store wine sales permits are effective on and after October 1, 2017. Sections of the act authorizing grant funds are effective on and after January 1, 2018.

### TECHNICAL CORRECTIONS - LIBRARIES, ARCHIVES, AND CULTURAL RESOURCES - TITLE 13

[ACT 259](#) (HB1316) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 13 of the Arkansas Code.

### TRAILS AND HIGHWAYS

#### *Arkansas Delta Highway Designations*

[ACT 810](#) (HB2179) provides for the designation of certain highways in the Arkansas Delta to preserve the region's history, promote music heritage tourism in the area, and provide a highway travel route for the music enthusiast.

## UTILITIES

### ELECTRIC

#### *Battery Electric Vehicles and Plug-in Hybrid Electric Vehicles*

[ACT 285](#) (SB272) amends the definition of "public utility" to exclude a person or corporation that purchases electricity from an electric public utility or a municipal electric utility, furnishes electricity exclusively to charge battery electric vehicles and plug-in hybrid electric vehicles to or for the public for compensation, and is not otherwise a public utility.

### GAS

#### *Natural Gas Infrastructure Expansion*

[ACT 280](#) (SB265) promotes economic development and natural gas infrastructure expansion through extension projects of gas utilities. The act requires consideration of the economic benefit to the gas utility and its existing ratepayers and the public interest before a certificate of extension project is granted by the Arkansas Public Service Commission.

### PUBLIC SERVICE COMMISSION

#### *Certificate of Public Convenience and Necessity - Exemptions*

[ACT 273](#) (HB1418) provides an exemption for obtaining a certificate of public convenience and necessity for the construction, operation, or connection of a new or existing substation or metering point and the associated facilities if the public utility owns or has a legally recognized right-of-way, easement, or similar property right to the property traversed by the construction or extension.

#### *Extension Project - Natural Gas*

[ACT 280](#) (SB265) promotes economic development and natural gas infrastructure expansion through extension projects of gas utilities. The act requires consideration of the economic benefit to the gas utility and its existing ratepayers and the public interest before a certificate of extension project is granted by the Arkansas Public Service Commission.

**UTILITIES****PUBLIC SERVICE COMMISSION*****Financial Assistance Programs***

[ACT 1102](#) (HB1984) authorizes the Arkansas Public Service Commission to propose, develop, solicit, approve, require, implement and monitor financial assistance programs for utility customers who are sixty-five (65) years of age or older or who meet the income eligibility qualifications of the Low Income Home Energy Assistance Program administered by the Department of Human Services. The act also amends the criteria that a nonresidential business consumer must meet in order to opt out of utility-sponsored energy conservation programs and measures.

***Public Utility - Definition***

[ACT 285](#) (SB272) amends the definition of "public utility" to exclude a person or corporation that purchases electricity from an electric public utility or a municipal electric utility, furnishes electricity exclusively to charge battery electric vehicles and plug-in hybrid electric vehicles to or for the public for compensation, and is not otherwise a public utility.

***Telecommunications Regulatory Reform Act of 2013***

[ACT 419](#) (HB1593) modifies certain provisions of the Telecommunications Regulatory Reform Act of 2013 concerning eligible telecommunications carriers to comply with recent developments in federal law. The act declares an emergency and is effective on and after July 1, 2017.

***Utility-sponsored Conservation Programs and Measures***

[ACT 1102](#) (HB1984) authorizes the Arkansas Public Service Commission to propose, develop, solicit, approve, require, implement and monitor financial assistance programs for utility customers who are sixty-five (65) years of age or older or who meet the income eligibility qualifications of the Low Income Home Energy Assistance Program administered by the Department of Human Services. The act also amends the criteria that a nonresidential business consumer must meet in order to opt out of utility-sponsored energy conservation programs and measures.

**RATES AND CHARGES*****Natural Gas Infrastructure Expansion***

[ACT 280](#) (SB265) promotes economic development and natural gas infrastructure expansion through extension projects of gas utilities. The act requires consideration of the economic benefit to the gas utility and its existing ratepayers and the public interest before a certificate of extension project is granted by the Arkansas Public Service Commission.

**TECHNICAL CORRECTIONS - PUBLIC UTILITIES AND REGULATED INDUSTRIES - TITLE 23**

[ACT 334](#) (HB1319) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 23 of the Arkansas Code.

**TELECOMMUNICATIONS*****Eligible Carriers***

[ACT 419](#) (HB1593) modifies certain provisions of the Telecommunications Regulatory Reform Act of 2013 concerning eligible telecommunications carriers to comply with recent developments in federal law. The act declares an emergency and is effective on and after July 1, 2017.

**UTILITIES****TRANSPORTATION*****Electricity - Battery Electric Vehicles and Plug-in Hybrid Electric Vehicles***

[ACT 285](#) (SB272) amends the definition of "public utility" to exclude a person or corporation that purchases electricity from an electric public utility or a municipal electric utility, furnishes electricity exclusively to charge battery electric vehicles and plug-in hybrid electric vehicles to or for the public for compensation, and is not otherwise a public utility.

**WELFARE AND GOVERNMENTAL ASSISTANCE****ASSISTANCE PROGRAMS*****Disqualifying Controlled Substance Conviction***

[ACT 566](#) (HB1251) authorizes the state to opt out of the federal requirements prohibiting public assistance based on drug convictions under Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193.

***Drug Screening and Testing Program - Temporary Assistance for Needy Families***

[ACT 314](#) (SB123) updates the Drug Screening and Testing Act of 2015 to make the two-year pilot program of suspicion-based drug screening and testing for each applicant and recipient of the Temporary Assistance for Needy Families (TANF) Program permanent. The act also amends the reporting requirements and the drug panel testing required by the program.

***Supplemental Nutrition Assistance Program - Incentives***

[ACT 1101](#) (HB2150) authorizes the Department of Human Services to offer incentives for healthy food purchases by recipients for the Supplemental Nutrition Assistance Program (SNAP).

***Supplemental Nutrition Assistance Program - Resource Limits***

[ACT 1095](#) (HB2178) provides that, to the extent allowed by federal law, the Department of Human Services shall adopt the federal resource limits for the state's Supplemental Nutrition Assistance Program (SNAP).

***Supplemental Nutrition Assistance Program - Waivers***

[ACT 518](#) (HB1462) provides for recognition of legislative authority over waivers for the Supplemental Nutrition Assistance Program (SNAP).

**MEDICAID*****Access to the Prescription Drug Monitoring Program***

[ACT 46](#) (HB1025) amends the Prescription Drug Monitoring Program Act to allow access to the program by the Arkansas Medicaid prescription drug program.

***Diagnosis-related Group Methodology***

[ACT 517](#) (HB1016) converts the hospital reimbursement systems under the Arkansas Medicaid Program to diagnosis-related group methodology.

***Direct Access to Chiropractic Physician***

[ACT 1092](#) (HB1183) authorizes a Medicaid recipient to have direct access to a chiropractic physician without referral from a primary care physician to provide consistency and efficiency of chiropractic coverage in the Arkansas Medicaid Program.

***ElderChoices Program***

[ACT 591](#) (HB1501) modifies and repeals language referencing the superseded ElderChoices program.

***Healthcare Fraud, Medicaid Fraud, and Medicaid Fraud False Claims***

[ACT 978](#) (SB564) clarifies the scope of healthcare fraud, modifies the sentencing scheme of healthcare fraud to be consistent with other Arkansas theft and fraud laws, updates the Medicaid Fraud Act and the Medicaid Fraud False Claims Act, conforms the Medicaid Fraud Act to the Medicaid Fraud False Claims Act, and conforms the Medicaid Fraud False Claims Act to the federal False Claims Act.

**WELFARE AND GOVERNMENTAL ASSISTANCE****MEDICAID*****Medicaid Income Offsets for Long-Term Care Medicaid***

[ACT 892](#) (HB2177) clarifies the proper administration by the Department of Human Services of the federal regulations pertaining to post-eligibility treatment of income and deductions of "Medicaid income offsets" of institutionalized individuals of Long-Term Care Medicaid.

***Medicaid Provider-led Organized Care***

[ACT 775](#) (HB1706) creates the Medicaid Provider-Led Organized Care Act to reform the Arkansas Medicaid Program to improve patient outcomes. The act designates that a risk-based provider organization is an insurance company for certain purposes under Arkansas law and is required to pay the insurance premium tax. The act also requires that insurance premium taxes received from risk-based provider organizations be used to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after March 31, 2017.

***Program Savings Plan for the Medicaid Provider-Led Organized Care System***

[ACT 802](#) (HB1954) requires a program savings plan for the Medicaid provider-led organized care system and reporting by the Department of Human Services to the General Assembly of savings under the Medicaid reforms.

***Rehabilitative Services for Persons with Mental Illness - Moratorium***

[ACT 699](#) (SB206) codifies the Rehabilitative Services for Persons with Mental Illness moratorium and extends the moratorium until January 1, 2018.

***Reimbursement for Walk-in Clinic When No Primary Care Provider Assigned***

[ACT 546](#) (HB1264) provides for reimbursement from the Arkansas Medicaid Program for healthcare services performed by a walk-in clinic or emergent care clinic when the patient does not have a primary care provider assigned.

***Rules Impacting State Medicaid Costs***

[ACT 605](#) (HB1919) codifies the process for the review of rules impacting state Medicaid costs and exempts medical codes within the Arkansas Medicaid Program from the Arkansas Administrative Procedure Act, the review of rules impacting state Medicaid costs, and legislative review and approval.

***Tobacco Settlement Proceeds to Reduce Waiting List***

[ACT 50](#) (HB1033) allows Tobacco Settlement Funds to be used to reduce the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver". The act declares an emergency and is effective on and after January 26, 2017.

**MEDICARE*****Medicare Supplement Insurance - Individuals with Disabilities***

[ACT 684](#) (SB642) allows Medigap coverage, also known as Medicare supplement insurance, to be purchased for individuals with disabilities who are under sixty-five (65) years of age. The act also requires an amendment to State Insurance Department Rule 27 before January 1, 2018, to be reviewed and approved by the Senate Committee on Insurance and Commerce.

## WELFARE AND GOVERNMENTAL ASSISTANCE

### MEDICARE

#### *Worker's Compensation*

[ACT 1058](#) (SB760) clarifies final settlements of workers' compensation claims involving joint petitions under the Workers' Compensation Law, provides that if a claimant is determined to be eligible for Medicare, the parties may petition the Workers' Compensation Commission for a final partial settlement of all issues other than future medical treatment, and states that if the Workers' Compensation Commission determines that a final settlement award is in the best interests of the parties, the commission may order a final settlement award or a partial settlement award.

## WILLS, ESTATES, AND FIDUCIARY RELATIONSHIPS

### BENEFICIARIES

#### *Life Insurance and Annuities - Unclaimed Benefits*

[ACT 368](#) (SB290) amends the definition of "contract" under the Unclaimed Life Insurance Benefits Act to exclude an annuity used to fund a funeral or related expenses or a prepaid funeral benefits contract and amends the definition of "policy" under the Unclaimed Life Insurance Benefits Act to exclude a policy or certificate of life insurance that is used to fund a funeral or related expenses or a prepaid funeral benefits contract.

### CONSTRUCTION AND OPERATION

#### *Dynasty Trust*

[ACT 945](#) (SB533) amends the current rule against perpetuities so that perpetual trusts may be created without suspending the power of alienation by granting a trustee the unfettered power to transfer property or by granting a person the power to terminate the trust. The act provides that the statutory rule against perpetuities begins to run from the date the power of alienation is suspended during the life of the trust.

### FIDUCIARY DUTY

#### *Digital Assets*

[ACT 886](#) (HB2253) adopts the Revised Uniform Fiduciary Access to Digital Assets Act.

#### *Vulnerable Adults - Financial Exploitation*

[ACT 668](#) (HB1800) provides for the protection of vulnerable adults from financial exploitation.

### GUARDIANS AND GUARDIANSHIP

#### *Visitation*

[ACT 667](#) (HB1678) establishes procedures through which a relative may obtain a court order granting the relative reasonable visitation with a ward if a guardian or another person is unreasonably interfering with or denying visitation between the relative and the ward.

### SMALL ESTATES

#### *Claims*

[ACT 1021](#) (HB1382) amends the law concerning the collection of a small estate by a distributee and establishes procedures to be followed after a claim is filed against a small estate.

#### *Collection and Value*

[ACT 649](#) (SB491) clarifies the law concerning the collection of a small estate by a distributee and the value of property for the purpose of collecting a small estate.

## FIRST EXTRAORDINARY SESSION ACTS

### ETHICS

#### STATE OFFICIALS

##### *Gifts and Loans from Lobbyists*

ACT 2 (HB1001) and ACT 9 (SB1) are identical acts that integrate and incorporate certain provisions of Acts 2017, Nos. 207, 312, and 1108 into Arkansas Constitution, Article 19, § 30, by restating certain provisions of the three (3) acts in a coherent, cohesive, and comprehensive manner. The acts declare an emergency and are effective on and after July 31, 2017.

### GENERAL ASSEMBLY

#### COMMITTEES

##### *Oversight of Arkansas Health Insurance Marketplace*

ACT 4 (HB1004) and ACT 5 (SB4) are identical acts that prohibit the development of technology for a state-based platform for the individual health insurance marketplace. The acts also transfer oversight of the Arkansas Health Insurance Marketplace from the Arkansas Health Insurance Marketplace Legislative Oversight Committee to Legislative Council. The acts require Legislative Council to study the future direction of the Arkansas Health Insurance Marketplace and impose additional reporting requirements on the Arkansas Health Insurance Marketplace. The acts declare an emergency and are effective on and after May 4, 2017.

#### ETHICS

##### *Gifts and Loans from Lobbyists*

ACT 2 (HB1001) and ACT 9 (SB1) are identical acts that integrate and incorporate certain provisions of Acts 2017, Nos. 207, 312, and 1108 into Arkansas Constitution, Article 19, § 30, by restating certain provisions of the three (3) acts in a coherent, cohesive, and comprehensive manner. The acts declare an emergency and are effective on and after July 31, 2017.

### HEALTH

#### MEDICAID

##### *Arkansas Works Program - Eligibility and Work Requirements*

ACT 3 (HB1003) and ACT 6 (SB3) are identical acts that amend the Arkansas Works Act of 2016 to reduce income eligibility limits in the Arkansas Works Program to one hundred percent (100%) of the federal poverty level and impose work requirements on certain individuals enrolled in the Arkansas Works Program. The acts also allow Arkansas the flexibility to select whether to become an "assessment state or a "determination state" and require the Department of Human Services to study small employer health insurance coverage. The acts declare an emergency and are effective on and after May 4, 2017.

#### MEDICAL MARIJUANA

##### *Integration and Incorporation of Acts*

ACT 1 (HB1002) and ACT 8 (SB) are identical acts that make technical corrections to Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Act of 216", to integrate and incorporate the provisions of Acts 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, and 1100 of 2017 into Arkansas Constitution, Amendment 98. The acts also repeal § 2 of Act 1023 of 2017. The acts declare an emergency and are effective on and after July 31, 2017.

**INSURANCE****HEALTH INSURANCE*****Arkansas Works***

ACT 3 (HB1003) and ACT 6 (SB3) are identical acts that amend the Arkansas Works Act of 2016 to reduce income eligibility limits in the Arkansas Works Program to one hundred percent (100%) of the federal poverty level and impose work requirements on certain individuals enrolled in the Arkansas Works Program. The acts also allow Arkansas the flexibility to select whether to become an "assessment state or a "determination state" and require the Department of Human Services to study small employer health insurance coverage. The acts declare an emergency and are effective on and after May 4, 2017.

***Individual Health Insurance Marketplace***

ACT 4 (HB1004) and ACT 5 (SB4) are identical acts that prohibit the development of technology for a state-based platform for the individual health insurance marketplace. The acts also transfer oversight of the Arkansas Health Insurance Marketplace from the Arkansas Health Insurance Marketplace Legislative Oversight Committee to Legislative Council. The acts require Legislative Council to study the future direction of the Arkansas Health Insurance Marketplace and impose additional reporting requirements on the Arkansas Health Insurance Marketplace. The acts declare an emergency and are effective on and after May 4, 2017.

**PUBLIC FINANCE****STATE REVENUE*****Long Term Reserve Fund - Arkansas Healthy Century Trust Fund Transfer***

ACT 7 (SB5) authorizes the General Assembly to provide for the transfer of investment earnings and principal amounts from the Arkansas Healthy Century Trust Fund, transfers the balance of the Arkansas Healthy Century Trust Fund to the Long Term Reserve Fund, and requires a vote of at least two-thirds (2/3) of the Legislative Council or the Joint Budget Committee to transfer funds from the Long Term Reserve Fund. The act declares an emergency and is effective on and after May 4, 2017.

**STATE AGENCIES, BOARDS, AND COMMISSIONS****HUMAN SERVICES*****Study of Small Employer Health Insurance Coverage***

ACT 3 (HB1003) and ACT 6 (SB3) are identical acts that amend the Arkansas Works Act of 2016 to reduce income eligibility limits in the Arkansas Works Program to one hundred percent (100%) of the federal poverty level and impose work requirements on certain individuals enrolled in the Arkansas Works Program. The acts also allow Arkansas the flexibility to select whether to become an "assessment state or a "determination state" and require the Department of Human Services to study small employer health insurance coverage. The acts declare an emergency and are effective on and after May 4, 2017.

## PROPOSED CONSTITUTIONAL AMENDMENTS

### **SJR 8 – A CONSTITUTIONAL AMENDMENT LIMITING CONTINGENCY FEES AND AWARDS OF PUNITIVE AND NON-ECONOMIC DAMAGES; AND CHANGING THE POWERS OF THE GENERAL ASSEMBLY AND THE SUPREME COURT REGARDING RULES OF PLEADING, PRACTICE, AND PROCEDURE.**

If adopted, the amendment would prohibit a contingency fee for legal representation in a civil action from exceeding thirty-three and one-third percent (33 1/3%) of the net amount of the recovery, and it would also prohibit punitive damage awards for each claimant in actions for injuries resulting in death or injuries to persons or property from exceeding the greater of five hundred thousand dollars (\$500,000) or three (3) times the amount of compensatory damages awarded to the claimant, except that the limitation does not apply to intentional conduct that harms a claimant. The proposed constitutional amendment would also limit non-economic damage awards in actions for injuries resulting in death or injuries to persons or property to five hundred thousand dollars (\$500,000) for each claimant and five hundred thousand dollars (\$500,000) for all beneficiaries of an individual decedent in the aggregate in an action for injuries resulting in death and would allow the General Assembly, by a three-fifths vote of each house, to enact laws amending or repealing a rule of pleading, practice, or procedure prescribed by the Supreme Court and adopt on its own initiative a rule of pleading, practice, or procedure.

### **HJR 1016 - AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING VOTER IDENTIFICATION WHEN CASTING A BALLOT.**

If adopted, the amendment would require the General Assembly to provide by law that a voter shall present valid photographic identification before receiving a ballot to vote in person and enclose a copy of valid photographic identification with his or her ballot when voting by absentee ballot; require the State of Arkansas to issue photographic identification at no charge to an eligible voter who does not have a form of photographic identification meeting the necessary requirements; require that a vote cast by a person not presenting the required valid photographic identification be considered a provisional ballot that shall be counted only if subsequently certified in a manner provided by law; and allow the General Assembly to provide exceptions to the requirements for valid photographic identification.

## EFFECTIVE DATE OF ACTS

Acts that do not contain an emergency clause or a specified effective date become effective on the ninety-first day following the date that the General Assembly adjourns sine die. According to the method of calculation stated in Ark. Atty. Gen. Op. 2017-0052, the effective date for acts of the 91st General Assembly that do not contain an emergency clause or a specified effective date is August 1, 2017.

GENERAL ASSEMBLY MEETING DATES  
AND EFFECTIVE DATES SINCE 1969

General Assembly	Year	Dates in Session	Effective date without emergency clause/AG Opin. No.
67 <sup>th</sup>	1969	January 13 – May 8	8/7/69 *
67 <sup>th</sup> – FES	1970	March 2 – March 7	6/6/70 *
68 <sup>th</sup>	1971	January 11 – April 19	7/19/71 *
68 <sup>th</sup> – FES	1972	February 7 – February 16	5/17/72 *
69 <sup>th</sup>	1973	January 8 – January 14, 1974	7/24/73: #73-120
69 <sup>th</sup> – FES	1974	June 24 – August 1	10/31/74 *
70 <sup>th</sup>	1975	January 13 – April 9	7/9/75 **
70 <sup>th</sup> – Exten	1976	January 12 – January 28	4/28/76: #76-50
70 <sup>th</sup> – FES	1976	September 8 – September 10	NA
71 <sup>st</sup>	1977	January 10 – August 14	7/6/77: #77-57
71 <sup>st</sup> – FES	1977	August 2 – August 5	11/4/77 **
72 <sup>nd</sup>	1979	January 8 – April 20	7/20/79: #79-88
72 <sup>nd</sup> – EXT.	1980	January 7 – January 17	(No legislation passed)
72 <sup>nd</sup> – FES	1980	January 17 – January 24	4/24/80: #80-42
72 <sup>nd</sup> – SES	1980	April 15 – April 18	NA
73 <sup>rd</sup>	1981	January 12 – March 18	6/17/81: #81-76
73 <sup>rd</sup> – FES	1981	November 16 – November 25	2/24/82 **
74 <sup>th</sup>	1983	January 10 – April 4	7/4/83: #83-74
74 <sup>th</sup> – FES	1983	October 4 – November 10	2/9/84: #83-228
75 <sup>th</sup>	1985	January 14 – March 29	6/28/85: #85-108
75 <sup>th</sup> – FES	1985	June 17 – June 21	9/20/85 **
75 <sup>th</sup> – SES	1986	April 28 – May 1	7/31/86: #86-337

\* Bureau Calculation

\*\* Bureau Calculation, confirmed by Secretary of State

General Assembly	Year	Dates in Session	Effective date without emergency clause/AG Opin. No.
76 <sup>th</sup>	1987	January 12 – April 20	7/20/87: #87-156
76 <sup>th</sup> – FES	1987	June 2 – June 5	9/4/87 **
76 <sup>th</sup> – SES	1987	October 6 – October 9	1/8/88 **
76 <sup>th</sup> – TES	1988	January 26 – February 5	5/6/88 **
76 <sup>th</sup> – 4 <sup>th</sup> ES	1988	July 11 – July 14	10/13/88 **
77 <sup>th</sup>	1989	January 9 – April 3	7/3/89: #89-078
77 <sup>th</sup> – FES	1989	June 20 – June 23	9/22/89 **
77 <sup>th</sup> – SES	1989	July 25 – July 27	10/26/89 **
77 <sup>th</sup> – TES	1989	October 23 – November 3	2/2/90 **
78 <sup>th</sup>	1991	January 14 – April 15	7/15/91: #91-119
78 <sup>th</sup> – FES	1992	February 24 – March 4	6/3/92: #92-114A & #93-025A
78 <sup>th</sup> – SES	1992	December 14 – December 18	3/19/93: #93-025A
79 <sup>th</sup>	1993	January 11 – May 14	8/13/93: #93-149A
79 <sup>th</sup> – FES	1994	February 28 – March 2	6/1/94: #94-076
79 <sup>th</sup> – SES	1994	August 15 – August 24	11/23/94: #94-273
80 <sup>th</sup>	1995	January 9 – April 28	7/28/95: #95-119
80 <sup>th</sup> – FES	1995	October 17 – October 20	1/19/96 *
81 <sup>st</sup>	1997	January 13 – May 2	8/1/97: #97-144
82 <sup>nd</sup>	1999	January 11 – April 30	7/30/99: #99-120
82 <sup>nd</sup> – FES	2000	April 3 – April 7	NA
82 <sup>nd</sup> – SES	2000	December 13 – 15	NA
83 <sup>rd</sup>	2001	January 8 – May 14	8/13/01: #2001-138
83 <sup>rd</sup> – FES	2002	June 10 – June 12	NA
84 <sup>th</sup>	2003	January 13 – April 16	7/16/03: #2003-119
84 <sup>th</sup> – FES	2003	May 5 – May 9	NA
84 <sup>th</sup> – SES	2003	Dec. 8, 2003 – June 9, 2004	6/3/04: #2004-186

\* Bureau Calculation

\*\* Bureau Calculation, confirmed by Secretary of State

General Assembly	Year	Dates in Session	Effective date without emergency clause/AG Opin. No.
85 <sup>th</sup>	2005	January 10 – May 13	8/12/05: #2005-110
85 <sup>th</sup> – FES	2006	April 3 – April 21	7/21/06: #2006-080
86 <sup>th</sup>	2007	January 8 – May 1	7/31/07: #2007-164
86 <sup>th</sup> – FES	2008	March 31 – April 2	NA
87 <sup>th</sup>	2009	January 12 – May 1	7/31/09: #2009-090
87 <sup>th</sup> – Fiscal	2010	February 8 – March 4	6/3/10: #2010-031
88 <sup>th</sup>	2011	January 10 – April 27	7/27/11: #2011-056
88 <sup>th</sup> – Fiscal	2012	February 13 – March 9	6/8/12 *
89 <sup>th</sup>	2013	January 14 – May 17	8/16/13: #2013-049
89 <sup>th</sup> – FES	2013	October 17 – October 19	1/18/14*
89 <sup>th</sup> – Fiscal	2014	February 10 – March 19	6/18/14*
89 <sup>th</sup> – SES	2014	June 30 – July 2	10/1/14: #2014-078
90 <sup>th</sup>	2015	January 12 – April 22	7/22/15: #2015-044
90 <sup>th</sup> – FES	2015	May 26 – May 28	8/27/15: #2015-094
90 <sup>th</sup> – SES	2016	April 6 – April 8	7/8/16*
90 <sup>th</sup> – Fiscal	2016	April 13 – May 9	8/8/16*
90 <sup>th</sup> – TES	2016	May 19 – May 23	8/22/16*
91 <sup>st</sup>	2017	January 9 – May 1	8/1/17: #2017-052
91 <sup>st</sup> – FES	2017	May 1 – May 3	8/2/17: #2017-061

\* Bureau Calculation

\*\* Bureau Calculation, confirmed by Secretary of State

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