

SUMMARY OF GENERAL LEGISLATION

.....

92ND GENERAL ASSEMBLY
OF THE STATE OF ARKANSAS

2019

Regular Session
January 14, 2019 – April 24, 2019



Bureau of Legislative Research
June 2019

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REGULAR SESSION ACTS

AGRICULTURE

AGRICULTURE DEPARTMENT

Farm to School and Early Childhood Education Program - Coordinator Position

[ACT 506 \(HB1615\)](#) establishes a Farm to School and Early Childhood Education Program and creates a Farm to School and Early Childhood Education Program Coordinator Position within the Arkansas Agriculture Department to administer the program.

Powers and Duties - Labeling of Products

[ACT 741 \(SB563\)](#) authorizes the Arkansas Agriculture Department to promulgate rules regarding the labeling of agricultural products that are edible by humans, receive and investigate complaints regarding misleading and false labeling, and assess a civil penalty for violations.

AGRONOMY

Grain Grading

[ACT 795 \(HB1846\)](#) establishes the Arkansas Grain Grading Act and requires the Arkansas Agriculture Department to adopt rules regarding standards for sampling and grading grains and certify grain dealers and courses of instruction in methods of sampling and grading grain. The act also establishes a dispute process and penalties related to sampling and grading.

Hauling Permit

[ACT 859 \(HB1855\)](#) allows the issuance of a permit for the hauling of agronomic or horticultural crops by a truck tractor and semi-trailer-trailer combination.

State Plant Board - Membership

[ACT 1056 \(HB1854\)](#) amends the membership of the State Plant Board by adding a member from the Plant Food Association and a member representing the Arkansas Bureau of Standards appointed by the Arkansas Oil Marketers Association.

DISEASE AND PEST CONTROL

Dicamba - Fines

[ACT 423 \(HB1512\)](#) amends the law regarding egregious violations from the use of dicamba or an auxin-containing herbicide to include only the application of certain herbicides used intentionally in violation of the federal label requirements or a state law or rule regarding its application. The act declares an emergency and is effective on and after March 11, 2019.

FARMS AND FARMING

Farm Machinery

[ACT 588 \(SB450\)](#) establishes the Arkansas New Farm Machinery Quality Assurance Act to require disclosures by a seller to a consumer who purchases or leases farm machinery. The act grants to a manufacturer, a distributor, or an authorized dealer the right to repair a nonconformity of farm machinery; adopts procedures for a refund or replacement if a manufacturer, a distributor, or an authorized dealer does not conform farm machinery; and sets out affirmative defenses for violations of the act. The act provides for enforcement, exclusivity, costs, expenses, actions, and limitations.

AGRICULTURE

LIVESTOCK AND POULTRY

Feral Hogs

[ACT 991 \(SB460\)](#) amends the definition of "feral hog"; clarifies when an individual may capture or kill a feral hog; requires that a feral hog be killed immediately unless captured on private property and not moved from the private property; provides that a feral hog may be released into the wild if the Arkansas State Game and Fish Commission authorizes a person to capture or release the feral hog for tracking or research purposes; authorizes fines, imprisonment, or both for knowingly releasing or attempting to release a live feral hog upon public or private land; and creates the Feral Hog Eradication Fund.

PLANT BOARD

Industrial Hemp Research Program - Fees

[ACT 140 \(HB1270\)](#) allows the State Plant Board to establish and collect fees to administer the industrial hemp research program.

Membership

[ACT 1056 \(HB1854\)](#) amends the membership of the State Plant Board by adding a member from the Plant Food Association and a member representing the Arkansas Bureau of Standards appointed by the Arkansas Oil Marketers Association.

PRODUCTS - PROCESSING, LABELING, AND MARKETING

Donors of Live Food

[ACT 946 \(SB663\)](#) amends the law concerning donors of food to exclude liability for donors of live food.

Grade "A" Milk Program Advisory Committee

[ACT 1091 \(SB683\)](#) abolishes the Grade "A" Milk Program Advisory Committee.

Labeling

[ACT 501 \(HB1407\)](#) requires truth in labeling of agricultural products that are edible by humans; requires the Arkansas Bureau of Standards to promulgate rules; and authorizes a civil penalty for misbranding or misrepresenting an agricultural product that is edible by humans.

Raw Sheep Milk

[ACT 846 \(HB1699\)](#) authorizes the sale of raw sheep milk.

TECHNICAL CORRECTIONS - AGRICULTURE - TITLE 2

[ACT 378 \(SB355\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 2 of the Arkansas Code.

ALCOHOLIC BEVERAGES

ALCOHOLIC BEVERAGE CONTROL DIVISION

Freedom of Information Act - Exemption - Investigations

[ACT 568 \(HB1556\)](#) exempts the undisclosed and ongoing investigations of the Alcoholic Beverage Control Board, Alcoholic Beverage Control Division, and Alcoholic Beverage Enforcement Division from disclosure under the Freedom of Information Act of 1967.

BEER AND WINE

Hard Cider

[ACT 691 \(SB348\)](#) establishes a hard cider manufacturing permit and amends existing alcoholic beverage permits to authorize the sale of hard cider.

Home-brewed Beer

[ACT 861 \(HB1877\)](#) amends the definition of "home-brewed beer" and authorizes a manufacturer of home-brewed beer to remove the home-brewed beer from the manufacturer's premises for personal or family use, including organized affairs, exhibitions, competitions, and tastings.

ALCOHOLIC BEVERAGES

BEER AND WINE

Native Wines - Incentive Grants

[ACT 1050 \(HB1817\)](#) amends the law regarding native wine incentive grants to increase the grant amount to one hundred twenty-five thousand dollars (\$125,000) and amends the Arkansas Wine Grants Fund to transfer fees into the Arkansas Agricultural Marketing Grants Fund.

DISTILLERS

Off-premises Sales - On-premises Consumption - Tasting Event

[ACT 740 \(SB562\)](#) amends the law regarding a distiller or manufacturer permit to authorize off-premises sales of vinous liquor for consumption, on-premises sales of vinous liquor by the drink, and vinous liquor tasting events.

ENTERTAINMENT DISTRICTS

Establishment of Entertainment Districts

[ACT 812 \(SB492\)](#) permits the establishment of permanent or temporary designated entertainment districts in a city or town that highlight restaurant, entertainment, and hospitality options. The act also allows a city or town that creates a designated entertainment district to set reasonable standards for the regulation of alcohol possession within the designated entertainment district.

GENERAL PROVISIONS

Warning Signs - Pregnancy

[ACT 860 \(HB1861\)](#) requires a permit holder that sells or dispenses alcoholic beverages to post a warning sign of the dangers of drinking alcoholic beverages during pregnancy.

PERMITS

Hard Cider Manufacturing

[ACT 691 \(SB348\)](#) establishes a hard cider manufacturing permit and amends existing alcoholic beverage permits to authorize the sale of hard cider.

Microbrewery-restaurant Private Club

[ACT 681 \(HB1852\)](#) establishes a microbrewery-restaurant private club permit and authorizes a microbrewery-restaurant private club permit holder in a dry county to sell alcoholic beverages for on-premises consumption if the governing body of the county initiates the permitting process.

Off-premises - Population Ratio

[ACT 571 \(HB1590\)](#) reduces the population ratio for off-premises permits to one (1) permit for every seven thousand five hundred (7,500) population in both a county and the state and shortens the time period that a permit is on inactive status.

Off-premises Sales - On-premises Consumption - Tasting Event

[ACT 740 \(SB562\)](#) amends the law regarding a distiller or manufacturer permit to authorize off-premises sales of vinous liquor for consumption, on-premises sales of vinous liquor by the drink, and vinous liquor tasting events.

Proximity - Schoolhouse

[ACT 983 \(HB1385\)](#) provides a definition for "schoolhouse" with regard to businesses regulated by the Alcoholic Beverage Control Board.

PROHIBITED PRACTICES

Manufacturer-seller Relationships

[ACT 744 \(SB586\)](#) provides an exclusion to the prohibited practices of a manufacturer-seller relationship to authorize a manufacturer to provide sponsorship of or payment for the display of advertising and promotional materials to a nonprofit organization holding a large attendance facility permit.

ALCOHOLIC BEVERAGES

PUBLIC INTOXICATION

Penalties for Repeat Offenders

[ACT 781 \(HB1280\)](#) amends the penalties for the offense of public intoxication when the person has two (2) or more prior convictions for public intoxication.

ANIMALS

DOMESTIC

Service Animals - Misrepresentation

[ACT 1002 \(SB654\)](#) provides a civil penalty of two hundred fifty dollars (\$250) for misrepresenting an animal as a service animal.

VETERINARY MEDICINE

Equine Massage

[ACT 286 \(HB1146\)](#) exempts equine massage therapy or animal massage therapy from licensure by the Veterinary Medical Examining Board.

Exemption to Licensure - Chiropractic upon Animals

[ACT 139 \(HB1264\)](#) amends the exemption to licensure by the Veterinary Medical Examining Board to remove the supervision requirement for chiropractors performing chiropractic upon animals.

Veterinary Technologist and Veterinary Technician Specialist Certification

[ACT 169 \(HB1124\)](#) amends the laws concerning veterinary medicine and establishes a veterinary technologist certification and a veterinary technician specialist certification.

WILDLIFE

State Primitive Fish

[ACT 576 \(HB1640\)](#) designates the alligator gar as the official primitive fish of the State of Arkansas.

CHILDREN

ABUSE AND NEGLECT

Endangering the Welfare of a Minor in the First Degree

[ACT 185 \(SB168\)](#) amends the Safe Haven Act concerning the affirmative defense to the offense of endangering the welfare of a minor in the first degree. The act extends the affirmative defense to a parent who voluntarily delivers and leaves a child or voluntarily arranges for another person to deliver and leave a child with a law enforcement agency or fire department. Additionally, the act provides that the affirmative defense is not a defense to a prosecution that arises from an act of abuse or neglect committed before the delivery of a child to a law enforcement agency or fire department.

Mandated Reporters - Immunity

[ACT 186 \(HB1022\)](#) provides that a mandated reporter who in good faith notifies the Child Abuse Hotline in accordance with the law is immune from civil and criminal liability.

Unlawful Female Genital Mutilation of a Minor

[ACT 556 \(SB318\)](#) prohibits unlawful female genital mutilation of a minor; provides for a civil cause of action; and creates awareness programs for and statistical tracking of unlawful female genital mutilation of a minor. The act declares an emergency and is effective on and after March 26, 2019.

CHILDREN

ADOPTION

Hearings - Attendance by Members of the General Assembly

[ACT 329 \(SB7\)](#) allows members of the General Assembly to attend hearings under the Arkansas Juvenile Code of 1989 and adoption hearings that are related to a juvenile case and held under the Revised Uniform Adoption Act. The act also addresses when a court may exclude a member of the General Assembly from a hearing. Finally, the act prohibits the redisclosure of information obtained by a member of the General Assembly during his or her attendance at a hearing.

CHILD CARE

Child Abuse Hotline - Immunity

[ACT 970 \(HB1746\)](#) provides civil and criminal immunity for individuals who make reports to the Child Abuse Hotline in good faith.

Childcare Facilities - Licensing and Registration

[ACT 131 \(HB1225\)](#) requires the Division of Child Care and Early Childhood Education of the Department of Human Services to create and make available on the department's website a form and graphical chart that concisely explains the minimum licensing requirements and licensing procedures for a licensed home and a licensed child care center; the registration requirements and registration procedures for a registered child care family home; the voluntary registry of day care family homes and the procedures for registering as a day care family home with the voluntary registry; the availability of federal and state funds, grants, programs, and other financial assistance; and the availability of federal or state tax benefits. The act also requires the division to submit a report detailing any rules that exceed the federal requirements concerning the licensing and registration of child care facilities to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on Children and Youth.

Medical Treatment for Homeless Minors

[ACT 690 \(SB340\)](#) amends the law concerning consent to medical treatment to authorize a liaison under the federal McKinney-Vento Homeless Assistance Act to consent to medical treatment for a homeless minor. The act declares an emergency and is effective on and after April 4, 2019.

CHILD SUPPORT

Establishment, Modification, and Payment

[ACT 904 \(HB1612\)](#) provides that the incarceration of a parent shall not be treated as voluntary unemployment for the purpose of establishing or modifying an award of child support. The act amends the law concerning the application and revision of the family support chart and requires a court to order all payments to be made through the Arkansas child support clearinghouse for cases in which the income of the noncustodial parent is subject to withholding. The act also permits a court to allocate the cost of healthcare coverage between the parents of a child and amends the requirements concerning the redirection of child support payments. The act amends the law concerning data entered into and the use of the Arkansas Child Support Tracking System and amends the law concerning electronic fund transfers and electronic data information. Finally, the act requires the clerk to make the child support payment record available to the officiates of the court, judges, attorneys, and abstractors. The act is effective on and after January 1, 2020.

CHILDREN**CHILD SUPPORT*****Family Child Support Chart***

[ACT 907 \(HB1802\)](#) requires the committee that is appointed by the Chief Justice of the Supreme Court for the purpose of revising the family support chart to revise the family support chart based on payor income and recipient income. The act also prohibits the committee from relying on the payor income-based family support chart when revising the family support chart.

CHILD WELFARE***Arkansas Coalition for Juvenile Justice***

[ACT 938 \(SB617\)](#) repeals the law concerning the Arkansas Coalition for Juvenile Justice.

Child Abduction Response Team

[ACT 913 \(HB1674\)](#) requires certain state agencies to collaborate in a multi-agency effort to rescue abducted or endangered children, implement one (1) or more statewide child abduction response teams, and allocate the respective resources of each agency to cases that involve missing or endangered children. The act also tasks the Department of Arkansas State Police with assembling the statewide child abduction response teams.

Child Abuse Hotline - Fetal Alcohol Spectrum Disorder

[ACT 598 \(HB1452\)](#) amends the law concerning referrals to the Child Abuse Hotline for children born with fetal alcohol spectrum disorder.

Child Maltreatment - Disclosure of Confidential Information

[ACT 590 \(SB497\)](#) amends the law concerning the disclosure of confidential information under the Child Maltreatment Act. The act allows certain information concerning child maltreatment to be disclosed to federal, state, and local government entities that have a need for the information in order to carry out the responsibility of the entities under the law to protect children from child maltreatment.

Child Maltreatment - Investigations

[ACT 881 \(SB288\)](#) amends the law concerning the initiation of an investigation under the Child Maltreatment Act and amends the requirements for a child maltreatment investigation that involves an alleged offender who is neither a family member nor a fictive kin and not living in the home with the alleged victim.

Child Maltreatment - Reports, Investigation, and Placement of Name on Registry

[ACT 802 \(SB287\)](#) prohibits certain reports of child maltreatment from being accepted by the Child Abuse Hotline and requires the Department of Human Services and Department of Arkansas State Police to establish procedures for the Child Abuse Hotline. The act also requires a report of child maltreatment that is accepted by the Child Abuse Hotline to be investigated in accordance with procedures established by the Department of Human Services. The act establishes procedures for the administrative closure of an investigation of child maltreatment and for the adjudication of allegations of child maltreatment and offender-risk determinations made by the Department of Human Services. Finally, the act repeals the law concerning no merit investigations.

Child Maltreatment Investigation - Notice and Disclosure

[ACT 531 \(HB1470\)](#) amends the law concerning the confidentiality and disclosure of a true report of child maltreatment under the Child Maltreatment Act and the notices that must be provided under the Child Maltreatment Act when a juvenile is taken into protective custody, when there is an investigative determination, when the Department of Human Services releases custody of a child, and when custody of a child is invoked by any person.

CHILDREN**CHILD WELFARE*****Child Maltreatment Investigations Oversight Committee***

[ACT 1081 \(SB537\)](#) amends the composition of the membership of the Child Maltreatment Investigations Oversight Committee and allows a member of the General Assembly to submit a case to the Child Maltreatment Investigations Oversight Committee for discussion, evaluation, and review. The act also amends the law concerning persons who may attend a meeting of the Child Maltreatment Investigations Oversight Committee and when a child maltreatment record and the details of a discussion related to a child maltreatment record may be accessed or disclosed.

Child Welfare Ombudsman

[ACT 945 \(SB662\)](#) creates the Child Welfare Ombudsman Division within the Arkansas Child Abuse/Rape/Domestic Violence Commission and provides the qualifications, powers, and duties of the Child Welfare Ombudsman. The act allows a Child Welfare Ombudsman to attend open and closed adoption hearings and hearings held under the Arkansas Juvenile Code of 1989 and prohibits a Child Welfare Ombudsman from disclosing information that he or she obtains through attendance at a hearing unless the disclosure is otherwise permitted by law. The act also provides that records maintained by the division that pertain to a court case or investigation of a juvenile who is the subject of work performed by the division is confidential and not subject to disclosure unless otherwise permitted by law. The act declares an emergency and is effective on and after July 1, 2019.

Childcare Facilities - Licensing and Registration

[ACT 131 \(HB1225\)](#) requires the Division of Child Care and Early Childhood Education of the Department of Human Services to create and make available on the department's website a form and graphical chart that concisely explains the minimum licensing requirements and licensing procedures for a licensed home and a licensed child care center; the registration requirements and registration procedures for a registered child care family home; the voluntary registry of day care family homes and the procedures for registering as a day care family home with the voluntary registry; the availability of federal and state funds, grants, programs, and other financial assistance; and the availability of federal or state tax benefits. The act also requires the division to submit a report detailing any rules that exceed the federal requirements concerning the licensing and registration of child care facilities to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on Children and Youth.

Criminal Background Checks

[ACT 318 \(HB1277\)](#) requires criminal background checks on contractors of state agencies for performance of services in designated positions or designated financial or information technology positions.

Educational Neglect

[ACT 554 \(SB250\)](#) amends the law concerning educational neglect and establishes when the Child Abuse Hotline is required to accept a report of educational neglect.

Endangering the Welfare of a Minor in the First Degree

[ACT 185 \(SB168\)](#) amends the Safe Haven Act concerning the affirmative defense to the offense of endangering the welfare of a minor in the first degree. The act extends the affirmative defense to a parent who voluntarily delivers and leaves a child or voluntarily arranges for another person to deliver and leave a child with a law enforcement agency or fire department. Additionally, the act provides that the affirmative defense is not a defense to a prosecution that arises from an act of abuse or neglect committed before the delivery of a child to a law enforcement agency or fire department.

CHILDREN**CHILD WELFARE*****Foster Homes and Foster Youth Transitions***

[ACT 663 \(HB1469\)](#) amends the definition of "foster home" under the Child Welfare Agency Licensing Act and establishes care requirements and limitations of a foster home under the Child Welfare Agency Licensing Act. Additionally, the act amends the law concerning foster youth transitions.

Human Trafficking - Training and Education

[ACT 937 \(SB593\)](#) requires the Department of Education and the Department of Human Services to collaborate on providing awareness and training materials to local school districts on human trafficking that include without limitation strategies for the prevention of child trafficking. The act also provides specific requirements for the content of the training materials on human trafficking.

Mandated Reporters - Employees and Contractors of DHS

[ACT 531 \(HB1470\)](#) amends the law concerning mandated reporters under the Adult and Long-Term Care Facility Resident Maltreatment Act and the Child Maltreatment Act and includes as a mandated reporter an employee working under contract for or a contractor of the Department of Human Services when acting within the scope of his or her contract or employment.

Mandated Reporters - Immunity

[ACT 186 \(HB1022\)](#) provides that a mandated reporter who in good faith notifies the Child Abuse Hotline in accordance with the law is immune from civil and criminal liability.

Marriage - Minors

[ACT 849 \(HB1708\)](#) amends the law to provide that a female who is seventeen (17) years of age is capable of entering into a marriage contract and provides that minors who intend to marry each other may appear before the judge in the district where the application for marriage is made if they are both seventeen (17) years of age and one (1) of the minors is a pregnant female.

Placement of Juveniles

[ACT 541 \(HB1643\)](#) amends the law concerning the length of time for which a juvenile who is in the custody of the Department of Human Services may be placed in a trial home placement with a parent of the juvenile or a person from whom custody of the juvenile was removed. The act also addresses when a trial home placement with a parent who did not have custody of a juvenile at the time of the removal of the juvenile may occur.

Prepaid Mobile Device Protection Act

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

Trafficking - Not Prostitution

[ACT 1020 \(HB1695\)](#) provides that it is not an offense of prostitution if the person was being trafficked at the time of the commission of an act that otherwise meets the elements of prostitution.

Trafficking and the Unlawful Solicitation for the Relinquishment of Parental Rights

[ACT 1022 \(HB1789\)](#) amends the law concerning the trafficking of persons and creates a new offense concerning unlawful solicitation for the relinquishment of parental rights.

CHILDREN

CHILD WELFARE

Voluntary Delivery of a Child

[ACT 185 \(SB168\)](#) makes the provisions of the Safe Haven Act applicable to a law enforcement agency and a fire department and specifies the criteria for a newborn safety device and the obligations of a medical provider, law enforcement agency, and fire department that voluntarily installs a newborn safety device. The act authorizes a medical provider, law enforcement agency, or fire department to take possession of certain infants without a court order if the parent of the child voluntarily delivers the child to a medical provider, law enforcement agency, or fire department without expressing an intent to return for the child or if the parent leaves the child in a newborn safety device that is voluntarily installed by a medical provider, law enforcement agency, or fire department.

Youth Justice Reform Board - Creation and Membership

[ACT 931 \(SB506\)](#) amends the membership of the Youth Justice Reform Board and provides that the Youth Justice Reform Board shall cease operation by June 30, 2021.

COMMISSION FOR PARENT COUNSEL

Duties

[ACT 333 \(SB86\)](#) amends the law concerning the duties of the Commission for Parent Counsel and requires the commission to establish a funding formula to determine how an attorney is paid.

CUSTODY AND VISITATION

Award of Custody

[ACT 906 \(HB1759\)](#) lists certain requirements for modified child custody decrees that are based on the active duty status of a parent as a member of the United States Armed Forces deployed outside of the United States or on the federal active duty status of a parent as a member of a state National Guard or a reserve component of the armed forces.

DEPENDENCY-NEGLECT

Mandated Reporters - Immunity

[ACT 186 \(HB1022\)](#) provides that a mandated reporter who in good faith notifies the Child Abuse Hotline in accordance with the law is immune from civil and criminal liability.

DIVISION OF YOUTH SERVICES

Possession of a Concealed Handgun

[ACT 431 \(HB1533\)](#) prohibits the possession of a concealed handgun by a person with a license to carry a concealed handgun in a residential treatment facility owned or operated by the Division of Youth Services of the Department of Human Services.

FOSTER CARE

Foster Homes and Foster Youth Transitions

[ACT 663 \(HB1469\)](#) amends the definition of "foster home" under the Child Welfare Agency Licensing Act and establishes care requirements and limitations of a foster home under the Child Welfare Agency Licensing Act. Additionally, the act amends the law concerning foster youth transitions.

GUARDIANSHIP

Prepaid Mobile Device Protection Act

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

CHILDREN**GUARDIANSHIP*****Qualifications of Guardians***

[ACT 833 \(HB1762\)](#) amends the law to allow certain convicted and unpardoned felons to be appointed as a guardian of the person.

Subsidized Guardianship - Eligibility

[ACT 968 \(HB1711\)](#) amends the law concerning a child's eligibility for a guardianship subsidy under the Arkansas Subsidized Guardianship Act.

HUMAN SERVICES DEPARTMENT***Childcare Facilities - Licensing and Registration***

[ACT 131 \(HB1225\)](#) requires the Division of Child Care and Early Childhood Education of the Department of Human Services to create and make available on the department's website a form and graphical chart that concisely explains the minimum licensing requirements and licensing procedures for a licensed home and a licensed child care center; the registration requirements and registration procedures for a registered child care family home; the voluntary registry of day care family homes and the procedures for registering as a day care family home with the voluntary registry; the availability of federal and state funds, grants, programs, and other financial assistance; and the availability of federal or state tax benefits. The act also requires the division to submit a report detailing any rules that exceed the federal requirements concerning the licensing and registration of child care facilities to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on Children and Youth.

Division of Youth Services

[ACT 189 \(SB152\)](#) transforms the juvenile justice system; provides that the validated risk assessment system selected by the Juvenile Judges Committee of the Arkansas Judicial Council with the Division of Youth Services shall be the only validated risk assessment system used by courts for commitment throughout the state; requires diversion agreements to be implemented by all juvenile courts based on validated assessment tools; provides that diversion agreements shall be used to provide for payment of restitution to a victim; requires the Division of Youth Services to use validated risk assessments for all juveniles committed to the division; amends the law concerning circumstances under which a juvenile may not be committed to the Division of Youth Services; clarifies the treatment model for community-based alternative basic services; and amends the authority and responsibility of the Division of Youth Services concerning reforms, reinvestment plans, and collaborative information-sharing systems. The act is effective on and after July 1, 2020.

Division of Youth Services - Release of Information

[ACT 365 \(HB1384\)](#) clarifies when the Division of Youth Services of the Department of Human Services may release information about a juvenile to the general public.

Juveniles - Taking into Custody

[ACT 531 \(HB1470\)](#) amends the law concerning when a juvenile may be taken into custody under the Arkansas Juvenile Code of 1989.

Resumption of Services for Parents

[ACT 317 \(SB91\)](#) provides that the Department of Human Services or an attorney ad litem may file a motion to resume services for a parent whose parental rights were previously terminated if the child is currently in the custody of the department and allows a waiver of the requirement that a motion to resume services be filed at least three (3) years after the date on which the order terminating the parental rights of the parent was entered if it is in the best interest of the child.

CHILDREN

HUMAN SERVICES DEPARTMENT

Subsidized Guardianship - Eligibility

[ACT 968 \(HB1711\)](#) amends the law concerning a child's eligibility for a guardianship subsidy under the Arkansas Subsidized Guardianship Act.

INMATES

Probation and Parole - Parole Discharge

[ACT 821 \(SB573\)](#) establishes when the Parole Board may discharge a person from parole and provides for the reinstatement of voting rights for minors who have been discharged from parole.

INMATES OF STATE FACILITIES

Programs for Minors

[ACT 821 \(SB573\)](#) requires minors who are inmates of a state correctional facility to be provided with the opportunity to participate in an educational, training, or rehabilitative program that is available to other inmates in the general population of the correctional facility in which the minor is housed.

INSURANCE

PANS/PANDAS Advisory Council

[ACT 878 \(SB252\)](#) provides for an interdisciplinary panel at the University of Arkansas for Medical Sciences to create a protocol for the treatment of and diagnostic framework for the coverage of PANS and PANDAS to allow for the assignment of an International Classification of Diseases Code or other applicable medical code for insurance coverage purposes. The act also establishes the Arkansas PANS/PANDAS Advisory Council, which expires on December 31, 2020.

JUVENILE LAW

Adjudication or Conviction of Minor - Notice to School District

[ACT 647 \(HB1551\)](#) amends the law concerning the confidentiality of records under the Arkansas Juvenile Code of 1989 and requires school districts to be notified of the adjudication or conviction of a minor that relates to the minor's commission of certain offenses.

Court Reports

[ACT 627 \(SB375\)](#) amends the law concerning court reports that are required under the Arkansas Juvenile Code of 1989.

Educational Neglect

[ACT 554 \(SB250\)](#) amends the law concerning educational neglect and establishes when the Child Abuse Hotline is required to accept a report of educational neglect.

Hearings - Attendance by Members of the General Assembly

[ACT 329 \(SB7\)](#) allows members of the General Assembly to attend hearings under the Arkansas Juvenile Code of 1989 and adoption hearings that are related to a juvenile case and held under the Revised Uniform Adoption Act. The act also addresses when a court may exclude a member of the General Assembly from a hearing. Finally, the act prohibits the redisclosure of information obtained by a member of the General Assembly during his or her attendance at a hearing.

CHILDREN**JUVENILE LAW*****Hearings on Visitation***

[ACT 558 \(SB83\)](#) provides that a petitioner has the burden of proving that unsupervised visitation is not in the best interest of a child at every hearing and provides that a rebuttable presumption that unsupervised visitation is in the best interest of a juvenile applies at every hearing. The act addresses supervised visitation with a parent from whom custody of a juvenile is removed, the timely entry of orders, and when a court is required to set a hearing to address the entry of a written order under the Arkansas Juvenile Code of 1989.

Imminent Harm

[ACT 927 \(SB87\)](#) defines "imminent harm" under the Arkansas Juvenile Code of 1989 and the Child Maltreatment Act.

Inmates - Punitive Isolation or Solitary Confinement

[ACT 971 \(HB1755\)](#) prohibits placing a juvenile who is in a juvenile detention facility or a minor who is an inmate in a state correctional facility in punitive isolation or solitary confinement as a disciplinary measure for more than twenty-four (24) hours unless the placement is due to certain circumstances.

Juvenile Justice System

[ACT 189 \(SB152\)](#) transforms the juvenile justice system; provides that the validated risk assessment system selected by the Juvenile Judges Committee of the Arkansas Judicial Council with the Division of Youth Services shall be the only validated risk assessment system used by courts for commitment throughout the state; requires diversion agreements to be implemented by all juvenile courts based on validated assessment tools; provides that diversion agreements shall be used to provide for payment of restitution to a victim; requires the Division of Youth Services to use validated risk assessments for all juveniles committed to the division; amends the law concerning circumstances under which a juvenile may not be committed to the Division of Youth Services; clarifies the treatment model for community-based alternative basic services; and amends the authority and responsibility of the Division of Youth Services concerning reforms, reinvestment plans, and collaborative information-sharing systems. The act is effective on and after July 1, 2020.

Parental Rights - Putative Parents

[ACT 541 \(HB1643\)](#) provides that a petitioner may name and serve a putative parent as a party to a dependency-neglect hearing in order to resolve the party status and rights of the putative parent or to terminate the rights of the putative parent and requires a petitioner to provide a putative parent with notice of a dependency-neglect proceeding if the putative parent is identified and the petitioner does not name and serve the putative parent as a party to the proceeding. The act provides that a putative parent has the burden of proving paternity and states that the failure of a putative parent to establish paternity or significant contacts with his or her child is a grounds for terminating parental rights. The act also addresses the effect of a termination of parental rights on a putative parent.

Permanency Planning Hearing

[ACT 984 \(SB84\)](#) amends the law regarding permanency goals that are authorized by the court at a permanency planning hearing held under the Arkansas Juvenile Code of 1989.

Probable Cause Hearing

[ACT 559 \(SB90\)](#) amends the law concerning evidence presented during probable cause hearings held under the Arkansas Juvenile Code of 1989.

CHILDRENJUVENILE LAW***Reports***

[ACT 332 \(SB82\)](#) amends the law concerning reports filed with the court and provided to all parties by the Department of Human Services or a court-appointed special advocate before a hearing held under the Arkansas Juvenile Code of 1989.

Resumption of Services for Parents

[ACT 317 \(SB91\)](#) provides that the Department of Human Services or an attorney ad litem may file a motion to resume services for a parent whose parental rights were previously terminated if the child is currently in the custody of the department and allows a waiver of the requirement that a motion to resume services be filed at least three (3) years after the date on which the order terminating the parental rights of the parent was entered if it is in the best interest of the child.

Taking into Custody

[ACT 531 \(HB1470\)](#) amends the law concerning when a juvenile may be taken into custody under the Arkansas Juvenile Code of 1989.

Termination of Parental Rights

[ACT 985 \(SB85\)](#) amends the law concerning evidence that a court may rely on in determining whether the termination of parental rights is in the best interests of the juvenile and establishes an affirmative defense to a termination of parental rights that is based on a prior involuntary termination of parental rights.

Visitation - Grandparents

[ACT 679 \(HB1799\)](#) creates "Tara's Law", which amends the rights of grandparents in custody and visitation matters. The act provides additional circumstances under which a petition for reasonable visitation with a grandchild or great-grandchild may be filed by a grandparent or a great-grandparent and provides additional circumstances that a grandparent or a great-grandparent must prove to establish that visitation with his or her grandchild or great-grandchild is in the best interest of the grandchild or great-grandchild.

NONPARENTAL RELATIVES***Prepaid Mobile Device Protection Act***

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

Visitation - Grandparents

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CITIES AND COUNTIESANNEXATION***City Services***

[ACT 838 \(HB1554\)](#) amends the procedures for annexation into an annexing municipality and the provision of additional municipal services.

CITIES AND COUNTIES

ANNEXATION

Procedures

[ACT 219 \(HB1250\)](#) requires that an annexation ordinance for the annexation of contiguous land be heard at three (3) consecutive regular meetings of the annexing municipality.

ARKANSAS SPEED TRAP LAW

Legislative Audit

[ACT 364 \(HB1304\)](#) amends the Arkansas Speed Trap Law and provides for automatic legislative audit for certain municipalities.

CITY MANAGER FORM OF GOVERNMENT

Procedures

[ACT 978 \(HB1875\)](#) rewrites a substantial portion of the laws governing the city manager form of government concerning how city directors are chosen and the powers of the mayor.

CIVIL SERVICE

Age of Eligibility

[ACT 206 \(HB1174\)](#) modifies the age of eligibility for employment within a civil service fire department and police department.

COURTS

Juvenile Division of Circuit Court - State Reimbursement

[ACT 941 \(SB647\)](#) amends the law concerning state reimbursements to counties for juvenile officers.

ECONOMIC DEVELOPMENT

Definitions

[ACT 1072 \(HB1984\)](#) adds sports complexes to the definition of "economic development project" throughout the Arkansas Constitution and Arkansas Code.

Payment in Lieu of Tax Agreements

[ACT 289 \(HB1386\)](#) provides that notice shall be given to several designated county officials before approval of a payment in lieu of tax agreement.

Projects

[ACT 798 \(HB1885\)](#) amends the definition of "economic development project" in the Local Job Creation, Job Expansion, and Economic Development Act of 2017 to include facilities for the retail sale of goods.

ELECTED OFFICERS

City Attorneys

[ACT 609 \(HB1692\)](#) provides the procedure for filling the office of city attorney in cities with a population of less than ten thousand (10,000).

City Collectors

[ACT 221 \(HB1266\)](#) repeals the law concerning elected city collectors and terminates the office of city collector.

City Procedures

[ACT 336 \(SB97\)](#) concerns salaries of vacant municipal offices, the combination of the offices of city clerk and city treasurer, and the combination of the offices of city recorder and city treasurer.

City Treasurers

[ACT 234 \(SB114\)](#) provides that the city treasurer may be appointed by ordinance in a city of the second class or an incorporated town.

CITIES AND COUNTIES

ELECTED OFFICERS

Civil Office

[ACT 639 \(HB1395\)](#) provides that certain county elected officials shall not be elected or appointed to another civil office during their term and defines "civil office".

County Compensation Structure

[ACT 400 \(HB1515\)](#) clarifies that county-provided insurance and other benefits are not included in the statutory compensation structure.

ENTERTAINMENT DISTRICTS

Establishment

[ACT 812 \(SB492\)](#) permits the establishment of permanent or temporary designated entertainment districts in a city or town that highlight restaurant, entertainment, and hospitality options. The act also allows a city or town that creates a designated entertainment district to set reasonable standards for the regulation of alcohol possession within the designated entertainment district.

FINANCE

Bonds for Capital Improvements - Use of Casino Gaming Receipts Tax Revenues

[ACT 703 \(SB471\)](#) allows a municipality or county to pledge its portion of the net casino gaming receipts tax revenues to the repayment of certain local government bonds and allows local governments to issue certain bonds for energy efficiency facilities and facilities for voice, data, broadband, video, or wireless telecommunications services.

City Procedures

[ACT 773 \(SB583\)](#) provides that a municipality shall not assess a transaction fee on debit or credit card payments in certain situations.

County Apportionment to Municipalities

[ACT 132 \(HB1227\)](#) provides that the county treasurer shall remit municipal fund revenue to municipalities by separate check for each dedicated municipal fund. The act also modifies the procedure for county road tax apportionment to municipalities.

County Procedures

[ACT 310 \(HB1375\)](#) modifies duties of the county treasurer, county accounting methods, and other county financial procedures.

Electronic Funds Transfer

[ACT 138 \(HB1262\)](#) rewrites the law on municipal and county electronic funds transfer systems for clarity and adds the requirement that the systems shall comply with information systems best practices.

Payments to Municipalities

[ACT 195 \(SB98\)](#) amends the Arkansas Municipal Accounting Law to allow municipalities to accept debit card and credit card payments.

Publication of County Budget and Financial Report

[ACT 564 \(HB1343\)](#) requires the annual publication of the county budget and the annual financial report of the county. The act is effective on and after January 1, 2020.

MAYOR/COUNCIL FORM OF GOVERNMENT

Departments of Public Safety

[ACT 150 \(HB1222\)](#) repeals the law that authorized the creation of municipal departments of public safety.

Procedures

[ACT 1092 \(SB179\)](#) provides for a modification and expansion of the procedures for changing from a city manager or city administrator form of government to a mayor/council form of government.

CITIES AND COUNTIES

PROCEDURES

City Catastrophic Leave Program

[ACT 883 \(SB455\)](#) provides a framework for the creation of a uniform catastrophic leave program for municipalities.

City Incorporation

[ACT 932 \(SB548\)](#) amends the population requirements and the election procedures for municipal incorporation.

City Police Leave

[ACT 799 \(HB1887\)](#) clarifies the law and procedures concerning annual leave time for municipal police officers.

Form of Government

[ACT 105 \(SB70\)](#) repeals duplicative municipal law on the procedures for changing the form of municipal government.

Intergovernmental Cooperation Councils

[ACT 291 \(HB1401\)](#) requires at least three-days' notice before a meeting of a county intergovernmental cooperation council.

Meeting Place for Governing Body

[ACT 193 \(SB76\)](#) allows the governing body of a city or county to meet at a temporary meeting place in the county in the event of an emergency. The act declares an emergency and is effective on and after February 26, 2019.

Municipal Ordinance Codification

[ACT 205 \(HB1163\)](#) modifies and expands the authority of a municipality to codify its ordinances, correct errors, and make amendments.

Sanctuary Cities

[ACT 1076 \(SB411\)](#) defines "sanctuary policies" and prohibits municipal sanctuary policies.

PROPERTY

City Exchanges

[ACT 575 \(HB1639\)](#) provides that a municipality may exchange property with the state and clarifies the procedure for the exchange of property.

County Exchange or Transfer

[ACT 502 \(HB1436\)](#) expands county property exchange or transfer options and clarifies procedural aspects of the statute.

County Sales

[ACT 212 \(HB1376\)](#) modifies the maximum value of county property that may be sold by competitive bidding or Internet sale to five thousand dollars (\$5,000).

County Surplus

[ACT 880 \(SB277\)](#) modifies the publication requirements for the sale or disposal of surplus county property.

Small Wireless Facility Deployment Act

[ACT 797 \(HB1874\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 999 of 2019. The act is effective on and after September 1, 2019.

CITIES AND COUNTIES

PROPERTY

Small Wireless Facility Deployment Act

[ACT 999 \(SB602\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 797 of 2019. The act is effective on and after September 1, 2019.

PURCHASING

Electronic Notification and Submission of Bids

[ACT 1075 \(SB409\)](#) allows for the electronic notification of an invitation for bids and the electronic submission of bids if certain conditions are met.

REGULATION

Buildings

[ACT 574 \(HB1624\)](#) clarifies that cities of the second class and incorporated towns have the authority to regulate the building of houses.

Electric Motorized Scooters

[ACT 1015 \(HB1619\)](#) authorizes a local authority to regulate the safe operation and the presence of electric motorized scooters on public property.

Residential Buildings

[ACT 446 \(SB170\)](#) prohibits certain county and municipal regulation of residential building design elements.

RETIREMENT

Mayors

[ACT 948 \(HB1298\)](#) amends the law concerning the payable rate of an annual retirement benefit received by a retired mayor.

SOLID WASTE

Regional Solid Waste Management Districts

[ACT 643 \(HB1459\)](#) requires Arkansas Legislative Audit to conduct an annual review of selected policies, procedures, and transactions of regional solid waste management districts.

TAXES

Advertising and Promotion Tax - Admission to State Park

[ACT 560 \(SB203\)](#) allows a municipality to levy advertising and promotion tax on the admission price to a state park located within the municipal boundary of the city or town. The act declares an emergency and is effective on and after April 1, 2019.

Property Tax Exemption - Government Vehicle Leases

[ACT 610 \(HB1713\)](#) exempts from property tax certain heavy equipment and motor vehicle leases by the state or a county and certain motor vehicle leases by a city or town.

TECHNICAL CORRECTIONS - LOCAL GOVERNMENT - TITLE 14

[ACT 383 \(SB362\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 14 of the Arkansas Code.

CIVIL LAW AND PROCEDURE

CAUSES OF ACTION

Arkansas Civil Rights Act of 1993

[ACT 444 \(SB116\)](#) requires an inmate to first exhaust all available administrative remedies before he or she may file a claim under the Arkansas Civil Rights Act of 1993.

CIVIL LAW AND PROCEDURE

CAUSES OF ACTION

Arkansas State Claims Commission

[ACT 785 \(HB1661\)](#) provides a comprehensive amendment of the jurisdiction, composition, and procedural rules of the Arkansas State Claims Commission, where certain claims against the state are heard.

Civil Asset Forfeiture

[ACT 476 \(SB308\)](#) establishes the Civil Asset Forfeiture Act of 2019, which requires, with some exceptions, a conviction for an offense before a seized asset may be forfeited.

Unlawful Female Genital Mutilation of a Minor

[ACT 556 \(SB318\)](#) prohibits unlawful female genital mutilation of a minor; provides for a civil cause of action; and creates awareness programs for and statistical tracking of unlawful female genital mutilation of a minor. The act declares an emergency and is effective on and after March 26, 2019.

EVIDENCE AND WITNESSES

Privileged Communications

[ACT 499 \(HB1380\)](#) creates a privilege of communication between a victim of domestic violence and the personnel of a domestic violence shelter or center and makes confidential certain communications between a victim and a victim advocate.

Privileged Communications

[ACT 555 \(SB314\)](#) creates the definition of "approved training" and amends the definition of "certified peer support member" as those terms relate to privileged communications made by an emergency responder to a certified peer support member.

FEES

Summons or Subpoenas

[ACT 675 \(HB1781\)](#) establishes a fee for drawing and issuing, or sealing, a summons or subpoena if the summons or subpoena follows the form incorporated into Rule 4 of the Arkansas Rules of Civil Procedure.

IMMUNITY

Bicycle Outfitters

[ACT 573 \(HB1620\)](#) provides that a bicycle outfitter is not liable for the injury or death of a participant resulting from the inherent risk of a cycling activity.

Stolen Agricultural Equipment and Off-road Vehicles

[ACT 518 \(HB1497\)](#) provides civil immunity for an owner of stolen agricultural equipment or off-road vehicles if the stolen agricultural equipment or off-road vehicle is used in the commission of a criminal offense.

JUDGMENTS

Enforcement of Monetary Judgment

[ACT 246 \(HB1147\)](#) provides for the reopening of a case in circuit court without the payment of a filing fee in order to enforce a monetary judgment if the pleading to reopen the case is filed within twelve (12) months of the issuance of the final judgment.

Interest

[ACT 995 \(SB544\)](#) provides for prejudgment and post-judgment interest in a civil cause of action.

PROCEDURAL RULES

Arkansas State Claims Commission

[ACT 785 \(HB1661\)](#) provides a comprehensive amendment of the jurisdiction, composition, and procedural rules of the Arkansas State Claims Commission, where certain claims against the state are heard.

CIVIL LAW AND PROCEDURE

PROCEDURAL RULES

Petition to Seal

[ACT 57 \(HB1016\)](#) reduces the amount of time that a court has to wait after a uniform petition to seal a criminal record was served on the prosecuting attorney before granting the petition.

Reopening a Case

[ACT 246 \(HB1147\)](#) provides for the reopening of a case in circuit court without the payment of a filing fee in order to enforce a monetary judgment if the pleading to reopen the case is filed within twelve (12) months of the issuance of the final judgment.

SUMMONS OR SUBPOENAS

Fees

[ACT 675 \(HB1781\)](#) establishes a fee for drawing and issuing, or sealing, a summons or subpoena if the summons or subpoena follows the form incorporated into Rule 4 of the Arkansas Rules of Civil Procedure.

VENUE

Arkansas Franchise Practices Act - Choice of Law

[ACT 835 \(HB1892\)](#) clarifies that under the Arkansas Franchise Practices Act a choice of law provision or a condition, stipulation, or provision requiring the application of the law of another state in lieu of the Arkansas Franchise Practices Act is void.

COMMERCIAL LAW

BUSINESS ORGANIZATIONS

Charitable Organization

[ACT 137 \(HB1247\)](#) requires a charitable organization to file its annual financial reports and fiscal records at the end of the charitable organization's fiscal year.

Continuing Care Provider Regulation - Life Care Providers

[ACT 777 \(SB615\)](#) requires a life care provider to include at least one (1) resident of the continuing care community who is nominated by the residents as a voting member of the life care provider's governing body.

For-profit Corporation Converted to Nonprofit Corporation

[ACT 108 \(SB142\)](#) provides a procedure to allow a for-profit corporation to convert to a nonprofit corporation. The act declares an emergency and is effective on and after February 13, 2019.

Insurance - Multiple Employer Trusts

[ACT 919 \(HB1837\)](#) modifies the statutes concerning multiple employer trusts, multiple employer welfare arrangements that are not fully insured, and self-insured plans to include, to the extent permitted by federal law, employers in a common trade or industry, employers representing two (2) or more trades or industries, sole proprietors, or working owners. The act also provides that whether a multiple employer welfare arrangement is subject to the requirements of the large group market is determined at the aggregate level.

Pyramid Promotional Schemes - Prohibition

[ACT 340 \(SB176\)](#) prohibits pyramid promotional schemes and regulates bona fide inventory repurchase programs.

Small Business Entity Tax Pass Through Act

[ACT 622 \(SB148\)](#) modifies the Small Business Entity Tax Pass Through Act to provide for a temporary lien at the time a charging application is filed.

COMMERCIAL LAW**BUSINESS ORGANIZATIONS*****Uniform Protected Series Act - Limited Liability Company***

[ACT 665 \(HB1611\)](#) establishes the Uniform Protected Series Act and allows for the organization of a series limited liability company. The act establishes a statutory process to create series limited liability company transactions that are allowed to build on different levels of equity or individual protected series and allows for each protected series to have its own assets and operations. The act also provides for different shares of profit and loss depending on the level of equity in each level. The act is effective on and after October 1, 2019.

BUSINESS TRANSACTIONS***Arkansas Franchise Practices Act - Choice of Law***

[ACT 835 \(HB1892\)](#) clarifies that under the Arkansas Franchise Practices Act a choice of law provision or a condition, stipulation, or provision requiring the application of the law of another state in lieu of the Arkansas Franchise Practices Act is void.

Farm Machinery

[ACT 588 \(SB450\)](#) establishes the Arkansas New Farm Machinery Quality Assurance Act to require disclosures by a seller to a consumer who purchases or leases farm machinery. The act grants to a manufacturer, a distributor, or an authorized dealer the right to repair a nonconformity of farm machinery; adopts procedures for a refund or replacement if a manufacturer, a distributor, or an authorized dealer does not conform farm machinery; and sets out affirmative defenses for violations of the act. The act provides for enforcement, exclusivity, costs, expenses, actions, and limitations.

Guaranteed Asset Protection Waivers

[ACT 787 \(HB1672\)](#) regulates guaranteed asset protection waivers; provides a framework within which guaranteed asset protection waivers are defined and may be offered in this state; and clarifies that guaranteed asset protection waivers are not insurance.

Healthcare Services - Virtual Payment

[ACT 300 \(HB1125\)](#) prohibits an insurer from making a healthcare provider accept payment for healthcare services through gift cards, credit cards, or other type of electronic payment or virtual credit cards.

Insurers - Affiliate Transfers

[ACT 689 \(SB291\)](#) permits affiliate transfers between insurers under certain conditions.

Maximum Loan Limits

[ACT 62 \(SB79\)](#) provides that maximum loan limits apply to obligations that are endorsed without recourse to each primary debtor but not to the liability of the endorser.

Nonpayment of Rent - Safe-deposit Box

[ACT 63 \(SB80\)](#) clarifies the applicable timeframe for a bank to sell the contents of a safe-deposit box at public auction for nonpayment of rent on the safe-deposit box.

Personal Information Protection Act - Personal Information

[ACT 1030 \(HB1943\)](#) amends the Personal Information Protection Act and revises the definition of "personal information" to add biometric data. The act clarifies the disclosure requirements for a security breach of a system that affects the personal information of more than one thousand (1,000) individuals and requires the entity to retain a record and supporting documentation of security breaches and disclosure of security breaches for five (5) years from the date of determination of the security breach. The act also clarifies that the records regarding the security breach are confidential and not subject to public disclosure.

COMMERCIAL LAW**BUSINESS TRANSACTIONS*****Prepaid Mobile Device Protection Act***

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

Temporary Lien - Small Business Entity Tax Pass Through Act

[ACT 622 \(SB148\)](#) modifies the Small Business Entity Tax Pass Through Act to provide for a temporary lien at the time a charging application is filed.

Uniform Directed Trust Act

[ACT 1021 \(HB1765\)](#) establishes the Uniform Directed Trust Act and modifies the Arkansas Trust Act by altering the settler's powers and changing the construction of a trust and the definition of "terms of a trust" to be subject to the Uniform Directed Trust Act. The act establishes the process for governing directed trusts and clarifies the applicability, principal place of administration, excluded powers, limitations, defenses, and duties and liability of trust directors and directed trustees. The act is effective on and after January 1, 2020.

Uniform Money Services Act

[ACT 111 \(SB187\)](#) amends the Uniform Money Services Act; modifies the application procedures for money transmission licenses; amends the statutes concerning a currency exchange license; revises the financial standards for licensees; modifies the permissible investments as a licensee; and repeals out-of-date provisions.

Uniform Protected Series Act

[ACT 665 \(HB1611\)](#) establishes the Uniform Protected Series Act and allows for the organization of a series limited liability company. The act establishes a statutory process to create series limited liability company transactions that are allowed to build on different levels of equity or individual protected series and allows for each protected series to have its own assets and operations. The act also provides for different shares of profit and loss depending on the level of equity in each level. The act is effective on and after October 1, 2019.

CONTRACTS***Arkansas Prepaid Funeral Benefits Law - Verification of Benefits***

[ACT 500 \(HB1391\)](#) requires an insurer to verify the benefits for a contract beneficiary under a whole life insurance policy or annuity within three (3) business days from the receipt of a notification of death of a contract beneficiary and a request for verification of benefits by an owner, beneficiary, assignee, or the authorized representative of an owner, beneficiary, or assignee. The act clarifies that verification of benefits includes without limitation whether or not the deceased is a covered person under the policy or annuity, the death benefit amount under the policy or annuity, and whether or not the policy or annuity is in the contestability period.

COMMERCIAL LAW**CONTRACTS*****Blockchain Technology***

[ACT 1061 \(HB1944\)](#) concerns signatures and records secured through blockchain technology. The act provides that a signature, record, or contract that is secured through blockchain technology shall be considered as being in electronic form and an electronic signature. The act also provides that a record or a contract that is secured through blockchain technology is an electronic record and that a smart contract is a commercial contract. Finally, the act provides that a contract that has smart contract terms and relates to a transaction is valid, enforceable, and has legal effect.

Choice of Law - Arkansas Franchise Practices Act

[ACT 835 \(HB1892\)](#) clarifies that under the Arkansas Franchise Practices Act a choice of law provision or a condition, stipulation, or provision requiring the application of the law of another state in lieu of the Arkansas Franchise Practices Act is void.

Durable Medical Equipment - Agreements

[ACT 1065 \(HB1964\)](#) regulates durable medical equipment agreements to avoid misrepresentation and provides a thirty-day return policy after the sale of durable medical equipment.

Guaranteed Asset Protection Waivers

[ACT 787 \(HB1672\)](#) regulates guaranteed asset protection waivers; provides a framework within which guaranteed asset protection waivers are defined and may be offered in this state; and clarifies that guaranteed asset protection waivers are not insurance.

Healthcare Contracting Simplification Act

[ACT 734 \(SB480\)](#) establishes the Healthcare Contracting Simplification Act and prohibits anticompetitive practices by a healthcare insurer. The act prohibits certain all-products clauses, most favored nation clauses, and clauses that impair the freedom of contract in a healthcare contract and voids healthcare contracts that contain such provisions. The act allows a contracting entity to offer a healthcare provider a contract that covers multiple health benefit plans that have the same reimbursement rates and other financial terms for the healthcare provider; add a new health benefit plan to an existing healthcare contract with a healthcare provider under the same reimbursement rates and other financial terms applicable under the original healthcare contract; and require a healthcare provider to accept multiple health benefit plans that do not differ in reimbursement rates or other financial terms for the healthcare provider. The act also clarifies the contracting process for healthcare contracts. The act is effective on and after September 1, 2019, and it applies to the activities of risk-based provider organizations on and after January 1, 2021.

Healthcare Contracts - Assignment of Benefits

[ACT 736 \(SB512\)](#) provides for and regulates the assignment of benefits to a healthcare provider.

Insurer - Health Care Providers

[ACT 589 \(SB472\)](#) requires a health insurer to contract with a licensed healthcare provider if the healthcare provider is permitted to participate in Medicare, Medicaid, or any other federal health benefit plan. The act declares an emergency and is effective on and after March 29, 2019.

COMMERCIAL LAW**CONTRACTS*****Pharmacy Benefits Manager***

[ACT 994 \(SB520\)](#) clarifies the State Insurance Department's regulatory and enforcement authority concerning pharmacy benefits managers; extends the time for pharmacists and pharmacies to file an administrative appeal to challenge a maximum allowable cost list and for the pharmacy benefits manager to respond and resolve the appeal; prohibits a pharmacy benefits manager from spread pricing; prohibits a pharmacy benefits manager from reducing payments for pharmacist services by a pharmacy benefits manager or a healthcare insurer made directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement; and makes the Arkansas Pharmacy Benefits Manager Licensure Act applicable to an organization or entity directly or indirectly providing services to patients under the Medicaid Provider-Led Organized Care Act or any other Medicaid managed care program in Arkansas.

DEBTORS AND CREDITORS***Guaranteed Asset Protection Waivers***

[ACT 787 \(HB1672\)](#) regulates guaranteed asset protection waivers; provides a framework within which guaranteed asset protection waivers are defined and may be offered in this state; and clarifies that guaranteed asset protection waivers are not insurance.

Repossessed Rental Merchandise

[ACT 865 \(HB1914\)](#) provides that if a secured creditor has a security interest in the personal property of a consumer, the merchandise, including without limitation rims, becomes attached to that consumer's personal property, and a lessor repossesses the merchandise before the consumer becomes the owner of the merchandise, then at the time of repossession, the lessor shall install substitute new or used factory quality equipment that is reasonably calculated to keep the personal property of the consumer usable and operable.

FINANCIAL INSTITUTIONS***Arkansas Trust Institutions Act - Foundation***

[ACT 836 \(HB1516\)](#) provides that a foundation may serve as a fiduciary and as an executor of an estate under certain conditions.

Credit Union - False Reports

[ACT 252 \(HB1340\)](#) repeals the spreading of false reports about the management or finances of a credit union as a prohibited practice.

Safe-deposit Box - Sale of Contents

[ACT 63 \(SB80\)](#) clarifies the applicable timeframe for a bank to sell the contents of a safe-deposit box at public auction for nonpayment of rent on the safe-deposit box.

Uniform Directed Trust Act

[ACT 1021 \(HB1765\)](#) establishes the Uniform Directed Trust Act and modifies the Arkansas Trust Act by altering the settler's powers and changing the construction of a trust and the definition of "terms of a trust" to be subject to the Uniform Directed Trust Act. The act establishes the process for governing directed trusts and clarifies the applicability, principal place of administration, excluded powers, limitations, defenses, and duties and liability of trust directors and directed trustees. The act is effective on and after January 1, 2020.

Uniform Money Services Act

[ACT 111 \(SB187\)](#) amends the Uniform Money Services Act; modifies the application procedures for money transmission licenses; amends the statutes concerning a currency exchange license; revises the financial standards for licensees; modifies the permissible investments as a licensee; and repeals out-of-date provisions.

COMMERCIAL LAW

MORTGAGES AND LIENS

Fair Mortgage Lending Act

[ACT 200 \(SB188\)](#) amends the Fair Mortgage Lending Act to comply with recent developments in federal law concerning loan officers.

PERSONAL PROPERTY

Repossessed Rental Merchandise

[ACT 865 \(HB1914\)](#) provides that if a secured creditor has a security interest in the personal property of a consumer, the merchandise, including without limitation rims, becomes attached to that consumer's personal property, and a lessor repossesses the merchandise before the consumer becomes the owner of the merchandise, then at the time of repossession, the lessor shall install substitute new or used factory quality equipment that is reasonably calculated to keep the personal property of the consumer usable and operable.

REAL ESTATE

Public Rights-of-way - Small Wireless Facility Deployment Act

[ACT 797 \(HB1874\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 999 of 2019. The act is effective on and after September 1, 2019.

Public Rights-of-way - Small Wireless Facility Deployment Act

[ACT 999 \(SB602\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 797 of 2019. The act is effective on and after September 1, 2019.

SECURITIES

Arkansas Securities Act

[ACT 110 \(SB186\)](#) provides that the definition of "investment adviser" includes a financial planner; revises the amount transferred by the Securities Commissioner to the General Revenue Fund Account of the State Apportionment Fund; regulates exempt transactions; clarifies the filing requirements and duration of effectiveness of a notice filing for a covered securities offering; and adds the State Securities Department as a claimant agency as used in the collection of debts owed to state agencies.

SMALL BUSINESS ENTITY TAX PASS THROUGH ACT

Temporary Lien - Charging Application

[ACT 622 \(SB148\)](#) modifies the Small Business Entity Tax Pass Through Act to provide for a temporary lien at the time a charging application is filed.

TECHNICAL CORRECTIONS - BUSINESS AND COMMERCIAL LAW - TITLE 4

[ACT 379 \(SB356\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 4 of the Arkansas Code.

UNIFORM COMMERCIAL CODE

Fraudulent Financing Statements

[ACT 707 \(HB1463\)](#) provides a process by which fraudulent financing statements filed under the Uniform Commercial Code may be identified and refused.

CONSTITUTIONAL OFFICERS

COMMISSIONER OF STATE LANDS

Fees

[ACT 673 \(HB1769\)](#) authorizes the Commissioner of State Lands to charge fees to recover costs of services.

CONSTITUTIONAL OFFICERS

COMMISSIONER OF STATE LANDS

Redemption Deeds

[ACT 918 \(HB1768\)](#) updates the procedures for redemption deeds and allows the Commissioner of State Lands to set fees to recoup the office's costs accrued in the process of issuing redemption deeds.

Redemption of Tax-Delinquent Land

[ACT 762 \(HB1739\)](#) expands the forms of payment the Commissioner of State Lands may accept concerning redemption of tax-delinquent lands and establishes which evidence serves as sufficient of proof of payment.

Sale of Public Lands

[ACT 884 \(SB457\)](#) clarifies the law concerning a state agency's obligation to file real estate documents with the Commissioner of State Lands; requires review by the Governor and the General Assembly or Legislative Council before selling state-owned lands; and provides a process for review and recommendation by the Commissioner of State Lands for the Arkansas Department of Transportation Department, institutions of higher education, Arkansas Public Employee's Retirement System, and Arkansas Teacher Retirement System.

Sale of Public Property

[ACT 972 \(HB1767\)](#) abolishes the State Land Use Committee and requires approval by the Governor and the General Assembly or the Legislative Council before selling public land to private entities.

GENERALLY

Retirement

[ACT 448 \(SB220\)](#) repeals the law concerning contributory members who are members of the General Assembly, serve as Governor of this state, are elected contributory state constitutional officers, or are state penitentiary employees. The act also repeals the law concerning contributory credited service for General Assembly members and state constitutional officers who die in office and the benefits received by their surviving spouses. Additionally, the act repeals the law concerning reciprocal service credit that is applicable only to the Arkansas Public Employees' Retirement System. The act provides that a member whose participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan ends is eligible for employment if the separation period required for the member to be considered as terminated from employment for retirement purposes would prevent the member from taking or holding office as a popularly elected official. The act declares an emergency and is effective on and after March 13, 2019.

MEMBER OF THE GENERAL ASSEMBLY

Employment of Former Member of the General Assembly

[ACT 661 \(HB1374\)](#) provides that a former member of the General Assembly elected or reelected on or after November 6, 2018, shall not enter into employment as the director of an educational cooperative or area agency on aging until two (2) years after the expiration of the term of office for which he or she was elected. The act declares an emergency and is effective on and after April 2, 2019.

CONSTITUTIONAL OFFICERS**SECRETARY OF STATE*****Administrative Rules***

[ACT 662 \(HB1429\)](#) directs the Bureau of Legislative Research to compile, format, and index a codification of the general and permanent administrative rules of state agencies to be known as the "Code of Arkansas Rules". The act requires the codification to be completed by January 1, 2023. The act also requires administrative rules to be written in plain language, revises the information required to be submitted to the Secretary of State and Legislative Council when filing an administrative rule, and amends the law regarding the Arkansas Register.

Campaign Finance Reports - Processes and Procedures

[ACT 1039 \(HB1698\)](#) requires the Secretary of State to maintain lists of all campaign finance reports not filed in electronic form and post the lists on the website. The act also provides an alternative to electronic filing for some reports. The act applies to candidates, political action committees, and independent expenditure committees.

Flag Distribution

[ACT 220 \(HB1261\)](#) allows the distribution of flags flown over the State Capitol Building to an individual as an award in recognition of the individual's accomplishments by the Governor and the members of the General Assembly.

Initiated or Referred Measures

[ACT 376 \(SB346\)](#) revises the procedures for petitions and referred constitutional amendments, including revising the process for the submission of ballot titles and popular names of petitions before circulation and requiring the State Board of Election Commissioners to determine whether to certify the ballot title and popular name after a statewide initiative petition or statewide referendum petition is submitted to the Secretary of State for determination of the sufficiency of the signatures. The act also revises the law regarding the penalty for petition fraud, the signing and form of petitions, the counting of signatures, challenges to constitutional amendments proposed by the General Assembly, and the hiring and training of paid canvassers. The act declares an emergency and is effective on and after March 8, 2019.

Monuments - Little Rock Nine Memorial

[ACT 776 \(SB601\)](#) requires the Secretary of State to correct a typographical error within the "TESTAMENT" on the Little Rock Nine memorial on the Capitol grounds.

National Statuary Hall Collection - Clarification and Funding

[ACT 1068 \(HB1969\)](#) revises Act 581 of 2019 concerning Arkansas's contributions to the National Statuary Hall Collection; clarifies the duties of the Secretary of State regarding the collection; provides for the review of certain proposed actions concerning the statues in the collection by the Legislative Council or Joint Budget Committee and the Capitol Arts and Grounds Commission; and creates the National Statuary Hall Collection Trust Fund to be used exclusively for the placement and replacement of Arkansas statues in the collection.

National Statuary Hall Collection - Statues

[ACT 581 \(SB75\)](#) allows the Secretary of State and the Capitol Arts and Grounds Commission to replace Arkansas's contributions to the National Statuary Hall Collection with statues of Daisy Lee Gatson Bates and John R. "Johnny" Cash.

CONSUMER PROTECTION

DEBTORS AND CREDITORS

Personal Property - Repossessed Rental Merchandise

[ACT 865 \(HB1914\)](#) provides that if a secured creditor has a security interest in the personal property of a consumer, the merchandise, including without limitation rims, becomes attached to that consumer's personal property, and a lessor repossesses the merchandise before the consumer becomes the owner of the merchandise, then at the time of repossession, the lessor shall install substitute new or used factory quality equipment that is reasonably calculated to keep the personal property of the consumer usable and operable.

DECEPTIVE TRADE PRACTICES

Pyramid Promotional Schemes

[ACT 340 \(SB176\)](#) prohibits pyramid promotional schemes and regulates bona fide inventory repurchase programs.

HEALTH AND SAFETY

Quality Specifications - Aviation Fuel

[ACT 606 \(HB1654\)](#) clarifies that aviation fuel does not fall under the definition of "engine fuels" that are required to be tested by the State Plant Board.

HEALTH CARE

Durable Medical Equipment

[ACT 1065 \(HB1964\)](#) regulates durable medical equipment agreements to avoid misrepresentation and provides a thirty-day return policy after the sale of durable medical equipment.

IDENTITY THEFT

Personal Information Protection Act - Biometric Data

[ACT 1030 \(HB1943\)](#) amends the Personal Information Protection Act and revises the definition of "personal information" to add biometric data. The act clarifies the disclosure requirements for a security breach of a system that affects the personal information of more than one thousand (1,000) individuals and requires the entity to retain a record and supporting documentation of security breaches and disclosure of security breaches for five (5) years from the date of determination of the security breach. The act also clarifies that the records regarding the security breach are confidential and not subject to public disclosure.

INSURANCE

Living Organ Donor - Unfair Discrimination

[ACT 244 \(SB309\)](#) prohibits unfair discrimination practices under the Arkansas Insurance Code against a living organ donor.

Travel Insurance

[ACT 698 \(SB399\)](#) provides a comprehensive regulatory framework for the sale of travel insurance. The act is effective for travel insurance sold on and after October 1, 2019.

LENDERS AND LENDING

Loan Officers

[ACT 200 \(SB188\)](#) amends the Fair Mortgage Lending Act to comply with recent developments in federal law concerning loan officers.

MONEY TRANSMISSION

Uniform Money Services Act

[ACT 111 \(SB187\)](#) amends the Uniform Money Services Act; modifies the application procedures for money transmission licenses; amends the statutes concerning a currency exchange license; revises the financial standards for licensees; modifies the permissible investments as a licensee; and repeals out-of-date provisions.

CONSUMER PROTECTION

MOTOR VEHICLES

Guaranteed Asset Protection Waivers

[ACT 787 \(HB1672\)](#) regulates guaranteed asset protection waivers; provides a framework within which guaranteed asset protection waivers are defined and may be offered in this state; and clarifies that guaranteed asset protection waivers are not insurance.

PRODUCT LIABILITY

Arkansas New Farm Machinery Quality Assurance Act

[ACT 588 \(SB450\)](#) establishes the Arkansas New Farm Machinery Quality Assurance Act to require disclosures by a seller to a consumer who purchases or leases farm machinery. The act grants to a manufacturer, a distributor, or an authorized dealer the right to repair a nonconformity of farm machinery; adopts procedures for a refund or replacement if a manufacturer, a distributor, or an authorized dealer does not conform farm machinery; and sets out affirmative defenses for violations of the act. The act provides for enforcement, exclusivity, costs, expenses, actions, and limitations.

Aviation Fuel

[ACT 606 \(HB1654\)](#) clarifies that aviation fuel does not fall under the definition of "engine fuels" that are required to be tested by the State Plant Board.

TELECOMMUNICATIONS

Broadband Access

[ACT 198 \(SB150\)](#) amends the Telecommunications Regulatory Reform Act of 2013 to provide additional access to Federal Communications Commission-defined broadband service. The act declares an emergency and is effective on and after February 26, 2019.

Prepaid Mobile Device Protection Act

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

Small Wireless Facility Deployment Act

[ACT 797 \(HB1874\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 999 of 2019. The act is effective on and after September 1, 2019.

Small Wireless Facility Deployment Act

[ACT 999 \(SB602\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 797 of 2019. The act is effective on and after September 1, 2019.

CONSUMER PROTECTION

TELECOMMUNICATIONS

Spoofing

[ACT 1074 \(HB1986\)](#) amends Act 677 of 2019 to clarify the act's applicability to legitimate business purposes of telecommunications providers and to provide that, beginning July 1, 2019, telecommunications providers are required to submit to the Arkansas Public Service Commission an annual certification stating that they have implemented technology to identify and block telecommunications that violate the law. The act declares an emergency and is effective on and after April 16, 2019.

Spoofing - Illegal Robocalls

[ACT 677 \(SB514\)](#) prohibits the display of fictitious or misleading names or telephone numbers, or "spoofing", and illegal robocalls from telemarketers; prohibits a person from causing a caller identification service to transmit inaccurate or misleading information about the identities and locations of callers; encourages telecommunications providers to implement technology that allows them to identify and stop illegal calling practices; allows telecommunications providers to seek an annual certification from the Arkansas Public Service Commission that they have implemented technology to identify and block telecommunications that violate the law; and imposes criminal penalties for violations of the law concerning automated telephone solicitations.

CORRECTIONS

BOARD OF CORRECTIONS

Rules

[ACT 396 \(HB1259\)](#) amends the law concerning the publication and distribution of the rules of the Board of Corrections.

DEPARTMENT OF COMMUNITY CORRECTION

Battery Against an Employee of a Correctional Facility

[ACT 582 \(SB109\)](#) amends the offense of battery in the first degree to include a victim who is an employee of a correctional facility. The act declares an emergency and is effective on and after March 29, 2019.

Female Inmates

[ACT 566 \(HB1523\)](#) addresses the treatment of female inmates or detainees in a local or state correctional or detention facility, including specific treatment of pregnant female inmates or detainees by, among other things, setting requirements and prohibitions when restraints may be used on a pregnant female inmate as well as requiring correctional facilities to establish a policy concerning female prenatal nutrition and feminine hygiene products.

Interstate Commission for Adult Offender Supervision

[ACT 134 \(HB1234\)](#) requires that a fine, fee, or cost levied against the state by the Interstate Commission for Adult Offender Supervision because of a person's failure to meet an obligation or responsibility be paid by the person.

Powers of the Director

[ACT 135 \(HB1236\)](#) provides that the Director of the Department of Community Correction may forfeit and restore meritorious good-time credit to an inmate who is in the custody of the department and escapes or attempts to escape.

Southeast Arkansas Community Correction Center

[ACT 160 \(HB1249\)](#) provides that the Department of Community Correction may donate the Southeast Arkansas Community Correction Center to an Arkansas-based nonprofit organization serving veterans of the United States Armed Forces. The act declares an emergency and is effective on and after February 15, 2019.

CORRECTIONSDEPARTMENT OF COMMUNITY CORRECTION***Supervision Fee***

[ACT 249 \(HB1243\)](#) amends the law concerning the payment of supervision fees by a probationer or parolee to the Department of Community Correction and the distribution of the fees to the State Treasury as special revenues.

Transitional Housing Facilities

[ACT 159 \(HB1242\)](#) permits the establishment of administrative directives that address transitional housing facilities approved by the Board of Corrections and licensed by the Department of Community Correction. The act also defines "transitional housing facilities".

DEPARTMENT OF CORRECTION***Arkansas Correctional School - Required Services***

[ACT 1088 \(SB664\)](#) requires a newly committed inmate in the Department of Correction to undergo a reading assessment and dyslexia screening during the intake process; requires that inmates who read below the required proficiency level or demonstrate markers of dyslexia be provided with appropriate intervention services; requires that current inmates receive information regarding dyslexia and dyslexia intervention services; and requires that an individual who teaches at a school within the Corrections School System demonstrate proficiency and awareness of the best practices of science-based reading instruction.

Award of Service Weapon

[ACT 106 \(SB106\)](#) provides for the award of the service weapon that belonged to an employee of the Department of Correction to his or her surviving child in certain situations upon the employee's death.

Battery Against an Employee of a Correctional Facility

[ACT 582 \(SB109\)](#) amends the offense of battery in the first degree to include a victim who is an employee of a correctional facility. The act declares an emergency and is effective on and after March 29, 2019.

Confidentiality of Information

[ACT 810 \(SB464\)](#) exempts from disclosure certain information and procedures involved with a person who is sentenced to death for a capital offense, including information requested under the Freedom of Information Act of 1967.

Director's Duties - Determination of Competency

[ACT 615 \(HB1792\)](#) amends the requirements for the determination of the competency of a person awaiting execution for a capital offense, including the duties of the Director of the Department of Correction.

Female Inmates

[ACT 566 \(HB1523\)](#) addresses the treatment of female inmates or detainees in a local or state correctional or detention facility, including specific treatment of pregnant female inmates or detainees by, among other things, setting requirements and prohibitions when restraints may be used on a pregnant female inmate as well as requiring correctional facilities to establish a policy concerning female prenatal nutrition and feminine hygiene products.

Goods Made in the Industry Division

[ACT 982 \(HB1941\)](#) amends the law concerning items purchased from the department's Industry Division and expands the eligibility of persons who may purchase those items. The act also amends the requirements for the annual report from the department's Industry Division.

CORRECTIONS

DEPARTMENT OF CORRECTION

Oath of Director

[ACT 208 \(HB1258\)](#) amends the law concerning the oaths required of the Director of the Department of Correction and the persons authorized to become the director of the Department on an interim or acting basis.

INMATES

Arkansas Civil Rights Act of 1993

[ACT 444 \(SB116\)](#) requires an inmate to first exhaust all available administrative remedies before he or she may file a claim under the Arkansas Civil Rights Act of 1993.

Arkansas Correctional School - Services for Inmates

[ACT 1088 \(SB664\)](#) requires a newly committed inmate in the Department of Correction to undergo a reading assessment and dyslexia screening during the intake process; requires that inmates who read below the required proficiency level or demonstrate markers of dyslexia be provided with appropriate intervention services; requires that current inmates receive information regarding dyslexia and dyslexia intervention services; and requires that an individual who teaches at a school within the Corrections School System demonstrate proficiency and awareness of the best practices of science-based reading instruction.

Competency of an Inmate Awaiting Execution

[ACT 615 \(HB1792\)](#) amends the requirements for the determination of the competency of a person awaiting execution for a capital offense, including the duties of the Director of the Department of Correction.

Delivery of a Prohibited Article

[ACT 672 \(HB1754\)](#) creates the criminal offense of delivery of a prohibited article by an inmate in a correctional facility when the prohibited article is a controlled substance. The act provides that penalties for this offense increase if the use of the controlled substance causes the death of or serious bodily injury to another person.

Female Inmates

[ACT 566 \(HB1523\)](#) addresses the treatment of female inmates or detainees in a local or state correctional or detention facility, including specific treatment of pregnant female inmates or detainees by, among other things, setting requirements and prohibitions when restraints may be used on a pregnant female inmate as well as requiring correctional facilities to establish a policy concerning female prenatal nutrition and feminine hygiene products.

Minors - Punitive Isolation or Solitary Confinement

[ACT 971 \(HB1755\)](#) prohibits placing a juvenile who is in a juvenile detention facility or a minor who is an inmate in a state correctional facility in punitive isolation or solitary confinement as a disciplinary measure for more than twenty-four (24) hours unless the placement is due to certain circumstances.

Programs for Minors

[ACT 821 \(SB573\)](#) requires minors who are inmates of a state correctional facility to be provided with the opportunity to participate in an educational, training, or rehabilitative program that is available to other inmates in the general population of the correctional facility in which the minor is housed.

Restricted Driver's Permit

[ACT 69 \(HB1241\)](#) amends the procedures and timeline for when an inmate, probationer, or parolee may be issued a restricted driver's permit.

CORRECTIONS

LOCAL JAILS

Arkansas Civil Rights Act of 1993

[ACT 444 \(SB116\)](#) requires an inmate to first exhaust all available administrative remedies before he or she may file a claim under the Arkansas Civil Rights Act of 1993.

Female Inmates or Detainees

[ACT 566 \(HB1523\)](#) addresses the treatment of female inmates or detainees in a local or state correctional or detention facility, including specific treatment of pregnant female inmates or detainees by, among other things, setting requirements and prohibitions when restraints may be used on a pregnant female inmate as well as requiring correctional facilities to establish a policy concerning female prenatal nutrition and feminine hygiene products.

Jail Booking and Administration Fee

[ACT 372 \(SB237\)](#) amends the law concerning the assessment and permitted use of the jail booking and administration fee assessed by a local or regional detention facility by raising the fee and establishing how the revenue from the fees may be used.

PROBATION AND PAROLE

Commencement of Supervision

[ACT 248 \(HB1233\)](#) establishes when the Department of Community Correction assumes supervision of a probationer as the point in time when the circuit court pronounces the probationer's sentence in the courtroom or upon the entry of a sentencing order, whichever occurs first.

Meritorious Good-time Credit

[ACT 135 \(HB1236\)](#) provides that the Director of the Department of Community Correction may forfeit and restore meritorious good-time credit to an inmate who is in the custody of the department and escapes or attempts to escape.

Parole Discharge

[ACT 821 \(SB573\)](#) establishes when the Parole Board may discharge a person from parole and provides for the reinstatement of voting rights for minors who have been discharged from parole.

Payment of Fine, Fee, or Cost by Parolee or Probationer

[ACT 134 \(HB1234\)](#) requires that a fine, fee, or cost levied against the state by the Interstate Commission for Adult Offender Supervision because of a person's failure to meet an obligation or responsibility be paid by the person.

Restricted Driver's Permit

[ACT 69 \(HB1241\)](#) amends the procedures and timeline for when an inmate, probationer, or parolee may be issued a restricted driver's permit.

Search of Residence

[ACT 136 \(HB1239\)](#) defines "residence" to include a garage or outbuilding on the property of a residence for the purposes of areas where a law enforcement officer may conduct a warrantless search of a probationer's or parolee's property.

Sex Offender Prohibitions

[ACT 621 \(SB8\)](#) prohibits certain sex offenders from recording a person under fourteen (14) years of age and posting the recording on the internet in certain circumstances.

Supervision Fee

[ACT 249 \(HB1243\)](#) amends the law concerning the payment of supervision fees by a probationer or parolee to the Department of Community Correction and the distribution of the fees to the State Treasury as special revenues.

CORRECTIONS

PROBATION AND PAROLE

Transitional Housing Facilities

[ACT 159 \(HB1242\)](#) permits the establishment of administrative directives that address transitional housing facilities approved by the Board of Corrections and licensed by the Department of Community Correction. The act also defines "transitional housing facilities".

PROBATION AND PAROLE OFFICERS

Search of Residence

[ACT 136 \(HB1239\)](#) defines "residence" to include a garage or outbuilding on the property of a residence for the purposes of areas where a law enforcement officer may conduct a warrantless search of a probationer's or parolee's property.

COURTS

CIRCUIT COURTS

Domestic Relations - Establishment, Modification, and Payment of Child Support

[ACT 904 \(HB1612\)](#) provides that the incarceration of a parent shall not be treated as voluntary unemployment for the purpose of establishing or modifying an award of child support. The act amends the law concerning the application and revision of the family support chart and requires a court to order all payments to be made through the Arkansas child support clearinghouse for cases in which the income of the noncustodial parent is subject to withholding. The act also permits a court to allocate the cost of healthcare coverage between the parents of a child and amends the requirements concerning the redirection of child support payments. The act amends the law concerning data entered into and the use of the Arkansas Child Support Tracking System and amends the law concerning electronic fund transfers and electronic data information. Finally, the act requires the clerk to make the child support payment record available to the officiates of the court, judges, attorneys, and abstractors. The act is effective on and after January 1, 2020.

Issuance of a No Contact Order

[ACT 1037 \(HB1673\)](#) amends the definition of a "no contact order" issued by a court to mean an order prohibiting contact with a specific person that is entered at or after a defendant's first appearance on charges.

Issuance of Arrest Warrant

[ACT 608 \(HB1679\)](#) amends the law concerning the issuance of an arrest warrant by a court and makes technical corrections to the law.

Judges

[ACT 1003 \(SB658\)](#) provides for additional circuit court judges for certain judicial circuits. The act declares an emergency and is effective on and after July 1, 2019.

Juvenile Division of Circuit Court - State Reimbursement

[ACT 941 \(SB647\)](#) amends the law concerning state reimbursements to counties for juvenile officers.

Specialty Court Costs and Fees

[ACT 1044 \(HB1782\)](#) amends the law concerning the costs and fees that a specialty court may order an eligible defendant to pay while he or she is participating in a specialty court. The act also establishes how costs and fees may be collected and how the revenues generated by the costs and fees may be used.

COURTSCITATION AND ARREST***Child Abduction Response Team***

[ACT 913 \(HB1674\)](#) requires certain state agencies to collaborate in a multi-agency effort to rescue abducted or endangered children, implement one (1) or more statewide child abduction response teams, and allocate the respective resources of each agency to cases that involve missing or endangered children. The act also tasks the Department of Arkansas State Police with assembling the statewide child abduction response teams.

COSTS***Assessment and Collection***

[ACT 113 \(HB1067\)](#) amends the law concerning the assessment of court costs and fees and the designation of certain court costs to the Domestic Violence Shelter Fund.

DISTRICT COURTS***Election Cycle***

[ACT 445 \(SB169\)](#) provides that district judges shall serve four-year terms.

Fee for Summons or Subpoena

[ACT 675 \(HB1781\)](#) establishes a fee for drawing and issuing, or sealing, a summons or subpoena if the summons or subpoena follows the form incorporated into Rule 4 of the Arkansas Rules of Civil Procedure.

Issuance of a No Contact Order

[ACT 1037 \(HB1673\)](#) amends the definition of a "no contact order" issued by a court to mean an order prohibiting contact with a specific person that is entered at or after a defendant's first appearance on charges.

Issuance of Arrest Warrant

[ACT 608 \(HB1679\)](#) amends the law concerning the issuance of an arrest warrant by a court and makes technical corrections to the law.

Reorganization into State District Courts

[ACT 817 \(SB552\)](#) amends the law that established the continuing reorganization of all district courts into state district courts, moving some district courts from a 2029 implementation to a 2025 implementation.

Reorganization of State District Courts

[ACT 868 \(HB1937\)](#) amends the law that established the continuing reorganization of all district courts into state district courts, moving Thirteenth and Sixteenth Districts from a 2021 implementation to a 2025 implementation.

Reorganization of State District Courts

[ACT 909 \(HB1880\)](#) amends the law that established the continuing reorganization of all district courts into state district courts, moving the Fourteenth District from a 2021 implementation to a 2025 implementation.

Salaries of Personnel

[ACT 786 \(HB1662\)](#) increases the maximum salaries of certain district court personnel.

Specialty Court Costs and Fees

[ACT 1044 \(HB1782\)](#) amends the law concerning the costs and fees that a specialty court may order an eligible defendant to pay while he or she is participating in a specialty court. The act also establishes how costs and fees may be collected and how the revenues generated by the costs and fees may be used.

Thirtieth Judicial District

[ACT 814 \(SB511\)](#) adds an additional district court judge to the Thirtieth Judicial District beginning in 2021.

COURTS

DISTRICT COURTS

Twenty-Fifth Judicial District

[ACT 935 \(SB568\)](#) provides for an additional district court judge in the Twenty-Fifth Judicial District. The act declares an emergency and is effective on and after July 1, 2019.

EVIDENCE

Sermons of a Religious Leader

[ACT 816 \(SB541\)](#) creates a privilege from disclosure to authorities for evidence concerning a sermon, religious instruction, or religious teaching delivered by a religious leader or member of the clergy.

FEES

Assessment and Collection

[ACT 113 \(HB1067\)](#) amends the law concerning the assessment of court costs and fees and the designation of certain court costs to the Domestic Violence Shelter Fund.

Driver's License Reinstatement Fees

[ACT 992 \(SB493\)](#) provides for a one-time driver's license reinstatement fee in certain circumstances to cover all administrative orders to suspend, revoke, or cancel a driver's license for a person ordered to pay a reinstatement fee in order to have a valid driver's license.

Specialty Courts

[ACT 1044 \(HB1782\)](#) amends the law concerning the costs and fees that a specialty court may order an eligible defendant to pay while he or she is participating in a specialty court. The act also establishes how costs and fees may be collected and how the revenues generated by the costs and fees may be used.

JUDICIAL RETIREMENT SYSTEM

Eligibility for Benefits

[ACT 753 \(HB1219\)](#) amends the law concerning the forfeiture of retirement benefits by a judge or justice who is seventy (70) years of age and a member of Tier I of the Arkansas Judicial Retirement System.

JUVENILE DIVISION

Adjudication or Conviction of Minor - Notice to School District

[ACT 647 \(HB1551\)](#) amends the law concerning the confidentiality of records under the Arkansas Juvenile Code of 1989 and requires school districts to be notified of the adjudication or conviction of a minor that relates to the minor's commission of certain offenses.

Child Welfare Ombudsman

[ACT 945 \(SB662\)](#) creates the Child Welfare Ombudsman Division within the Arkansas Child Abuse/Rape/Domestic Violence Commission and provides the qualifications, powers, and duties of the Child Welfare Ombudsman. The act allows a Child Welfare Ombudsman to attend open and closed adoption hearings and hearings held under the Arkansas Juvenile Code of 1989 and prohibits a Child Welfare Ombudsman from disclosing information that he or she obtains through attendance at a hearing unless the disclosure is otherwise permitted by law. The act also provides that records maintained by the division that pertain to a court case or investigation of a juvenile who is the subject of work performed by the division is confidential and not subject to disclosure unless otherwise permitted by law. The act declares an emergency and is effective on and after July 1, 2019.

COURTSJUVENILE DIVISION***Hearings on Visitation***

[ACT 558 \(SB83\)](#) provides that a petitioner has the burden of proving that unsupervised visitation is not in the best interest of a child at every hearing and provides that a rebuttable presumption that unsupervised visitation is in the best interest of a juvenile applies at every hearing. The act addresses supervised visitation with a parent from whom custody of a juvenile is removed, the timely entry of orders, and when a court is required to set a hearing to address the entry of a written order under the Arkansas Juvenile Code of 1989.

Juvenile Justice System

[ACT 189 \(SB152\)](#) transforms the juvenile justice system; provides that the validated risk assessment system selected by the Juvenile Judges Committee of the Arkansas Judicial Council with the Division of Youth Services shall be the only validated risk assessment system used by courts for commitment throughout the state; requires diversion agreements to be implemented by all juvenile courts based on validated assessment tools; provides that diversion agreements shall be used to provide for payment of restitution to a victim; requires the Division of Youth Services to use validated risk assessments for all juveniles committed to the division; amends the law concerning circumstances under which a juvenile may not be committed to the Division of Youth Services; clarifies the treatment model for community-based alternative basic services; and amends the authority and responsibility of the Division of Youth Services concerning reforms, reinvestment plans, and collaborative information-sharing systems. The act is effective on and after July 1, 2020.

Permanency Planning Hearing

[ACT 984 \(SB84\)](#) amends the law regarding permanency goals that are authorized by the court at a permanency planning hearing held under the Arkansas Juvenile Code of 1989.

Termination of Parental Rights

[ACT 985 \(SB85\)](#) amends the law concerning evidence that a court may rely on in determining whether the termination of parental rights is in the best interests of the juvenile and establishes an affirmative defense to a termination of parental rights that is based on a prior involuntary termination of parental rights.

PERSONNEL***Salaries***

[ACT 786 \(HB1662\)](#) increases the maximum salaries of certain district court personnel.

PROBATION AND PAROLE***Parole Discharge***

[ACT 821 \(SB573\)](#) establishes when the Parole Board may discharge a person from parole and provides for the reinstatement of voting rights for minors who have been discharged from parole.

PROSECUTING ATTORNEYS***Thirteenth Judicial District***

[ACT 614 \(HB1791\)](#) changes the Thirteenth Judicial District to a Division A Judicial District.

RECORDS***Electronic Recording and Indexing***

[ACT 183 \(SB227\)](#) provides that a court clerk may make an electronic alphabetical index of certain court proceedings and records if the electronic records are accessible and searchable over the internet.

COURTS

RECORDS

Petition to Seal

[ACT 57 \(HB1016\)](#) reduces the amount of time that a court has to wait after a uniform petition to seal a criminal record was served on the prosecuting attorney before granting the petition.

SPECIALTY COURTS

Costs and Fees

[ACT 1044 \(HB1782\)](#) amends the law concerning the costs and fees that a specialty court may order an eligible defendant to pay while he or she is participating in a specialty court. The act also establishes how costs and fees may be collected and how the revenues generated by the costs and fees may be used.

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

[ACT 385 \(SB364\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 16 of the Arkansas Code.

CRIMINAL LAW AND PROCEDURE

CAPITAL PUNISHMENT

Competency of a Capital Defendant

[ACT 615 \(HB1792\)](#) amends the requirements for the determination of the competency of a person awaiting execution for a capital offense, including the duties of the Director of the Department of Correction.

Confidentiality of Information

[ACT 810 \(SB464\)](#) exempts from disclosure certain information and procedures involved with a person who is sentenced to death for a capital offense, including information requested under the Freedom of Information Act of 1967.

CONTROLLED SUBSTANCES

Hemp-derived Cannabidiol and Tetrahydrocannabinol

[ACT 504 \(HB1518\)](#) provides that certain hemp-derived cannabidiol and tetrahydrocannabinol are not considered marijuana for the purposes of the Uniform Controlled Substances Act.

Mandatory Electronic Prescribing

[ACT 447 \(SB174\)](#) requires mandatory electronic prescribing of controlled substances. The act has a contingent effective date and becomes effective on and after the later of January 1, 2021, or the certification by the Attorney General that the United States Department of Health and Human Services requires mandatory electronic prescribing.

Overdose Identification Training

[ACT 646 \(HB1529\)](#) provides for controlled substance overdose identification training by law enforcement officers with an emphasis on opioid overdoses.

Possession of Drug Paraphernalia

[ACT 1014 \(HB1609\)](#) amends the offense of possession of drug paraphernalia to increase the penalties for the offense if the drug paraphernalia is associated with the use of heroin or fentanyl.

CRIMINAL HISTORY INFORMATION

Lawful Dissemination

[ACT 519 \(SB266\)](#) amends the law concerning the lawful dissemination of a person's criminal history information to private contractors housing state inmates and to requesting noncriminal justice agencies.

DEFENSES AND JUSTIFICATION

Affirmative Defenses

[ACT 905 \(HB1734\)](#) creates two (2) additional affirmative defenses to the offense of violation of an order of protection.

CRIMINAL LAW AND PROCEDURE

DEFENSES AND JUSTIFICATION

Endangering the Welfare of a Minor in the First Degree

[ACT 185 \(SB168\)](#) amends the Safe Haven Act concerning the affirmative defense to the offense of endangering the welfare of a minor in the first degree. The act extends the affirmative defense to a parent who voluntarily delivers and leaves a child or voluntarily arranges for another person to deliver and leave a child with a law enforcement agency or fire department. Additionally, the act provides that the affirmative defense is not a defense to a prosecution that arises from an act of abuse or neglect committed before the delivery of a child to a law enforcement agency or fire department.

Mental Health Examination

[ACT 567 \(HB1548\)](#) allows a person that provides treatment or services to a defendant to impose a charge for the cost of the mental health services, examination, and treatment of the defendant and requires the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services to promulgate rules establishing reasonable charges for costs for such treatment and services.

EVIDENCE AND WITNESSES

Privileged Communications

[ACT 499 \(HB1380\)](#) creates a privilege of communication between a victim of domestic violence and the personnel of a domestic violence shelter or center and makes confidential certain communications between a victim and a victim advocate.

Privileged Communications

[ACT 555 \(SB314\)](#) creates the definition of "approved training" and amends the definition of "certified peer support member" as those terms relate to privileged communications made by an emergency responder to a certified peer support member.

Rape Shield Law

[ACT 842 \(HB1634\)](#) includes evidence of a person's prior sexual conduct that was committed when the person was a victim of human trafficking and was being trafficked under the state's Rape Shield Law.

Sexual Assault Collection Kits

[ACT 839 \(HB1567\)](#) establishes requirements concerning the collection and submission of sexual assault collection kits gathered by law enforcement agencies and healthcare providers and the testing requirements for sexual assault collection kits submitted to the State Crime Laboratory.

Witness Intimidation, Retaliation, and Bribery

[ACT 1017 \(HB1633\)](#) increases the penalties for offenses concerning witness intimidation, retaliation, bribery, jury tampering, and tampering with evidence.

CRIMINAL LAW AND PROCEDURE**JUVENILES*****Juvenile Justice System***

[ACT 189 \(SB152\)](#) transforms the juvenile justice system; provides that the validated risk assessment system selected by the Juvenile Judges Committee of the Arkansas Judicial Council with the Division of Youth Services shall be the only validated risk assessment system used by courts for commitment throughout the state; requires diversion agreements to be implemented by all juvenile courts based on validated assessment tools; provides that diversion agreements shall be used to provide for payment of restitution to a victim; requires the Division of Youth Services to use validated risk assessments for all juveniles committed to the division; amends the law concerning circumstances under which a juvenile may not be committed to the Division of Youth Services; clarifies the treatment model for community-based alternative basic services; and amends the authority and responsibility of the Division of Youth Services concerning reforms, reinvestment plans, and collaborative information-sharing systems. The act is effective on and after July 1, 2020.

OFFENSES AGAINST CHILDREN AND INCOMPETENTS***Endangering the Welfare of a Minor in the First Degree***

[ACT 185 \(SB168\)](#) amends the Safe Haven Act concerning the affirmative defense to the offense of endangering the welfare of a minor in the first degree. The act extends the affirmative defense to a parent who voluntarily delivers and leaves a child or voluntarily arranges for another person to deliver and leave a child with a law enforcement agency or fire department. Additionally, the act provides that the affirmative defense is not a defense to a prosecution that arises from an act of abuse or neglect committed before the delivery of a child to a law enforcement agency or fire department.

OFFENSES AGAINST PROPERTY***Theft of Decorative or Memorial Items - Cemetery or Grave Site***

[ACT 503 \(HB1506\)](#) provides that the theft of property of decorative or memorial items from a cemetery or grave site is a Class A misdemeanor for a first offense and is a Class D felony for a second or subsequent offense.

Theft of Oil and Gas Equipment

[ACT 611 \(HB1720\)](#) amends the offense of theft of property to enhance penalties for theft of certain oil and gas equipment and petroleum-related property. The act also makes organizational changes and technical corrections.

Unlawful Use of Unmanned Aircraft System

[ACT 508 \(HB1646\)](#) prohibits the use of an unmanned aircraft system to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record a railroad operating facility.

Unmanned Aircraft System - Critical Infrastructure

[ACT 1000 \(SB612\)](#) prohibits an unmanned aircraft system from being used to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record a communication tower or facility.

Utility Property - Backup Deep Cycle Battery

[ACT 311 \(HB1389\)](#) provides that a backup deep cycle battery is utility property for the purposes of theft of property.

CRIMINAL LAW AND PROCEDURE**OFFENSES AGAINST PUBLIC HEALTH, SAFETY, OR WELFARE*****Abolition of Abortion***

[ACT 180 \(SB149\)](#) creates the Arkansas Human Life Protection Act, which abolishes abortion in Arkansas. The act has a contingent effective date and becomes effective on and after the certification of the Attorney General that either the United States Supreme Court overrules, in whole or in part, the central holding of *Roe v. Wade*, 410 U.S. 113 (1973), reaffirmed by *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), or an amendment to the United States Constitution is adopted that, in whole or in part, restores to Arkansas the authority to prohibit abortion.

Controlled Substances - Public Education - Teachers - Drug Screening Permitted

[ACT 323 \(HB1396\)](#) allows a public school district board of directors to implement a drug screening requirement for an applicant or current employee of a public school district.

Criminal Use of Prohibited Weapons

[ACT 1051 \(HB1820\)](#) removes machine guns, sawed-off shotguns, sawed-off rifles, and firearms specifically made or specially adapted for silent discharge from the specifically named weapons that people were prohibited from possessing.

Criminal Use of Prohibited Weapons

[ACT 495 \(SB400\)](#) permits the use of a firearm specially made or adapted for silent discharge and an item that is in compliance with the National Firearms Act.

Delivery of a Prohibited Article

[ACT 672 \(HB1754\)](#) creates the criminal offense of delivery of a prohibited article by an inmate in a correctional facility when the prohibited article is a controlled substance. The act provides that penalties for this offense increase if the use of the controlled substance causes the death of or serious bodily injury to another person.

Driving or Boating While Intoxicated

[ACT 654 \(HB1411\)](#) provides a definition of "motor vehicle" as it pertains to DWI offenses and amends the law concerning testing for blood alcohol content of the driver of a motor vehicle or motorboat when a motor vehicle or boating accident occurs and death or serious bodily injury results.

Driving or Boating While Intoxicated - Driver's License Reinstatement Fees

[ACT 803 \(SB315\)](#) requires outstanding driver's license reinstatement fees to be set off against the taxpayer's state income tax refund and paid to the Office of Driver Services.

Harassing Communications

[ACT 1049 \(HB1814\)](#) amends the offense of harassing communications to include other forms of communication.

Offense of Prostitution

[ACT 1020 \(HB1695\)](#) provides that it is not an offense of prostitution if the person was being trafficked at the time of the commission of an act that otherwise meets the elements of prostitution.

Presentencing Report for a DWI or BWI

[ACT 321 \(HB1367\)](#) amends the law concerning the submission of the required presentencing report for a DWI or BWI to the sentencing court.

Public Intoxication

[ACT 781 \(HB1280\)](#) amends the penalties for the offense of public intoxication when the person has two (2) or more prior convictions for public intoxication.

CRIMINAL LAW AND PROCEDURE

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, OR WELFARE

Spoofing - Illegal Robocalls

[ACT 677 \(SB514\)](#) prohibits the display of fictitious or misleading names or telephone numbers, or "spoofing", and illegal robocalls from telemarketers; prohibits a person from causing a caller identification service to transmit inaccurate or misleading information about the identities and locations of callers; encourages telecommunications providers to implement technology that allows them to identify and stop illegal calling practices; allows telecommunications providers to seek an annual certification from the Arkansas Public Service Commission that they have implemented technology to identify and block telecommunications that violate the law; and imposes criminal penalties for violations of the law concerning automated telephone solicitations.

Unmanned Aircraft Systems

[ACT 320 \(HB1347\)](#) amends the definition of "unmanned aircraft system" as it is used in the offense of unlawful use of an unmanned aircraft system.

Violation of an Order of Protection

[ACT 458 \(SB402\)](#) amends the law concerning the elements required to support the sentence of a Class D felony for the offense of violation of an order of protection.

OFFENSES AGAINST THE ADMINISTRATION OF GOVERNMENT

Absconding

[ACT 505 \(HB1550\)](#) amends the offense of absconding to include failure to abide by the terms of a defendant's sentence or conditions imposed under the law concerning the defendant's release pending bed space at the Department of Correction or Department of Community Correction.

Failure to Appear

[ACT 322 \(HB1369\)](#) amends the definition of "pending charge" as it pertains to the offense of failure to appear.

Intimidation, Retaliation, Tampering, and Bribery

[ACT 1017 \(HB1633\)](#) increases the penalties for offenses concerning witness intimidation, retaliation, bribery, jury tampering, and tampering with evidence.

Medicaid Fraud and Adult Maltreatment Updates

[ACT 916 \(HB1719\)](#) updates the Medicaid Fraud Act and the Medicaid Fraud False Claims Act to address flaws identified in recent investigations and changes related to the implementation of managed care and updates the adult maltreatment penalties. The act also modifies the sentencing scheme for Medicaid fraud by implementing appropriate sanctions in certain situations and prohibits false statements in a Medicaid provider application or agreement. The act prohibits persons who have been suspended or excluded from the Arkansas Medicaid Program from participating directly or indirectly in the Arkansas Medicaid Program and clarifies when rewards may be paid and from what funds.

CRIMINAL LAW AND PROCEDURE**OFFENSES AGAINST THE ADMINISTRATION OF GOVERNMENT*****Petition Fraud***

[ACT 376 \(SB346\)](#) revises the procedures for petitions and referred constitutional amendments, including revising the process for the submission of ballot titles and popular names of petitions before circulation and requiring the State Board of Election Commissioners to determine whether to certify the ballot title and popular name after a statewide initiative petition or statewide referendum petition is submitted to the Secretary of State for determination of the sufficiency of the signatures. The act also revises the law regarding the penalty for petition fraud, the signing and form of petitions, the counting of signatures, challenges to constitutional amendments proposed by the General Assembly, and the hiring and training of paid canvassers. The act declares an emergency and is effective on and after March 8, 2019.

OFFENSES AGAINST THE PERSON***Additional Term of Imprisonment***

[ACT 1046 \(HB1809\)](#) provides for an additional term of imprisonment if a person purposely selected a victim because the victim was present on the grounds of or in a church or other place or worship at the time of the offense and the person then committed a serious felony involving violence against the victim.

Aggravated Assault

[ACT 243 \(SB305\)](#) amends the elements of the offense of aggravated assault to include impeding or preventing respiration or the circulation of another person's blood by applying pressure on the other person's chest.

Battery in the First Degree

[ACT 498 \(HB1379\)](#) reconciles the differences between the offenses of domestic battering in the first degree and battery in the first degree and increases the penalties for battery offenses under certain circumstances.

Battery in the First Degree

[ACT 582 \(SB109\)](#) amends the offense of battery in the first degree to include a victim who is an employee of a correctional facility. The act declares an emergency and is effective on and after March 29, 2019.

Battery in the Second Degree

[ACT 783 \(HB1610\)](#) provides that battery in the second degree is a Class C felony if the person recklessly causes serious physical injury to another person while operating or being in actual physical control of a motor vehicle or motorboat if the person is intoxicated at the time.

Encouraging the Suicide of Another Person

[ACT 962 \(HB1625\)](#) creates the offense of encouraging the suicide of another person, which is a Class D felony.

Physician-assisted Suicide

[ACT 930 \(SB503\)](#) amends the offense of physician-assisted suicide by increasing the penalty to a Class B felony.

Sex Offender Prohibitions

[ACT 621 \(SB8\)](#) prohibits certain sex offenders from recording a person under fourteen (14) years of age and posting the recording on the internet in certain circumstances.

Sex Offenders and Halloween

[ACT 463 \(SB10\)](#) prohibits a person who has been assessed as a Level 3 or Level 4 sex offender from participating in certain Halloween-related activities.

CRIMINAL LAW AND PROCEDURE
OFFENSES AGAINST THE PERSON

Spoofing

[ACT 1074 \(HB1986\)](#) amends Act 677 of 2019 to clarify the act's applicability to legitimate business purposes of telecommunications providers and to provide that, beginning July 1, 2019, telecommunications providers are required to submit to the Arkansas Public Service Commission an annual certification stating that they have implemented technology to identify and block telecommunications that violate the law. The act declares an emergency and is effective on and after April 16, 2019.

Threats Against a School

[ACT 969 \(HB1733\)](#) creates the offense of threatening to commit an act of mass violence on school property, which is a Class C felony.

Trafficking and the Unlawful Solicitation for the Relinquishment of Parental Rights

[ACT 1022 \(HB1789\)](#) amends the law concerning the trafficking of persons and creates a new offense concerning unlawful solicitation for the relinquishment of parental rights.

Unlawful Female Genital Mutilation of a Minor

[ACT 556 \(SB318\)](#) prohibits unlawful female genital mutilation of a minor; provides for a civil cause of action; and creates awareness programs for and statistical tracking of unlawful female genital mutilation of a minor. The act declares an emergency and is effective on and after March 26, 2019.

Voyeurism and Video Voyeurism

[ACT 461 \(HB1438\)](#) amends the offenses of voyeurism and video voyeurism and addresses those persons who commit a second or subsequent offense of voyeurism or video voyeurism.

OFFENSES INVOLVING FAMILIES AND DEPENDENTS

Domestic Battering in the First Degree

[ACT 498 \(HB1379\)](#) reconciles the differences between the offenses of domestic battering in the first degree and battery in the first degree and increases the penalties for battery offenses under certain circumstances.

Order of Protection

[ACT 908 \(HB1851\)](#) amends the law concerning the findings supporting and contents of an order of protection, specifically concerning notice of restrictions to the respondent and specific findings to be made by the court.

Sentence Enhancement

[ACT 324 \(HB1403\)](#) establishes additional felony offenses for which a sentence enhancement may be applied if the felony offense was committed in the presence of a child.

Sex Offender Prohibitions

[ACT 621 \(SB8\)](#) prohibits certain sex offenders from recording a person under fourteen (14) years of age and posting the recording on the internet in certain circumstances.

Trafficking and the Unlawful Solicitation for the Relinquishment of Parental Rights

[ACT 1022 \(HB1789\)](#) amends the law concerning the trafficking of persons and creates a new offense concerning unlawful solicitation for the relinquishment of parental rights.

Unlawful Female Genital Mutilation of a Minor

[ACT 556 \(SB318\)](#) prohibits unlawful female genital mutilation of a minor; provides for a civil cause of action; and creates awareness programs for and statistical tracking of unlawful female genital mutilation of a minor. The act declares an emergency and is effective on and after March 26, 2019.

CRIMINAL LAW AND PROCEDURE

OFFENSES INVOLVING FAMILIES AND DEPENDENTS

Violation of an Order of Protection

[ACT 458 \(SB402\)](#) amends the law concerning the elements required to support the sentence of a Class D felony for the offense of violation of an order of protection.

PROCEDURAL RULES

Rape Shield Law

[ACT 842 \(HB1634\)](#) includes evidence of a person's prior sexual conduct that was committed when the person was a victim of human trafficking and was being trafficked under the state's Rape Shield Law.

Sealing a Criminal Record

[ACT 680 \(HB1831\)](#) amends the time at which a person is eligible to seal his or her criminal record and eliminates the filing fee associated with a petition to seal a criminal record.

RESTITUTION, FORFEITURE, AND DISPOSITION OF PROPERTY

Civil Asset Forfeiture

[ACT 476 \(SB308\)](#) establishes the Civil Asset Forfeiture Act of 2019, which requires, with some exceptions, a conviction for an offense before a seized asset may be forfeited.

Disposition of a Forfeited Firearm

[ACT 630 \(SB403\)](#) establishes how a law enforcement agency may dispose of a firearm seized and forfeited to the law enforcement agency.

SEALING A CRIMINAL RECORD

Petition to Seal

[ACT 57 \(HB1016\)](#) reduces the amount of time that a court has to wait after a uniform petition to seal a criminal record was served on the prosecuting attorney before granting the petition.

Procedural Amendments

[ACT 680 \(HB1831\)](#) amends the time at which a person is eligible to seal his or her criminal record and eliminates the filing fee associated with a petition to seal a criminal record.

SEARCH AND SEIZURE

Probationer or Parolee

[ACT 136 \(HB1239\)](#) defines "residence" to include a garage or outbuilding on the property of a residence for the purposes of areas where a law enforcement officer may conduct a warrantless search of a probationer's or parolee's property.

SENTENCING AND PENALTIES

Assessment and Collection of Court Costs and Fees

[ACT 113 \(HB1067\)](#) amends the law concerning the assessment of court costs and fees and the designation of certain court costs to the Domestic Violence Shelter Fund.

Battery

[ACT 498 \(HB1379\)](#) reconciles the differences between the offenses of domestic battering in the first degree and battery in the first degree and increases the penalties for battery offenses under certain circumstances.

Civil Asset Forfeiture

[ACT 476 \(SB308\)](#) establishes the Civil Asset Forfeiture Act of 2019, which requires, with some exceptions, a conviction for an offense before a seized asset may be forfeited.

Commencement of Probationary Supervision

[ACT 248 \(HB1233\)](#) establishes when the Department of Community Correction assumes supervision of a probationer as the point in time when the circuit court pronounces the probationer's sentence in the courtroom or upon the entry of a sentencing order, whichever occurs first.

CRIMINAL LAW AND PROCEDURE

SENTENCING AND PENALTIES

Competency of a Capital Defendant

[ACT 615 \(HB1792\)](#) amends the requirements for the determination of the competency of a person awaiting execution for a capital offense, including the duties of the Director of the Department of Correction.

Public Intoxication

[ACT 781 \(HB1280\)](#) amends the penalties for the offense of public intoxication when the person has two (2) or more prior convictions for public intoxication.

Seat Belt Violation

[ACT 743 \(SB575\)](#) provides that a defendant is not required to pay court costs for a seat belt violation if he or she pays the applicable fines before his or her first appearance.

Sentence Enhancement

[ACT 324 \(HB1403\)](#) establishes additional felony offenses for which a sentence enhancement may be applied if the felony offense was committed in the presence of a child.

Suspension of a Person's Driver's License

[ACT 704 \(SB513\)](#) provides that courts may waive a suspension of a person's driver's license as a penalty for violating a criminal law under certain circumstances.

Victim Impact Statement

[ACT 301 \(HB1126\)](#) amends the procedures concerning the presentation of a victim impact statement before the imposition of a sentence at a criminal trial.

Violence Against a Person at a Church

[ACT 1046 \(HB1809\)](#) provides for an additional term of imprisonment if a person purposely selected a victim because the victim was present on the grounds of or in a church or other place or worship at the time of the offense and the person then committed a serious felony involving violence against the victim.

SEX OFFENDERS

Duty to Register or Verify Registration

[ACT 587 \(SB351\)](#) provides that certain sex offenders are not required to register under the Sex Offender Registration Act of 1997.

Entry onto a School Campus

[ACT 187 \(HB1023\)](#) allows a person who is required to register as a sex offender and who is a great grandparent of or related within the second degree of consanguinity to a student enrolled in a public school to enter the campus of a kindergarten through grade twelve (K-12) school if certain requirements are met. The act also allows a person who is required to register as a sex offender, has been committed to the Division of Youth Services, and attends a school operated by the division of Youth Services to enter the campus of a public school.

Halloween Activities

[ACT 463 \(SB10\)](#) prohibits a person who has been assessed as a Level 3 or Level 4 sex offender from participating in certain Halloween-related activities.

Position of Public Trust

[ACT 987 \(SB183\)](#) prohibits a person who is required to register as a sex offender and who has been assessed as a Level 2, Level 3, or Level 4 sex offender from holding a position of public trust, which includes positions in public agencies that provide public safety services.

Recording a Person Under Fourteen

[ACT 621 \(SB8\)](#) prohibits certain sex offenders from recording a person under fourteen (14) years of age and posting the recording on the internet in certain circumstances.

CRIMINAL LAW AND PROCEDURE

SEX OFFENDERS

Registration and Reporting Requirements

[ACT 262 \(SB177\)](#) amends the time that a sex offender has to register and amends the time provided for and the methods of reporting for law enforcement agencies under the Sex Offender Registration Act of 1997.

Termination of a Person's Obligation to Register as a Sex Offender

[ACT 800 \(SB206\)](#) amends the laws concerning a person's ability terminate his or her obligation to register as a sex offender and the lifetime registration for certain repeat sex offenders.

TECHNICAL CORRECTIONS - CRIMINAL OFFENSES - TITLE 5

[ACT 380 \(SB357\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 5 of the Arkansas Code.

VICTIMS

Issuance of a No Contact Order

[ACT 1037 \(HB1673\)](#) amends the definition of a "no contact order" issued by a court to mean an order prohibiting contact with a specific person that is entered at or after a defendant's first appearance on charges.

Order of Protection

[ACT 908 \(HB1851\)](#) amends the law concerning the findings supporting and contents of an order of protection, specifically concerning notice of restrictions to the respondent and specific findings to be made by the court.

Privileged Communications

[ACT 499 \(HB1380\)](#) creates a privilege of communication between a victim of domestic violence and the personnel of a domestic violence shelter or center and makes confidential certain communications between a victim and a victim advocate.

Victim Impact Statement

[ACT 301 \(HB1126\)](#) amends the procedures concerning the presentation of a victim impact statement before the imposition of a sentence at a criminal trial.

WARRANTS AND CITATIONS

Issuance by a Court

[ACT 608 \(HB1679\)](#) amends the law concerning the issuance of an arrest warrant by a court and makes technical corrections to the law.

ECONOMIC DEVELOPMENT

BONDS AND FINANCING

Definitions

[ACT 1090 \(SB679\)](#) modifies definitions in the Local Government Capital Improvement Revenue Bond Act of 1985.

BUSINESS AND INDUSTRY DEVELOPMENT

Consolidated Incentive Act - Revised Tax Incentives

[ACT 327 \(HB1490\)](#) provides an additional tax credit under the Advantage Arkansas program if a certain hourly wage threshold is met; creates tiered investment thresholds for the Tax Back program; and allows the Arkansas Economic Development Commission to offer lower thresholds and additional payroll rebates for businesses located in certain counties.

Consolidation of Venture Capital Programs

[ACT 925 \(HB1920\)](#) consolidates the Venture Capital Investment Act of 2001 and the Arkansas Risk Capital Matching Fund Act of 2007.

ECONOMIC DEVELOPMENT

BUSINESS AND INDUSTRY DEVELOPMENT

Digital Products and Motion Picture Incentives

[ACT 367 \(HB1461\)](#) specifies that the rebates under the Digital Product and Motion Picture Industry Development Act of 2009 are at the discretion of the Executive Director of the Arkansas Economic Development Commission and extends the sunset date for the Digital Product and Motion Picture Industry Development Act of 2009.

Equity Investment Incentive Act - Sale of Tax Credits

[ACT 537 \(HB1546\)](#) clarifies the time period during which a tax credit under the Equity Investment Incentive Act of 2007 may be sold.

Opportunity Zones

[ACT 201 \(SB196\)](#) provides state tax incentives for investments in federally established opportunity zones in the state. The act is effective for tax years beginning on and after January 1, 2018.

DEVELOPMENT FINANCE AUTHORITY (ADFA)

Consolidation of Venture Capital Programs

[ACT 925 \(HB1920\)](#) consolidates the Venture Capital Investment Act of 2001 and the Arkansas Risk Capital Matching Fund Act of 2007.

ECONOMIC DEVELOPMENT COMMISSION (AEDC)

Changes to Enabling Legislation

[ACT 202 \(SB225\)](#) amends the laws concerning the Arkansas Economic Development Council and the Arkansas Economic Development Commission.

Workforce Services Data

[ACT 242 \(SB294\)](#) provides that the Arkansas Economic Development Commission is entitled to receive workforce services data under the Department of Workforce Services Law.

ENERGY CONSERVATION AND DEVELOPMENT

Arkansas Energy Office - Reporting

[ACT 790 \(HB1777\)](#) requires the Arkansas Energy Office to report on the Weatherization Assistance Program when applying for funding as described in the state plan, at midyear, and at the end of the year.

NATURAL AND CULTURAL RESOURCES

Local Food, Farm, and Jobs Act

[ACT 796 \(HB1853\)](#) amends the Local Food, Farms, and Jobs Act to require the program coordinator to assist local farm or food product providers in accessing agencies, distribution networks, and food service operators and to work with distributors to ensure availability of local farm or food products. The act requires the Arkansas Agriculture Department to compile and report on information received from entities.

RURAL DEVELOPMENT

Definitions

[ACT 830 \(HB1443\)](#) modifies the definitions of "area of operation" and "rural development project" and adds the definition of "healthcare facilities" in the Rural Development Authority Act. The act declares an emergency and is effective on and after April 9, 2019.

SCIENCE AND TECHNOLOGY

Small Wireless Facility Deployment Act

[ACT 797 \(HB1874\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 999 of 2019. The act is effective on and after September 1, 2019.

ECONOMIC DEVELOPMENT

SCIENCE AND TECHNOLOGY

Small Wireless Facility Deployment Act

[ACT 999 \(SB602\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 797 of 2019. The act is effective on and after September 1, 2019.

TECHNICAL CORRECTIONS - NATURAL RESOURCES AND ECONOMIC DEVELOPMENT - TITLE 15

[ACT 384 \(SB363\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 15 of the Arkansas Code.

EDUCATION - GENERAL

ADMINISTRATION - GENERALLY

Audits of Schools

[ACT 867 \(HB1934\)](#) repeals a provision allowing the governing body of a school to adopt a resolution requiring that its annual financial audit be performed and financial statements be presented in accordance with the guidelines prescribed by the Government Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office, if applicable.

BOARD OF EDUCATION

Curriculum - Development of Curriculum - Bleeding Control Training

[ACT 245 \(HB1014\)](#) requires each public school to provide bleeding control training to students in grades nine through twelve (9-12).

Ethics - Ethical Violations by Teachers

[ACT 475 \(SB307\)](#) amends the definition of "educator" with respect to ethical violations to include a person who holds a state teaching license at the time of the alleged violation even if the license expires during the pendency of the ethics complaint process and a person employed under an emergency teaching permit.

CURRICULUM

African-American History - Teaching Materials - Civil Rights Leaders and Events

[ACT 1018 \(HB1648\)](#) amends the law concerning African-American history in a public school to include certain American and Arkansan civil rights leaders and events.

American Heritage - Documents and Events for Teaching

[ACT 852 \(HB1747\)](#) expands the types of historical documents and events relating to American heritage that may be discussed, read, or posted in a public school building or classroom; allows a public school district to require that public high school students demonstrate knowledge and understanding of the nation's founding and documents relevant to the nation's founding in order to receive a certificate or diploma of graduation from the public school; and allows a public school district to require that a public high school teach students about the nation's founding and documents relevant to the nation's founding.

Bible Course

[ACT 1016 \(HB1626\)](#) requires the Department of Education, by the 2019-2020 school year, to identify, develop, and approve a Bible course that meets certain statutory requirements for high school credit.

Health Curriculum - Bleeding Control Training

[ACT 245 \(HB1014\)](#) requires each public school to provide bleeding control training to students in grades nine through twelve (9-12).

EDUCATION - GENERAL

CURRICULUM

Health Education - Primary Prevention Programs Act

[ACT 841 \(HB1621\)](#) creates the Primary Prevention Programs Act, which requires an education program concerning risk behavior that is provided to youth by or through a state agency or public school to utilize a primary prevention and risk avoidance program.

Personal and Family Finance Standards

[ACT 466 \(SB316\)](#) amends the law to allow a student in grade nine (9) to earn credit in a course that includes personal and family finance standards.

Science of Reading - Required Curriculum Programs

[ACT 83 \(SB153\)](#) amends the Right to Read Act to require that a public school include in its annual school-level improvement plan a literacy plan; requires that the curriculum, professional development, and graduate studies recommendations for a public school district and an open-enrollment public charter school be in accordance with the science of reading; and requires that the Department of Education create an approved list of curriculum programs for schools that are supported by the science of reading.

Weighted Credit

[ACT 632 \(SB478\)](#) amends the law concerning weighted credit to allow certain courses to receive weighted credit under certain circumstances determined by the Department of Education.

EDUCATION DEPARTMENT

Accountability - Public School in Need of Support

[ACT 631 \(SB477\)](#) amends the law concerning public school accountability by updating language regarding a "chronically under-performing school" to instead reference a school "in need of support."

Arkansas Public School Computer Network - Financial Management Systems Applications

[ACT 832 \(HB1498\)](#) requires public schools to use financial management system applications under the Arkansas Public School Computer Network for attendance, discipline, mark reporting, medical, and scheduling.

Background Checks - Requirement to Inform Educational Entities

[ACT 1040 \(HB1700\)](#) requires the Department of Education to inform an educational entity to which an individual is applying for employment whether the individual is eligible for employment based on the results of the individual's criminal records background check and Child Maltreatment Central Registry Check.

Child Nutrition Unit - Review of Public School Food Service Programs

[ACT 428 \(HB1356\)](#) creates the Hunger-Free Students' Bill of Rights Act; requires a public school to provide a meal or snack to a public school student; allows a public school to attempt to collect money owed for a public school student's school meal or snack; prohibits a public school from stigmatizing a public student who is unable to pay for a meal or snack; and requires the Department of Education Child Nutrition Unit to implement a system for reviewing the local practices of public school food service programs and provide model policies to public school districts.

Curriculum - Development of a Bible Course

[ACT 1016 \(HB1626\)](#) requires the Department of Education, by the 2019-2020 school year, to identify, develop, and approve a Bible course that meets certain statutory requirements for high school credit.

EDUCATION - GENERAL

EDUCATION DEPARTMENT

Determination of Weighted Credit

[ACT 632 \(SB478\)](#) amends the law concerning weighted credit to allow certain courses to receive weighted credit under certain circumstances determined by the Department of Education.

Division of Public School Academic Facilities and Transportation - Duties

[ACT 933 \(SB549\)](#) amends the purposes for which public school districts shall use the computerized management maintenance system and amends the actions that the Division of Public School Academic Facilities and Transportation may take with respect to a public school that is classified as in facilities distress.

Facilities - Arkansas Public School Academic Facility Manual - Traffic Study

[ACT 858 \(HB1847\)](#) amends the design and construction standards in the Arkansas Public School Academic Facility Manual regarding site selection for a public school district facility to allow a public school district to have a traffic study conducted by the Arkansas Department of Transportation.

Funding - National School Lunch State Categorical Funds

[ACT 532 \(HB1485\)](#) amends the law to allow national school lunch state categorical funds to be used for dyslexia programs and interventions and for recruiting and retaining effective teachers. The act also repeals the provisions of the law that allow public school districts to use excess national school lunch state categorical funds to supplement all classroom teacher salaries under certain conditions.

Human Trafficking - Training and Education

[ACT 937 \(SB593\)](#) requires the Department of Education and the Department of Human Services to collaborate on providing awareness and training materials to local school districts on human trafficking that include without limitation strategies for the prevention of child trafficking. The act also provides specific requirements for the content of the training materials on human trafficking.

Levels of Support

[ACT 1082 \(SB603\)](#) requires the Department of Education to provide levels of support to public school districts with certain scores on the state's prior year summative assessment for reading; requires certain public school districts to develop a literacy plan; and amends the approved purposes on which National School Lunch State Categorical Funds may be spent.

Notification Requirements

[ACT 757 \(HB1573\)](#) amends and repeals a number of laws with respect to public secondary education in Arkansas; requires the Department of Education to notify the Joint Education Committee when school performance reports are available online; amends the date by which public school districts shall update parental involvement plans; and requires public school districts to post school performance reports online within ten (10) days of notification from the department.

Professional Development - Professional Learning Credits Required

[ACT 666 \(HB1657\)](#) amends the law with respect to educator professional development and allows the Department of Education to determine the number and type of professional learning credits licensed personnel must earn each school year.

EDUCATION - GENERAL**EDUCATION DEPARTMENT*****Public School Districts in Fiscal Distress***

[ACT 929 \(SB483\)](#) amends the law to include failure to comply with business manager qualifications and reporting and debt request requirements as indicators of fiscal distress; amends the date by which the Department of Education shall notify a public school district that has experienced two (2) or more indicators of fiscal distress; allows for the gradual return of a public school district that is under state control due to fiscal distress to local control through a limited authority board; requires a public school district being removed from fiscal distress to be in a "monitoring" or "mentoring" status for a certain period of time; repeals the law relating to the Community Advisory Board; and amends the law to add provisions regarding best financial management practices, business manager qualifications, and monitoring.

Purchase or Lease of Computer Equipment

[ACT 757 \(HB1573\)](#) requires the Department of Education to obtain approval of the Joint Oversight Subcommittee on Educational Reform regarding the purchasing or leasing of computer equipment for the Arkansas Public School Computer Network.

Reimbursement of Educational Costs - Out-of-state Residential or Inpatient Facilities

[ACT 523 \(SB384\)](#) provides for consistency in the reimbursement of educational costs for students who are placed in a residential or inpatient facility that is located in a bordering state by requiring repayment by the Department of Education for educational costs related to the placement of a juvenile in an out-of-state residential or inpatient facility if the out-of-state residential or inpatient facility is located within a state that borders Arkansas.

Safe Schools Committee - Composition

[ACT 809 \(SB449\)](#) amends the composition of the Safe Schools Committee that is created by the Department of Education.

School District Boundaries - Geographic Information Systems

[ACT 757 \(HB1573\)](#) requires Arkansas Geographic Information Systems to make changes to school district boundary maps.

Standards for Accreditation - Maximum Number of Students

[ACT 979 \(HB1890\)](#) requires the Department of Education to establish in the Standards for Accreditation of Arkansas Public Schools and School Districts the maximum number of students that a teacher in grades five through twelve (5-12) is permitted to teach per school day.

Succeed Scholarship Program - Annual Report

[ACT 827 \(HB1400\)](#) requires the House Committee on Education and Senate Committee on Education to conduct a biennial study of the Succeed Scholarship Program to determine certain information and compile a final report; requires that private schools eligible under the Succeed Scholarship Program submit annually to the Department of Education in a format required by the Bureau of Legislative Research a report that contains certain information regarding students participating in the Succeed Scholarship Program; and requires that the department prepare and submit annually or obtain from its designated administrator for the Succeed Scholarship Program, in a format required by the Bureau of Legislative Research, a report regarding certain information concerning the Succeed Scholarship Program. The act requires the committees to file a report on a biennial basis beginning March 1, 2020.

EDUCATION - GENERAL**EDUCATIONAL COOPERATIVE*****Employment of Former Member of the General Assembly***

[ACT 661 \(HB1374\)](#) provides that a former member of the General Assembly elected or reelected on or after November 6, 2018, shall not enter into employment as the director of an educational cooperative or area agency on aging until two (2) years after the expiration of the term of office for which he or she was elected. The act declares an emergency and is effective on and after April 2, 2019.

EMPLOYEES***Drug Screening Permitted***

[ACT 323 \(HB1396\)](#) allows a public school district board of directors to implement a drug screening requirement for an applicant or current employee of a public school district.

Election Officials

[ACT 553 \(SB235\)](#) allows school employees to serve as election officials.

School Safety - Mandated Reporting

[ACT 530 \(HB1437\)](#) requires certain persons to notify law enforcement if they have a good faith belief that there is a serious and imminent threat to the public based on a threat made by an individual regarding violence in or targeted at a school that was communicated to them during the course of their professional duties. The act also creates criminal offenses concerning mandated reporters who knowingly or recklessly fail to notify law enforcement of the threat and persons who purposely make a false report of a threat regarding violence in or targeted at a school to law enforcement. Finally, the act provides immunity from civil and criminal liability to a person who notifies law enforcement in good faith of a threat regarding violence in or targeted at a school.

State and Public School Life and Health Insurance Program - Part-time Employees

[ACT 563 \(HB1223\)](#) provides that certain part-time public school employees are allowed to participate in the State and Public School Life and Health Insurance Program.

FINANCES***Energy Savings Contract***

[ACT 507 \(HB1636\)](#) adds new definitions and amends existing definitions that are applicable to the Guaranteed Energy Cost Savings Act and energy savings contracts. The act also amends the law concerning the length of a guaranteed energy savings contracts.

FUNDING***Academic Facilities Wealth Index - Method of Calculation Revised***

[ACT 1080 \(SB535\)](#) amends the method by which the academic facilities wealth index is calculated beginning with fiscal year 2022-2023.

Arkansas Public School Computer Network - Purchase or Lease of Computer Equipment

[ACT 757 \(HB1573\)](#) requires the Department of Education to obtain approval of the Joint Oversight Subcommittee on Educational Reform regarding the purchasing or leasing of computer equipment for the Arkansas Public School Computer Network.

Audits of Schools

[ACT 867 \(HB1934\)](#) repeals a provision allowing the governing body of a school to adopt a resolution requiring that its annual financial audit be performed and financial statements be presented in accordance with the guidelines prescribed by the Government Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office, if applicable.

EDUCATION - GENERAL

FUNDING

Foundation Funding

[ACT 667 \(HB1685\)](#) amends the funding amount for the 2019-2020 and 2020-2021 school years concerning per-student foundation funding, alternative learning environment funding, state categorical funding, professional development funding, and enhanced transportation funding. The act declares an emergency and is effective on and after April 3, 2019.

National School Lunch State Categorical Funding - Approved Purposes for Spending

[ACT 1082 \(SB603\)](#) requires the Department of Education to provide levels of support to public school districts with certain scores on the state's prior year summative assessment for reading; requires certain public school districts to develop a literacy plan; and amends the approved purposes on which National School Lunch State Categorical Funds may be spent.

National School Lunch State Categorical Funding - Name Change

[ACT 1083 \(SB605\)](#) amends the name of "National School Lunch State Categorical Funding" to "Enhanced Student Achievement Funding".

School-Age Children Eye and Vision Fund - Transfer to Public School Fund

[ACT 757 \(HB1573\)](#) amends the law to require biannual reporting by the Arkansas Commission on Eye and Vision Care of School-Aged Children and requires the transfer of any funds remaining in the School Aged-Children Eye and Vision Fund to be transferred to the Department of Education's Public School Fund to be used for school-based health centers.

OFFENSES AGAINST A SCHOOL

Threats to Commit Mass Violence

[ACT 969 \(HB1733\)](#) creates the offense of threatening to commit an act of mass violence on school property, which is a Class C felony.

SCHOOL DISTRICTS - GENERALLY

Adjudication or Conviction of Minor - Notice to School District

[ACT 647 \(HB1551\)](#) amends the law concerning the confidentiality of records under the Arkansas Juvenile Code of 1989 and requires school districts to be notified of the adjudication or conviction of a minor that relates to the minor's commission of certain offenses.

Annual Budget - Publication in Newspaper Required

[ACT 828 \(HB1404\)](#) requires that a public school district publish its budget one (1) time in a newspaper that is published in or has a bona fide circulation in the county or counties in which the public school district is administered.

Audits of Schools

[ACT 867 \(HB1934\)](#) repeals a provision allowing the governing body of a school to adopt a resolution requiring that its annual financial audit be performed and financial statements be presented in accordance with the guidelines prescribed by the Government Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office, if applicable.

Boards of Directors - Training - School Safety and Antibullying

[ACT 1029 \(HB1933\)](#) amends the law concerning the state antibullying policy; requires that a public school board of directors member receive information regarding school safety and student discipline; includes bullying and cyberbullying prevention training within a professional development program; and requires certain reporting and investigating requirements with respect to reports of bullying at a public school.

EDUCATION - GENERAL

SCHOOL DISTRICTS - GENERALLY

Bond Sale - Publication in Newspaper

[ACT 848 \(HB1702\)](#) requires the publication of a public school district's bond sale on at least two (2) separate dates in a newspaper that is published in or has a bona fide circulation in the county in which the public school district is administered.

Charter Schools - Adult Education Public Charter Schools - Operation

[ACT 960 \(HB1558\)](#) amends the law to ensure that more than one (1) adult education public charter school may operate in Arkansas.

Computerized Maintenance Management System - Purposes

[ACT 933 \(SB549\)](#) amends the purposes for which public school districts shall use the computerized management maintenance system and amends the actions that the Division of Public School Academic Facilities and Transportation may take with respect to a public school that is classified as in facilities distress.

Corporal Punishment - Use of Corporal Punishment on Certain Children Prohibited

[ACT 557 \(SB381\)](#) prohibits the use of corporal punishment on a child who is intellectually disabled, non-ambulatory, non-verbal, or autistic.

Counseling Program

[ACT 190 \(SB199\)](#) repeals the Public School Student Services Act and creates the School Counseling Improvement Act of 2019; requires that a public school district develop and implement a comprehensive school counseling program that ensures student services are coordinated in a manner that provides comprehensive support to all students; and requires that a public school district have a written plan for a comprehensive school counseling program.

Creation of New School Districts - Minimum Area and Attendance Requirements

[ACT 528 \(HB1416\)](#) amends the maximum average daily membership requirements for public school districts that are subject to minimum area and attendance requirements to schools that have an average daily membership of at least five thousand (5,000) students.

Electronic Notification and Submission of Bids

[ACT 1075 \(SB409\)](#) allows for the electronic notification of an invitation for bids and the electronic submission of bids if certain conditions are met.

Excess Food - Distribution of Excess Food Permitted

[ACT 602 \(HB1569\)](#) allows excess food distribution by a public school or an open-enrollment public charter school to a student who is enrolled in the public school or the open-enrollment public charter school.

Expulsion - Requirement to Provide Digital Learning or Alternative Courses

[ACT 709 \(HB1790\)](#) requires a public school district that expels a student to offer to the expelled student digital learning courses or alternative educational services for which the expelled student may receive credit.

EDUCATION - GENERAL**SCHOOL DISTRICTS - GENERALLY*****Fiscal Distress - Certain Actions Required***

[ACT 929 \(SB483\)](#) amends the law to include failure to comply with business manager qualifications and reporting and debt request requirements as indicators of fiscal distress; amends the date by which the Department of Education shall notify a public school district that has experienced two (2) or more indicators of fiscal distress; allows for the gradual return of a public school district that is under state control due to fiscal distress to local control through a limited authority board; requires a public school district being removed from fiscal distress to be in a "monitoring" or "mentoring" status for a certain period of time; repeals the law relating to the Community Advisory Board; and amends the law to add provisions regarding best financial management practices, business manager qualifications, and monitoring.

Home-schooled Students - Endorsed Concurrent Enrollment Course - Cost

[ACT 429 \(HB1413\)](#) prohibits a public school district or an open-enrollment public charter school from charging a private-school or a home-school student for the cost of an endorsed concurrent enrollment course unless a public school district or open-enrollment public charter school student is also charged for the endorsed concurrent enrollment course.

Lunch and Food Service

[ACT 428 \(HB1356\)](#) creates the Hunger-Free Students' Bill of Rights Act; requires a public school to provide a meal or snack to a public school student; allows a public school to attempt to collect money owed for a public school student's school meal or snack; prohibits a public school from stigmatizing a public student who is unable to pay for a meal or snack; and requires the Department of Education Child Nutrition Unit to implement a system for reviewing the local practices of public school food service programs and provide model policies to public school districts.

National Motto Display

[ACT 604 \(HB1607\)](#) provides guidance concerning the display of the national motto in schools, institutions of higher education, and other public buildings.

Open-enrollment Public Charter Schools - Waivers

[ACT 815 \(SB538\)](#) amends the law concerning the length of a waiver that is granted to an open-enrollment public charter school and amends the law concerning the designation by the Department of Education of a public school as a school of innovation.

Performance Reports - Parental Involvement Plans - Due Date

[ACT 757 \(HB1573\)](#) amends and repeals a number of laws with respect to public secondary education in Arkansas; requires the Department of Education to notify the Joint Education Committee when school performance reports are available online; amends the date by which public school districts shall update parental involvement plans; and requires public school districts to post school performance reports online within ten (10) days of notification from the department.

Personnel Policies - Exemption to Certain Laws

[ACT 728 \(SB392\)](#) repeals the exemption to certain laws related to personnel policies for school districts that officially recognize in their policies organizations that represent the majority of teachers in the school district for the purpose of negotiating personnel policies, salaries, and educational matters.

EDUCATION - GENERAL**SCHOOL DISTRICTS - GENERALLY*****Private-school and Home-school Students - Academic Courses - Enrollment***

[ACT 430 \(HB1419\)](#) requires a public school district and an open-enrollment public charter school to allow a private-school or a home-school student to enroll in an academic course at the public school district or the open-enrollment public charter school and allows a public school district and an open-enrollment public charter school to seek a waiver from the requirement.

Recess - Waivers

[ACT 641 \(HB1409\)](#) requires a minimum of forty (40) minutes for recess per school day; amends the law to consider supervision during recess as instructional duty time; and allows a public school to seek a waiver from the recess requirement if it submits to the Department of Education an alternative plan for recess that exceeds the requirement of forty (40) minutes for recess and provides for both structured and unstructured social time or if the school operates as a virtual school.

School Buses - Operation of School Buses - Radio Communications

[ACT 577 \(HB1683\)](#) excludes devices with push-to-talk capabilities from the definitions of "cellular telephone", "wireless telecommunications device", and "handheld wireless telephone" and allows an individual operating a school bus to use a two-way radio communications device or other similar device as a means of communicating with central dispatch, the school transportation department, or the equivalent of the school transportation department.

School Choice - Arkansas Opportunity Public School Choice Act

[ACT 754 \(HB1468\)](#) amends provisions of the law relating to school choice; makes technical changes to the law with respect to references concerning school districts that are in need of Level 5 - Intensive support and public schools that have a rating of "F" under certain laws and State Board of Education rules; and amends the law with respect to the Department of Education report regarding student participation in public school choice and opportunity school choice.

School Choice - Public Charter School - Charter

[ACT 761 \(HB1730\)](#) allows a charter authorizer to transfer and assign a public charter school's charter under the Arkansas Quality Charter Schools Act of 2013.

School District Board of Directors - Composition - Number of Directors

[ACT 824 \(HB1018\)](#) amends the population requirements that control the number of directors who serve on a public school district board of directors.

School District Boards of Directors - Membership

[ACT 168 \(HB1021\)](#) requires that newly elected members of a school district board of directors receive training or instruction regarding how to read and interpret an audit report.

School Safety - Institutional Law Enforcement Officer

[ACT 629 \(SB383\)](#) allows public school districts and open-enrollment public charter schools to establish and appoint an institutional law enforcement officer to exercise law enforcement authority on public school district and open-enrollment public charter school property.

Schools of Innovation

[ACT 815 \(SB538\)](#) amends the law concerning the length of a waiver that is granted to an open-enrollment public charter school and amends the law concerning the designation by the Department of Education of a public school as a school of innovation.

EDUCATION - GENERAL**SCHOOL DISTRICTS - GENERALLY*****Sex Offenders on Campus***

[ACT 187 \(HB1023\)](#) allows a person who is required to register as a sex offender and who is a great grandparent of or related within the second degree of consanguinity to a student enrolled in a public school to enter the campus of a kindergarten through grade twelve (K-12) school if certain requirements are met. The act also allows a person who is required to register as a sex offender, has been committed to the Division of Youth Services, and attends a school operated by the division of Youth Services to enter the campus of a public school.

Site Selection - Traffic Study

[ACT 858 \(HB1847\)](#) amends the design and construction standards in the Arkansas Public School Academic Facility Manual regarding site selection for a public school district facility to allow a public school district to have a traffic study conducted by the Arkansas Department of Transportation.

Student Attendance and Discipline

[ACT 640 \(HB1398\)](#) amends the law with respect to student attendance and discipline by allowing a school superintendent to have the discretion to modify a student's prescribed penalties on a case-by-case basis; requires behavioral intervention and classroom management training and support be provided and included in a public school district's student discipline policies; repeals the School Dismissal Act; and repeals the requirement that a public school superintendent recommend the expulsion of a student from school for a certain period of time of not less than one (1) year for possession of a firearm or other weapon on the public school campus.

Student Discipline Policies - Reports to the School Safety and Crisis Line

[ACT 1064 \(HB1963\)](#) requires the University of Arkansas for Medical Sciences Psychiatric Research Institute to establish and operate a pilot program that creates a school safety and crisis line known as ARSafeSchools that can be accessed through telephone, text message, and smartphone application; creates the ARSafeSchools fund for the creation and operation of the ARSafeSchools school safety and crisis line; and requires public school districts to update student discipline policies to account for reports through the ARSafeSchools school safety and crisis line.

SPECIAL EDUCATION***Succeed Scholarship Program - Eligibility***

[ACT 548 \(HB1467\)](#) amends the Succeed Scholarship Program to allow a student with an individualized service plan to participate in the Succeed Scholarship Program.

STUDENTS - GENERALLY***Albuterol Administration in Schools***

[ACT 851 \(HB1745\)](#) amends the laws concerning prescription asthma inhalers in school districts and public charter schools and authorizes school districts and public charter schools to acquire and stock albuterol for administration in certain situations.

Antibullying

[ACT 1029 \(HB1933\)](#) amends the law concerning the state antibullying policy; requires that a public school board of directors member receive information regarding school safety and student discipline; includes bullying and cyberbullying prevention training within a professional development program; and requires certain reporting and investigating requirements with respect to reports of bullying at a public school.

EDUCATION - GENERAL

STUDENTS - GENERALLY

Arkansas National Guard - Benefits for State Active Duty

[ACT 462 \(HB1522\)](#) extends state benefits given to service members on federal orders to members of the Arkansas National Guard on state active duty, including without limitation state benefits concerning education, elections, military affairs, occupational licensure, and driver's license renewal.

Attendance and Discipline - Penalties

[ACT 640 \(HB1398\)](#) amends the law with respect to student attendance and discipline by allowing a school superintendent to have the discretion to modify a student's prescribed penalties on a case-by-case basis; requires behavioral intervention and classroom management training and support be provided and included in a public school district's student discipline policies; repeals the School Dismissal Act; and repeals the requirement that a public school superintendent recommend the expulsion of a student from school for a certain period of time of not less than one (1) year for possession of a firearm or other weapon on the public school campus.

Attendance Requirements - Kindergarten

[ACT 756 \(HB1537\)](#) amends the law with respect to attendance requirements to update language regarding a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis and amends the law regarding the minimum age by which a student may enter kindergarten by allowing a student who was enrolled in a state-accredited or state-approved kindergarten program in another state or country to enroll in kindergarten in this state upon a written request to the school district and meeting certain qualifications.

Children of Military Families

[ACT 939 \(SB638\)](#) amends the Interstate Compact on Educational Opportunity for Children of Military Families and amends aspects of the law with respect to children of military families who are enrolled in a public school.

Educational Neglect

[ACT 554 \(SB250\)](#) amends the law concerning educational neglect and establishes when the Child Abuse Hotline is required to accept a report of educational neglect.

Expulsion - Alternatives for Academic Credit

[ACT 709 \(HB1790\)](#) requires a public school district that expels a student to offer to the expelled student digital learning courses or alternative educational services for which the expelled student may receive credit.

Extracurricular, Interscholastic, and Organized Physical Activities - Participation

[ACT 847 \(HB1701\)](#) prohibits the requirement that a public school student who participates in an extracurricular activity, interscholastic activity, or organized physical activity pay for individual or group instruction as a condition for the student's participation in the extracurricular activity, interscholastic activity, or organized physical activity.

Farm to School and Early Childhood Education Program

[ACT 506 \(HB1615\)](#) establishes a Farm to School and Early Childhood Education Program and creates a Farm to School and Early Childhood Education Program Coordinator Position within the Arkansas Agriculture Department to administer the program.

Home School - Participation in Interscholastic Activities

[ACT 656 \(HB1508\)](#) allows a home-schooled student approved to participate in an interscholastic activity at a private school to begin participating in an interscholastic activity at the private school immediately upon being approved to participate in the interscholastic activity.

EDUCATION - GENERAL**STUDENTS - GENERALLY*****Private School Students - Participation in Interscholastic Activities***

[ACT 764 \(HB1808\)](#) repeals the law that recommends that the Arkansas Activities Association allow private school students who attend an Arkansas Activities Association member private school that does not offer certain interscholastic activities to participate in certain interscholastic activities at a public high school under certain conditions.

Private-school and Home-school Students - Academic Courses - Enrollment

[ACT 430 \(HB1419\)](#) requires a public school district and an open-enrollment public charter school to allow a private-school or a home-school student to enroll in an academic course at the public school district or the open-enrollment public charter school and allows a public school district and an open-enrollment public charter school to seek a waiver from the requirement.

School Choice - Military Children

[ACT 171 \(HB1175\)](#) amends the deadline by which a student who has a parent or guardian who resides on a military base may apply for a transfer under the Public School Choice Act of 2015 and the Arkansas Opportunity Public School Choice Act of 2004.

School Choice - Succeed Scholarship Program - Eligibility Requirements

[ACT 1078 \(SB490\)](#) expands the eligibility requirements for students who participate in the Succeed Scholarship Program to include students who have been in the foster care system and have achieved permanency through adoption, reunification, or permanent guardianship and students who participated in the Succeed Scholarship Program during the prior school year and have not yet graduated from high school or attained twenty-one (21) years of age.

School Safety and Crisis Line

[ACT 1064 \(HB1963\)](#) requires the University of Arkansas for Medical Sciences Psychiatric Research Institute to establish and operate a pilot program that creates a school safety and crisis line known as ARSafeSchools that can be accessed through telephone, text message, and smartphone application; creates the ARSafeSchools fund for the creation and operation of the ARSafeSchools school safety and crisis line; and requires public school districts to update student discipline policies to account for reports through the ARSafeSchools school safety and crisis line.

Scoliosis Screening

[ACT 843 \(HB1641\)](#) amends the law concerning the rules involving scoliosis screening in schools to require the Division of Elementary and Secondary Education of the Department of Education to promulgate rules on this subject.

Student Publications - Free Expression

[ACT 912 \(HB1432\)](#) amends the Arkansas Student Publications Act to ensure that student journalists in public school districts may exercise their right of expression; ensures that expression made by a student journalist in student media is not the expression of a school district's policy; and amends the law to ensure that public school district officials and members of a public school district boards of directors are not held responsible in any civil or criminal action for a student journalist's expression in student media unless the school district officials or members of a public school district boards of directors interfered with, altered, or made substantial decisions with respect to the content of the student journalist's expression.

Use of Sunscreen

[ACT 247 \(HB1167\)](#) allows the possession and use of sunscreen in schools without a physician authorization.

EDUCATION - GENERAL**STUDENTS - GENERALLY*****Vaccinations - Exemptions to Vaccination Requirements***

[ACT 676 \(HB1786\)](#) requires a public or private school to create and maintain a report that provides certain information regarding the number and percentage of students within the public or private school who have an exemption from the requirement to obtain vaccinations and the number and percentage of students within the public or private school who have neither provided proof of vaccination nor obtained an exemption from the requirement to obtain vaccinations.

TEACHER RETIREMENT SYSTEM***Accounts***

[ACT 297 \(SB222\)](#) amends the law concerning retirement fund asset accounts, member deposit accounts, and contributions under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after July 1, 2019.

Benefits - Voluntary and Early Voluntary Retirement

[ACT 595 \(HB1335\)](#) amends the law concerning benefits received upon voluntary retirement and early voluntary retirement under the Arkansas Teacher Retirement System. The act provides that if a member has accrued a full year of service credit for a fiscal year, the annuity shall not begin earlier than on July 1 after the fiscal year. The act declares an emergency and is effective on and after July 1, 2019.

Benefits and Service Credit

[ACT 427 \(HB1320\)](#) amends the method for determining employer contribution rates and prohibits a benefit enhancement or ad hoc benefit that will cause unfunded actuarial accrued liabilities to exceed an eighteen-year amortization. The act clarifies the law concerning active member trustees who are employed in a position requiring an administrator's license, members who leave covered employment, amounts received in the form of a survivor annuity from the deposit account of a member, and credited service that is received by a member of the General Assembly. The act prohibits paid or unpaid accrued, unused sick leave from being credited as service and amends the law concerning the purchase of service credit for service earned in the National Guard or armed forces reserve. The act also amends the law concerning benefit stipends received by members and the method for determining when an increase in the benefit formula is effective. The act modifies the computation of a final average salary for retirement benefits and amends the law concerning when a participant's Deferred Retirement Option Plan account shall be credited. The act declares an emergency and is effective on and after July 1, 2019.

Correction of Errors - Contributory Service Credit and Contributions

[ACT 85 \(SB210\)](#) amends the law concerning the correction of errors in the records of the Arkansas Teacher Retirement System. The act provides that the system or its designee may cancel contributory service credit for the fiscal year in which a member contribution balance is due to the system if the member who owes the member contribution balance elects to have the system cancel the contributory service. Additionally, the act requires the system to return member contributions without interest for the affected portion of the fiscal year in which a member contribution balance is due if the system cancels contributory service credit in accordance with the election of the member.

EDUCATION - GENERAL**TEACHER RETIREMENT SYSTEM*****Credited Service***

[ACT 595 \(HB1335\)](#) amends the law concerning credited service under the Arkansas Teacher Retirement System. The act provides that the final average salary used shall be the that of the reciprocal system that furnishes the highest final average salary at the time of retirement. The act declares an emergency and is effective on and after July 1, 2019.

Disability Retirement

[ACT 209 \(HB1308\)](#) provides that a disability retiree may be employed by a covered employer and also receive a monthly disability retirement if the disability retiree provides the covered employer with less than eighty (80) days of actual service during a fiscal year. The act declares an emergency and is effective on and after July 1, 2019.

Fund Contributions and Fund Rates

[ACT 594 \(HB1310\)](#) amends the law concerning fund contributions and fund rates under the Arkansas Teacher Retirement System. The act requires a public school employer to pay employer contribution rates of up to fourteen percent (14%) and additional employer contributions of up to fifteen percent (15%) from additional funds appropriated by the State of Arkansas for the purpose of paying the Arkansas Teacher Retirement System employer contributions. The act declares an emergency and is effective on and after July 1, 2019.

Survivor Annuity Benefits

[ACT 210 \(HB1316\)](#) provides that a person who is the child of a deceased member of the Arkansas Teacher Retirement System is a dependent child and eligible to receive a dependent child annuity at eighteen (18) years of age or older but no older than twenty-three (23), if he or she stays continuously enrolled as a full-time student at an accredited secondary school, college, or university. The act declares an emergency and is effective on and after July 1, 2019.

Teacher Deferred Retirement Option Plan

[ACT 296 \(SB218\)](#) explains the method for calculating a plan deposit in the Teacher Deferred Retirement Option Plan when a member has at least thirty (30) years of credited service, including combined service with a reciprocal system and when the member is an early participant in the Teacher Deferred Retirement Option Plan. Additionally, the act authorizes the Board of Trustees of the Arkansas Teacher Retirement System to authorize early participation in the plan if a plan participant has at least twenty-eight (28) years but fewer than thirty (30) years of credited service, including combined service with a reciprocal system. The act declares an emergency and is effective on and after July 1, 2019.

TEACHERS - GENERALLY***Instructional Duties - Recess Included***

[ACT 641 \(HB1409\)](#) requires a minimum of forty (40) minutes for recess per school day; amends the law to consider supervision during recess as instructional duty time; and allows a public school to seek a waiver from the recess requirement if it submits to the Department of Education an alternative plan for recess that exceeds the requirement of forty (40) minutes for recess and provides for both structured and unstructured social time or if the school operates as a virtual school.

Licenses - Required Assessments

[ACT 540 \(HB1638\)](#) repeals the requirement that a person who is applying for the first time for an elementary education kindergarten through grade six (K-6) license or a special education license for kindergarten through grade twelve (K-12) pass a pedagogy assessment and instead requires the individual to demonstrate pedagogical competence.

EDUCATION - GENERAL**TEACHERS - GENERALLY*****Licensure - Alternative Licensure***

[ACT 603 \(HB1600\)](#) amends the law to consider an individual who earns a teaching license upon the successful completion of an alternative educator preparation program an eligible applicant under the State Teacher Education Program.

Licensure - Disqualifying Offenses

[ACT 536 \(HB1544\)](#) amends the offenses that disqualify an individual from receiving a first-time teaching license or renewal of a teaching license, including adding as disqualifying offenses the trafficking a person, patronizing a victim of human trafficking, aggravated assault on a family member or household member, and committing computer crimes against a minor.

Professional Development - Antibullying

[ACT 1029 \(HB1933\)](#) amends the law concerning the state antibullying policy; requires that a public school board of directors member receive information regarding school safety and student discipline; includes bullying and cyberbullying prevention training within a professional development program; and requires certain reporting and investigating requirements with respect to reports of bullying at a public school.

Professional Development - Science of Reading

[ACT 83 \(SB153\)](#) amends the Right to Read Act to require that a public school include in its annual school-level improvement plan a literacy plan; requires that the curriculum, professional development, and graduate studies recommendations for a public school district and an open-enrollment public charter school be in accordance with the science of reading; and requires that the Department of Education create an approved list of curriculum programs for schools that are supported by the science of reading.

Professional Development Requirements

[ACT 666 \(HB1657\)](#) amends the law with respect to educator professional development and allows the Department of Education to determine the number and type of professional learning credits licensed personnel must earn each school year.

Reinstatement of Revoked Teaching Licenses

[ACT 628 \(SB382\)](#) amends the law to allow for the reinstatement of a revoked teaching license under certain conditions.

Salary

[ACT 170 \(HB1145\)](#) creates the Teacher Salary Enhancement Act of 2019 and increases the minimum levels of compensation for a basic teacher contract for the 2019-2020 school year and the 2020-2021 school year. The act declares an emergency and is effective on and after July 1, 2019.

Students - Maximum Number of Students

[ACT 979 \(HB1890\)](#) requires the Department of Education to establish in the Standards for Accreditation of Arkansas Public Schools and School Districts the maximum number of students that a teacher in grades five through twelve (5-12) is permitted to teach per school day.

Teacher of the Year - Eligibility

[ACT 251 \(HB1319\)](#) amends the Arkansas Teacher of the Year Act to allow anyone who holds a license and is engaged in student contact for a certain amount of time be eligible to be Teacher of the Year.

EDUCATION - GENERAL

TECHNICAL CORRECTIONS - EDUCATION - TITLE 6

[ACT 692 \(SB358\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 6 of the Arkansas Code.

TRANSPORTATION

School Buses - Unlawful Passing

[ACT 166 \(HB1006\)](#) increases the fine imposed for the unlawful passing of a stopped school bus by the operator of a motor vehicle. The act also increases the penalty for the operator of a motor vehicle or motorcycle who unlawfully passes a stopped school bus while demonstrating a reckless disregard for the safety of the passengers of the school bus to a Class A misdemeanor.

EDUCATION - HIGHER

CAREER AND TECHNICAL EDUCATION

Building Trades Construction Program

[ACT 239 \(SB202\)](#) repeals the Phillips Community College of the University of Arkansas Building Trades Construction Program.

Economic Security Report of Employment and Earnings Outcomes - Electronic Access

[ACT 235 \(SB141\)](#) requires a state-supported technical institute to provide an enrolled student with electronic access to the Economic Security Report of Employment and Earnings Outcomes prepared by the Department of Workforce Services.

Student Loans - Student Loan Forgiveness

[ACT 237 \(SB181\)](#) repeals the Technical Careers Student Loan Forgiveness Program.

CAREER EDUCATION

Career Education and Workforce Development Board - Duties

[ACT 1079 \(SB522\)](#) creates a comprehensive statewide workforce development system; amends the law to coordinate various workforce programs; and amends the duties of members serving on the Career Education and Workforce Development Board. The act declares an emergency and is effective on and after April 17, 2019.

Secondary Vocational Area Centers - Funding

[ACT 179 \(SB135\)](#) amends the funding method for secondary vocational area centers and creates a tiered system of determining the amount of vocational center aid for each secondary vocational area center.

EMPLOYEES

Career Service Recognition Payments

[ACT 914 \(HB1706\)](#) provides for an increase in the annual career service recognition payments for state employees and employees of institutions of higher education.

Higher Education Uniform Classification and Compensation

[ACT 763 \(HB1741\)](#) amends the Higher Education Uniform Classification and Compensation Act, including revising the compensation plan, grades, and titles for higher education employees; revises provisions of law pertaining to salary adjustments, new appointments, compensation differentials, position pools, and merit increase pay systems; and allows for the implementation of information technology labor market rates for recruitment and retention. The act declares an emergency and is effective on and after July 1, 2019.

EDUCATION - HIGHER**HIGHER EDUCATION COORDINATING BOARD*****Approval of Schools - Cosmetological Schools***

[ACT 369 \(SB140\)](#) amends the name of the Youth Apprenticeship/Work-Based Learning Program to a "work-based learning program"; repeals the requirement that apprenticeship training programs have a co-sponsor; requires the Arkansas Higher Education Coordinating Board approve cosmetological schools in public educational institutions; and requires a member who represents four-year state-supported institutions of higher education sit on the Career Education and Workforce Development Board.

Membership

[ACT 55 \(SB56\)](#) repeals a specific reference to the requirement that members of the Arkansas Higher Education Coordinating Board consist of members from public two-year colleges; repeals the requirement that a person currently serving on a board of a state-supported institution of higher education relinquish his or her membership on the board in order to serve on the Arkansas Higher Education Coordinating Board; and increases the number of members selected from non-academic industries.

Membership Requirements

[ACT 1084 \(SB619\)](#) amends the membership requirements for the Arkansas Higher Education Coordinating Board to include six (6) members who are qualified electors of Arkansas and graduates of public two-year or four-year institutions of higher education and requires an appointee to the Arkansas Higher Education Coordinating Board who is serving as a member of a board of a two-year or four-year institution of higher education at the time of his or her appointment to the Arkansas Higher Education Coordinating Board to relinquish his or her membership on the board of the two-year or four-year institution of higher education.

HIGHER EDUCATION DEPARTMENT***Private Career School Student Protection Trust Fund - Uses***

[ACT 755 \(HB1509\)](#) exempts schools located outside of Arkansas that offer education or training outside of Arkansas and do not participate in distance education from the law concerning private resident and correspondence schools; assesses a fee on newly licensed private resident and correspondence schools regardless of the balance in the Private Career School Student Protection Trust Fund; allows amounts in the Private Career School Student Protection Trust Fund over two hundred thousand dollars (\$200,000) to be used for certain purposes; prioritizes the funding of veterinary medicine student loans at Mississippi State University College of Medicine; and allows recipients of Arkansas Governor's Distinguished Scholarships to receive Arkansas Academic Challenge Scholarships.

Reports - Productivity Enhancement

[ACT 256 \(HB1408\)](#) requires a financial condition report to be submitted by the Department of Higher Education; repeals the law creating the Southwest Arkansas Higher Education Consortium; repeals the Productivity Enhancement for Undergraduate Higher Education Act; repeals the requirement that an institution of higher education report to the Legislative Council its findings regarding a performance review of the Sustainable Energy-Efficient Buildings Program; and repeals the requirement that an institution of higher education file with the Secretary of State its rules and regulations regarding motor vehicles on institutional grounds.

INSTITUTIONS OF HIGHER EDUCATION***Annual Evaluation of Vocational-Technical Courses***

[ACT 337 \(SB108\)](#) repeals the annual evaluation of vocational-technical courses by the Legislative Council, the House Committee on Education, and the Senate Committee on Education.

EDUCATION - HIGHER**INSTITUTIONS OF HIGHER EDUCATION*****Employees - Maximum Number of New Additional Positions***

[ACT 710 \(HB1825\)](#) amends the maximum number of new additional positions permitted for Arkansas State University - Jonesboro and amends the maximum number of new additional positions permitted for Southern Arkansas University. The act declares an emergency and is effective on and after July 1, 2019.

Free Speech - Certain Institutions Excluded

[ACT 633 \(SB528\)](#) amends Act 184 of 2019 to exclude a private institution of higher education from the requirements under Act 184 concerning students' freedom of speech.

Maximum Number of Passenger Vehicles

[ACT 942 \(SB651\)](#) amends the maximum number of passenger motor vehicles allowed for certain institutions of higher education. The act declares an emergency and is effective on and after July 1, 2019.

National Motto Display

[ACT 604 \(HB1607\)](#) provides guidance concerning the display of the national motto in schools, institutions of higher education, and other public buildings.

Private Resident and Correspondence Schools - Financial Aid

[ACT 755 \(HB1509\)](#) exempts schools located outside of Arkansas that offer education or training outside of Arkansas and do not participate in distance education from the law concerning private resident and correspondence schools; assesses a fee on newly licensed private resident and correspondence schools regardless of the balance in the Private Career School Student Protection Trust Fund; allows amounts in the Private Career School Student Protection Trust Fund over two hundred thousand dollars (\$200,000) to be used for certain purposes; prioritizes the funding of veterinary medicine student loans at Mississippi State University College of Medicine; and allows recipients of Arkansas Governor's Distinguished Scholarships to receive Arkansas Academic Challenge Scholarships.

Service Areas - Marketing and Services

[ACT 944 \(SB659\)](#) allows a state-supported two-year institution of higher education to market and provide services to any individual in Arkansas regardless of the service area in which the individual resides.

Southwest Arkansas Higher Education Consortium - Reports - Rules

[ACT 256 \(HB1408\)](#) requires a financial condition report to be submitted by the Department of Higher Education; repeals the law creating the Southwest Arkansas Higher Education Consortium; repeals the Productivity Enhancement for Undergraduate Higher Education Act; repeals the requirement that an institution of higher education report to the Legislative Council its findings regarding a performance review of the Sustainable Energy-Efficient Buildings Program; and repeals the requirement that an institution of higher education file with the Secretary of State its rules and regulations regarding motor vehicles on institutional grounds.

Technical Institutes - Housing Construction Program

[ACT 335 \(SB96\)](#) repeals the Housing Construction Program that was created for state-supported technical institutes that offer courses of training in the building trades and repeals the Building Trades Revolving Fund that was established for the House Construction Program.

EDUCATION - HIGHERINSTITUTIONS OF HIGHER EDUCATION***University of Arkansas Community College at Hope - Name Change***

[ACT 204 \(SB228\)](#) amends the name of "University of Arkansas Community College at Hope" to "University of Arkansas Community College at Hope-Texarkana." The act declares an emergency and is effective on and after July 1, 2019.

PROGRAMS OF STUDY***Annual Evaluation of Vocational-Technical Courses***

[ACT 337 \(SB108\)](#) repeals the annual evaluation of vocational-technical courses by the Legislative Council, the House Committee on Education, and the Senate Committee on Education.

Teacher Certification - Science of Reading Curriculum

[ACT 83 \(SB153\)](#) amends the Right to Read Act to require that a public school include in its annual school-level improvement plan a literacy plan; requires that the curriculum, professional development, and graduate studies recommendations for a public school district and an open-enrollment public charter school be in accordance with the science of reading; and requires that the Department of Education create an approved list of curriculum programs for schools that are supported by the science of reading.

SCHOLARSHIPS, GRANTS, AND FINANCIAL AID***Academic Support Scholarship***

[ACT 1026 \(HB1901\)](#) creates the Academic Support Scholarship to be administered by the Department of Higher Education to cover costs, including without limitation tutoring, assessment fees, educational materials, and technology fees, if a student who is applying for the scholarship meets certain qualifications.

Arkansas Academic Challenge Program - Arkansas Governor's Scholarship

[ACT 834 \(HB1824\)](#) allows a recipient of an Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship to continue to receive the scholarship in his or her fourth academic year while he or she is enrolled as a part-time student under certain conditions and amends the law to allow a recipient of an Arkansas Academic Challenge Scholarship to receive the scholarship while he or she is enrolled as a part-time student.

Arkansas Academic Challenge Scholarship Program - Part 2 - Eligibility - ACT Scores

[ACT 549 \(HB1647\)](#) amends the law concerning the eligibility requirements for the Arkansas Academic Challenge Scholarship Program - Part 2 to allow for a student's minimum superscore on the ACT or an ACT-equivalent exam to be considered.

Arkansas Concurrent Challenge Scholarship

[ACT 456 \(SB343\)](#) creates the Arkansas Concurrent Challenge Scholarship, which provides for an additional use of excess lottery proceeds to fund scholarships for certain students who are enrolled in endorsed concurrent enrollment courses or certificate programs.

Arkansas Future Grant Program - Eligible Programs of Study

[ACT 618 \(SB407\)](#) amends the eligible programs of study for a student who receives an Arkansas Future Grant to include accounting, finance, nursing, education, information technology, data analysis, or graphic design and amends the requirement that students who receive an Arkansas Future Grant receive mentoring services and complete community service requirements.

Delinquent Student Loans and Scholarships - Effect on Licensure

[ACT 250 \(HB1296\)](#) ensures that default or delinquent student loans or scholarships do not result in suspension or revocation of a license.

EDUCATION - HIGHER

SCHOLARSHIPS, GRANTS, AND FINANCIAL AID

Medical Education Grants and Loans - Eligibility

[ACT 854 \(HB1785\)](#) creates the Graduate Medical Education Residency Expansion Board and requires the Graduate Medical Education Residency Expansion Board to administer and distribute planning grants to certain entities in order to establish additional first-year residency programs, establish new graduate medical education programs with first-year residency positions, and support additional years of residency for certain individuals.

Osteopathic Rural Medical Practice Student Loan and Scholarship

[ACT 857 \(HB1841\)](#) creates the Osteopathic Rural Medical Practice Student Loan and Scholarship and creates the Osteopathic Rural Medical Practice Student Loan and Scholarship Board to administer the scholarship. The act declares an emergency and is effective on and after July 1, 2019.

STUDENTS

Free Speech

[ACT 184 \(SB156\)](#) establishes the Forming Open and Robust University Minds (FORUM) Act, which protects the free speech rights of student on public institutions of higher education.

Student Journalists - Freedom of Expression

[ACT 395 \(HB1231\)](#) provides that a student journalist enrolled in a public institution of higher education has the right to engage in protected activities in school-sponsored media and establishes which forms of school-sponsored media are not protected under the law.

TUITION AND FUNDING

Arkansas National Guard - Tuition Benefits

[ACT 535 \(HB1514\)](#) amends the law regarding tuition benefits for soldiers and airmen of the Arkansas National Guard to allow the cost of a soldier's or airman's mandatory fees charged by an institution of higher education to be paid for with available funds allocated by the Department of Higher Education for purposes of tuition benefits for soldiers and airmen of the Arkansas National Guard.

In-State Tuition - Nontraditional Documented Immigration Status

[ACT 844 \(HB1684\)](#) amends the law to allow a state-supported institution of higher education to classify students who have nontraditional documented immigration status as in-state for purposes of tuition and fees at the state-supported institution of higher education under certain conditions.

ELECTIONS

ABSENTEE VOTING

State Active Duty

[ACT 462 \(HB1522\)](#) extends state benefits given to service members on federal orders to members of the Arkansas National Guard on state active duty, including without limitation state benefits concerning education, elections, military affairs, occupational licensure, and driver's license renewal.

BOARD OF ELECTION COMMISSIONERS

Audits

[ACT 888 \(SB524\)](#) provides authority and a process for auditing of the voting machines by the State Board of Election Commissioners after each election.

ELECTIONS

BOARD OF ELECTION COMMISSIONERS

County Boards

[ACT 966 \(HB1666\)](#) prohibits the chair of a county political party or the secretary of a county political party from serving as a member of a county board of election commissioners; clarifies the duties and authority of county boards of election commissioners; and provides a process for conduct of elections when an election official is unexpectedly absent.

CAMPAIGN PRACTICES

Campaign Material

[ACT 222 \(HB1291\)](#) allows a candidate running for public office to use campaign materials created before July 24, 2019.

Certain Criminal Convictions

[ACT 894 \(SB650\)](#) prohibits candidacy for a constitutional office if the candidate has been convicted of embezzlement of public money, bribery, forgery, or other infamous crime and provides for enforcement in court by a prosecuting attorney, the Arkansas Ethics Commission, or any citizen.

Electioneering

[ACT 533 \(HB1504\)](#) defines "electioneering" in the context of the prohibition of electioneering in or near a polling site.

Independent Expenditure Committees

[ACT 1058 \(HB1878\)](#) requires political action committees and independent expenditure committees to identify themselves on signs, campaign literature, and other printed campaign materials that are paid for by the committees.

Investigations

[ACT 547 \(HB1393\)](#) provides a process for the Arkansas Ethics Commission to extend the time for its investigations and hearings by sixty (60) days. The act declares an emergency and is effective on and after March 21, 2019.

Penalties for Violations

[ACT 341 \(SB249\)](#) increases the penalty for violations of the law concerning campaign finance, ethics, and disclosures related to initiatives, referenda, measures, lobbyists, state officials, and local officials.

Reporting

[ACT 240 \(SB205\)](#) makes the caps on contributions to candidates per election applicable to all persons; amends the dates and conditions for filing certain campaign contribution and expenditure reports; and clarifies that the Arkansas Ethics Commission does not have enforcement jurisdiction over municipal, county, or township ethics violations.

COUNTY ELECTIONS

Political Action Committees

[ACT 1058 \(HB1878\)](#) requires political action committees and independent expenditure committees to identify themselves on signs, campaign literature, and other printed campaign materials that are paid for by the committees.

Runoff Elections

[ACT 207 \(HB1246\)](#) sets runoff election dates for county and municipal offices four (4) weeks after the general election.

DEADLINES

Candidate Filing Period

[ACT 597 \(HB1420\)](#) amends the candidate filing period, candidate petition circulation period, and the date notification process for the annual school election. The act declares an emergency and is effective on and after July 1, 2019.

ELECTIONS

DEADLINES

Independent Candidacy

[ACT 68 \(HB1152\)](#) requires a petition for independent candidacy to be filed no later than noon on May 1 of the year in which the general election is to be held.

FINANCE

Campaign Funds - Personal Income

[ACT 879 \(SB258\)](#) increases the penalty for taking campaign funds as personal income.

Carryover Funds - Reimbursement

[ACT 845 \(HB1697\)](#) amends the campaign finance laws to allow reimbursable travel expenses to be paid from and reimbursed to candidate carryover funds.

Compensation to Election Officials

[ACT 539 \(HB1571\)](#) provides that an election official may work as a volunteer without compensation or reimbursement of expenses.

Contribution Limits

[ACT 240 \(SB205\)](#) makes the caps on contributions to candidates per election applicable to all persons; amends the dates and conditions for filing certain campaign contribution and expenditure reports; and clarifies that the Arkansas Ethics Commission does not have enforcement jurisdiction over municipal, county, or township ethics violations.

Penalties for Violations

[ACT 341 \(SB249\)](#) increases the penalty for violations of the law concerning campaign finance, ethics, and disclosures related to initiatives, referenda, measures, lobbyists, state officials, and local officials.

Reports - Paper Reports

[ACT 1039 \(HB1698\)](#) requires the Secretary of State to maintain lists of all campaign finance reports not filed in electronic form and post the lists on the website. The act also provides an alternative to electronic filing for some reports. The act applies to candidates, political action committees, and independent expenditure committees.

INITIATED OR REFERRED MEASURES

Ballot Title and Popular Name

[ACT 376 \(SB346\)](#) revises the procedures for petitions and referred constitutional amendments, including revising the process for the submission of ballot titles and popular names of petitions before circulation and requiring the State Board of Election Commissioners to determine whether to certify the ballot title and popular name after a statewide initiative petition or statewide referendum petition is submitted to the Secretary of State for determination of the sufficiency of the signatures. The act also revises the law regarding the penalty for petition fraud, the signing and form of petitions, the counting of signatures, challenges to constitutional amendments proposed by the General Assembly, and the hiring and training of paid canvassers. The act declares an emergency and is effective on and after March 8, 2019.

MUNICIPAL ELECTIONS

Ballots - Unopposed Candidate for City Clerk

[ACT 254 \(HB1366\)](#) provides that the name of an unopposed candidate for city clerk will be placed on the ballot separately from the other unopposed candidates.

Runoff

[ACT 642 \(HB1444\)](#) provides for runoff elections for the office of mayor in a city manager form of government to be held four (4) weeks after the general election.

ELECTIONS

MUNICIPAL ELECTIONS

Runoff Elections

[ACT 207 \(HB1246\)](#) sets runoff election dates for county and municipal offices four (4) weeks after the general election.

POLITICAL PARTIES

Certification of Nominees

[ACT 649 \(HB1804\)](#) allows a range of times within which political parties may certify their nominees by county convention and provides procedures for certification of information between the political parties and the county boards of election commissioners.

Petition to Form

[ACT 164 \(SB163\)](#) amends the signature requirement for petitions to form a new political party to require a number of signatures that equals or exceeds three percent (3%) of the total votes cast for the Office of Governor in the immediately preceding gubernatorial election. The act declares an emergency and is effective on and after February 18, 2019.

Procedures

[ACT 648 \(HB1740\)](#) allows political parties to establish procedures for the election of state committee members, county political party committee members, and county convention delegates and for filling vacancies in nomination by rule. The act also creates a continuing requirement that the political parties provide current copies of their rules to the State Board of Election Commissioners.

PRIMARY ELECTIONS

Dates

[ACT 545 \(SB445\)](#) provides for a March preferential primary election in the years in which the office of President of the United States is voted on and a May preferential primary election in the years in which the office of Governor is voted on.

Unopposed Candidates - Placement on the Ballot

[ACT 1013 \(HB1460\)](#) provides for the placement of unopposed candidates for the offices of Mayor, Governor, Circuit Clerk, or City Clerk the office of a non-judicial state elected official on the ballot.

RUNOFF ELECTIONS

County and Municipal Offices

[ACT 207 \(HB1246\)](#) sets runoff election dates for county and municipal offices four (4) weeks after the general election.

Mayor

[ACT 642 \(HB1444\)](#) provides for runoff elections for the office of mayor in a city manager form of government to be held four (4) weeks after the general election.

SCHOOL ELECTIONS

Annual School Election Date

[ACT 597 \(HB1420\)](#) amends the candidate filing period, candidate petition circulation period, and the date notification process for the annual school election. The act declares an emergency and is effective on and after July 1, 2019.

Domicile Counties

[ACT 552 \(SB158\)](#) provides guidance and a procedure for conducting school elections in districts that are situated in more than one (1) county.

Election Kits - No Longer Provided

[ACT 757 \(HB1573\)](#) repeals the requirement that the Department of Education provide election kits for school district elections.

ELECTIONS

SCHOOL ELECTIONS

Election Officials

[ACT 553 \(SB235\)](#) allows school employees to serve as election officials.

Notice

[ACT 473 \(SB233\)](#) clarifies and simplifies the notice requirements concerning school elections.

VOTER REGISTRATION

Cancellation

[ACT 290 \(HB1388\)](#) provides a mechanism for county clerks to automatically cancel the voter registration of a person who is dismissed by the court from sitting on a jury for lack of United States citizenship.

VOTING MACHINES

Audits

[ACT 888 \(SB524\)](#) provides authority and a process for auditing of the voting machines by the State Board of Election Commissioners after each election.

VOTING PROCEDURES

Absent Election Officials

[ACT 966 \(HB1666\)](#) prohibits the chair of a county political party or the secretary of a county political party from serving as a member of a county board of election commissioners; clarifies the duties and authority of county boards of election commissioners; and provides a process for conduct of elections when an election official is unexpectedly absent.

Ballots - Candidate Surname

[ACT 527 \(HB1364\)](#) requires a candidate's surname to appear on the ballot.

Ballots - Inspection

[ACT 534 \(HB1513\)](#) allows a member of a county board of election commissioners to inspect the back of a ballot for administrative purposes when hand-counting votes.

Ballots - Time to Mark

[ACT 664 \(HB1503\)](#) provides ten (10) minutes for a voter to mark his or her ballot.

Ballots - Unopposed Candidate for City Clerk

[ACT 254 \(HB1366\)](#) provides that the name of an unopposed candidate for city clerk will be placed on the ballot separately from the other unopposed candidates.

Election Officials - High School Students

[ACT 328 \(HB1492\)](#) allows high school students to volunteer as election officials.

Election Officials - Persons Prohibited from Serving

[ACT 258 \(HB1426\)](#) prohibits the spouse of a candidate, a relative within the second degree of consanguinity to a candidate, the spouse of a member of a county board of election commissioners, a county party chairman, or the spouse of a county party chairman from serving as an election official.

Polling Site

[ACT 965 \(HB1665\)](#) limits access to a vote processing area to election officials performing their duties and authorizes an election official to remove a person from a polling site if he or she unlawfully comments on or interprets the ballot of the voter the person is assisting.

Provisional Ballot

[ACT 109 \(SB159\)](#) repeals the requirement that a ballot stub be attached to a provisional ballot when a ballot marking device is used.

ELECTIONS

VOTING PROCEDURES

Public Notice

[ACT 199 \(SB160\)](#) allows the election officials at a polling site with fifteen (15) or more ballot styles to post the sample ballots on a public website and in bound volumes.

Sites

[ACT 949 \(HB1306\)](#) provides for a modification in the law concerning the number of voting sites in a city of the first class.

Voter Identification

[ACT 684 \(HB1868\)](#) allows digital photographic identification cards to be used as the voter identification required to vote.

Voting Machines

[ACT 398 \(HB1455\)](#) makes technical changes to the law to reflect that the printout from voting machines will show that the candidate and question counters register zero (0) as they are designed to do.

Voting Machines

[ACT 399 \(HB1465\)](#) makes technical changes to the law concerning voter-verified paper audit trails to provide consistency with the statewide technology upgrades of voting machines.

EMERGENCY SERVICES

EMERGENCY MANAGEMENT DEPARTMENT

Arkansas Wireless Information Network

[ACT 702 \(SB458\)](#) transfers the Arkansas Wireless Information Network to the Division of Emergency Management. The act declares an emergency and is effective on and after July 1, 2019.

MANAGEMENT

Geolocation of Internet Protocol Address

[ACT 584 \(SB204\)](#) provides the guidelines for requesting and providing geolocation of an internet protocol address by a commercial third party in an emergency situation.

Public Safety Communications - Next Generation 911 System

[ACT 660 \(HB1564\)](#) creates the Public Safety Act of 2019, which amends the Arkansas Public Safety Communications Act of 1985 and develops a next generation 911 system. The sections of this act concerning emergency telephone service charges and prepaid wireless public safety charges are effective on and after October 1, 2019.

Special Events

[ACT 397 \(HB1415\)](#) creates the Arkansas Public Events Committee to develop a suggested standard security protocol of best practices for admission procedures for public events held at arenas, stadiums, auditoriums, and other facilities designed to hold a large number of people.

MEDICAL SERVICES

Position of Public Trust - Sex Offenders

[ACT 987 \(SB183\)](#) prohibits a person who is required to register as a sex offender and who has been assessed as a Level 2, Level 3, or Level 4 sex offender from holding a position of public trust, which includes positions in public agencies that provide public safety services.

EMERGENCY SERVICES

PERSONNEL

Arkansas Firefighter Cancer Relief Network Trust Fund

[ACT 823 \(SB585\)](#) creates the Arkansas Firefighter Cancer Relief Network Trust Fund to be administered by the State Insurance Department through donations. The act provides that the trust fund will be used to fund relief for firefighters who are diagnosed with cancer and who are participating in a firefighter cancer relief network created and governed by the Arkansas Association of Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association Inc.

National Emergency Medical Services Certification

[ACT 958 \(HB1547\)](#) requires that persons licensed to provide emergency medical services or advanced life support rescue services maintain continual certification by the National Registry of Emergency Medical Technicians.

Protection from Life-threatening Diseases and HIV

[ACT 253 \(HB1365\)](#) amends the law to ensure that law enforcement officers and personnel are protected from life-threatening diseases. The act also amends the HIV Shield Law to include protection for law enforcement officers, law enforcement personnel, and emergency response workers.

TRANSPORTATION

Nonemergency Behavioral Health Patients

[ACT 1041 \(HB1710\)](#) creates the Task Force on Transportation of Nonemergency Behavioral Health Patients to study the impact of transporting nonemergency behavioral health patients by emergency medical services personnel and equipment.

ENERGY

CONSERVATION

Public Buildings

[ACT 674 \(HB1776\)](#) amends the law concerning the Sustainable Energy-Efficient Building Program; amends the standards for major facilities and major renovations; amends the duties and responsibilities of the Arkansas Energy Office of the Arkansas Department of Environmental Quality that relate to managing a public agency's energy usage and suggesting energy conservation measures that are used in public buildings; and amends provisions of law that exempt the board of trustees of certain institutions of higher education from complying with the Sustainable Energy-Efficient Building Act.

REGULATION

Energy Savings

[ACT 507 \(HB1636\)](#) adds new definitions and amends existing definitions that are applicable to the Guaranteed Energy Cost Savings Act and energy savings contracts. The act also amends the law concerning the length of a guaranteed energy savings contracts.

RENEWABLE ENERGY

Commission Authority

[ACT 464 \(SB145\)](#) adds new definitions and amends existing definitions that are applicable to the Arkansas Renewable Energy Development Act. The act also amends the law concerning the authority of the Arkansas Public Service Commission and creates a new section that addresses the authority of a municipal utility with regard to net-metering facilities.

ENVIRONMENTAL LAW**AIR POLLUTION AND CONTROL*****Extra-large Tires***

[ACT 177 \(HB1362\)](#) amends the duties of the Compliance Advisory Panel and the Arkansas Department of Environmental Quality related to the collection and recycling or disposal of extra-large tires and transfers moneys from the Marketing Recyclables Program Fund into the Used Tire Recycling Fund.

Illegal Dumps

[ACT 1067 \(HB1967\)](#) clarifies the law to ensure local governments and other state agencies have adequate resources to address illegal dumps and other issues that affect the public health, safety, and welfare; creates the Environmental Compliance Resource Act; repeals the Illegal Dump Eradication and Corrective Action Program Act; and transfers components of the Illegal Dump Eradication and Corrective Action Program to the Environmental Compliance Resource Act and the Arkansas Solid Waste Management Act. The sections of the act repealing provisions of the Litter Control Act and repealing the Illegal dump Eradication and Corrective Action Program Act are effective on and after May 1, 2020.

Open Burning of Vegetative Storm Debris

[ACT 1060 \(HB1915\)](#) amends the law to allow the open burning of vegetative storm debris in a county that has been declared a disaster area by the county, state, or federal authorities or has accumulated substantial vegetative storm debris and provided written notice to the Arkansas Department of Environmental Quality. The act provides that a county shall burn vegetative storm debris only at a site that has been preassessed by the department and provides specific parameters regarding when and how the vegetative storm debris may be burned.

State Emission Plans - Fossil Fuel-fired Electric Generating Unit

[ACT 934 \(SB555\)](#) amends the law regarding state emission plans for fossil fuel-fired electric generating units to create a procedure to waive legislative review and approval in certain circumstances.

ENFORCEMENT***Administrative Inspection Warrants - Penalties***

[ACT 807 \(SB374\)](#) amends the law concerning penalties related to administrative inspection warrants executed by the Arkansas Department of Environmental Quality.

POLLUTION PREVENTION***Illegal Dumps***

[ACT 1067 \(HB1967\)](#) clarifies the law to ensure local governments and other state agencies have adequate resources to address illegal dumps and other issues that affect the public health, safety, and welfare; creates the Environmental Compliance Resource Act; repeals the Illegal Dump Eradication and Corrective Action Program Act; and transfers components of the Illegal Dump Eradication and Corrective Action Program to the Environmental Compliance Resource Act and the Arkansas Solid Waste Management Act. The sections of the act repealing provisions of the Litter Control Act and repealing the Illegal dump Eradication and Corrective Action Program Act are effective on and after May 1, 2020.

State Emission Plans - Fossil Fuel-fired Electric Generating Unit

[ACT 934 \(SB555\)](#) amends the law regarding state emission plans for fossil fuel-fired electric generating units to create a procedure to waive legislative review and approval in certain circumstances.

RECYCLING***Arkansas Newspaper Recycling Advisory Committee***

[ACT 976 \(HB1827\)](#) repeals the law regarding the Arkansas Newspaper Recycling Advisory Committee.

ENVIRONMENTAL LAW

RECYCLING

Extra-large Tires

[ACT 177 \(HB1362\)](#) amends the duties of the Compliance Advisory Panel and the Arkansas Department of Environmental Quality related to the collection and recycling or disposal of extra-large tires and transfers moneys from the Marketing Recyclables Program Fund into the Used Tire Recycling Fund.

Used Tires

[ACT 980 \(HB1902\)](#) amends provisions of the Used Tire Recycling and Accountability Act and the Arkansas Solid Waste Management Act. The act removes the time requirement concerning quarterly investigations conducted by the Arkansas Department of Environmental Quality and the Arkansas Pollution Control and Ecology Commission; makes technical corrections to clarify the law; distinguishes between small and large tires; and directs the Code Revision Commission to correct any references to the Arkansas Department of Environmental Quality necessary under Act 910 of 2019.

SOLID WASTE MANAGEMENT

Fees

[ACT 695 \(SB377\)](#) amends the Solid Waste Management and Recycling Fund Act to provide funding for unpaved roads. The changes made by the act to the annual disbursement of solid waste disposal and transportation are effective beginning in fiscal year 2020.

Illegal Dumps

[ACT 1067 \(HB1967\)](#) clarifies the law to ensure local governments and other state agencies have adequate resources to address illegal dumps and other issues that affect the public health, safety, and welfare; creates the Environmental Compliance Resource Act; repeals the Illegal Dump Eradication and Corrective Action Program Act; and transfers components of the Illegal Dump Eradication and Corrective Action Program to the Environmental Compliance Resource Act and the Arkansas Solid Waste Management Act. The sections of the act repealing provisions of the Litter Control Act and repealing the Illegal dump Eradication and Corrective Action Program Act are effective on and after May 1, 2020.

Regional Solid Waste Management District - Bonds

[ACT 891 \(SB599\)](#) requires a regional solid waste management district to obtain approval by the quorum court of the county before the issuance of bonds.

Regional Solid Waste Management Districts

[ACT 643 \(HB1459\)](#) requires Arkansas Legislative Audit to conduct an annual review of selected policies, procedures, and transactions of regional solid waste management districts.

Used Tires

[ACT 980 \(HB1902\)](#) amends provisions of the Used Tire Recycling and Accountability Act and the Arkansas Solid Waste Management Act. The act removes the time requirement concerning quarterly investigations conducted by the Arkansas Department of Environmental Quality and the Arkansas Pollution Control and Ecology Commission; makes technical corrections to clarify the law; distinguishes between small and large tires; and directs the Code Revision Commission to correct any references to the Arkansas Department of Environmental Quality necessary under Act 910 of 2019.

TECHNICAL CORRECTIONS - ENVIRONMENTAL LAW - TITLE 8

[ACT 693 \(SB359\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 8 of the Arkansas Code.

ENVIRONMENTAL LAW

WATER POLLUTION AND CONTROL

Nutrient Water Quality Trading Program

[ACT 668 \(HB1709\)](#) provides that the establishment of user fees may be collected from persons or entities establishing, implementing, or utilizing a nutrient water quality program and clarifies that user fees shall be based on evaluating, implementing, and enforcing each nutrient water quality trading, credit, or offset program.

ETHICS

ETHICS COMMISSION

Investigations

[ACT 547 \(HB1393\)](#) provides a process for the Arkansas Ethics Commission to extend the time for its investigations and hearings by sixty (60) days. The act declares an emergency and is effective on and after March 21, 2019.

LEGISLATORS

Employment of Former Member of the General Assembly

[ACT 661 \(HB1374\)](#) provides that a former member of the General Assembly elected or reelected on or after November 6, 2018, shall not enter into employment as the director of an educational cooperative or area agency on aging until two (2) years after the expiration of the term of office for which he or she was elected. The act declares an emergency and is effective on and after April 2, 2019.

QUALIFICATIONS FOR CANDIDACY

Certain Criminal Convictions

[ACT 894 \(SB650\)](#) prohibits candidacy for a constitutional office if the candidate has been convicted of embezzlement of public money, bribery, forgery, or other infamous crime and provides for enforcement in court by a prosecuting attorney, the Arkansas Ethics Commission, or any citizen.

STATE OFFICIALS

Campaign Finance - Campaign Funds - Personal Income

[ACT 879 \(SB258\)](#) increases the penalty for taking campaign funds as personal income.

FAMILY LAW

ADOPTION

Hearings - Attendance by Members of the General Assembly

[ACT 329 \(SB7\)](#) allows members of the General Assembly to attend hearings under the Arkansas Juvenile Code of 1989 and adoption hearings that are related to a juvenile case and held under the Revised Uniform Adoption Act. The act also addresses when a court may exclude a member of the General Assembly from a hearing. Finally, the act prohibits the redisclosure of information obtained by a member of the General Assembly during his or her attendance at a hearing.

ADULT MALTREATMENT

Eligibility for Services - Adult Protective Services Unit

[ACT 956 \(HB1543\)](#) clarifies the law on eligibility for services provided by the Adult Protective Services Unit of the Department of Human Services.

Mandated Reporters - Employees and Contractors of DHS

[ACT 531 \(HB1470\)](#) amends the law concerning mandated reporters under the Adult and Long-Term Care Facility Resident Maltreatment Act and the Child Maltreatment Act and includes as a mandated reporter an employee working under contract for or a contractor of the Department of Human Services when acting within the scope of his or her contract or employment.

FAMILY LAW**ADULT MALTREATMENT*****Records - Access by Department of Human Services***

[ACT 955 \(HB1542\)](#) allows the Department of Human Services to obtain certain records without charge under the Adult and Long-Term Care Facility Resident Maltreatment Act and allows the department to obtain certain records that relate to a ward who is under the guardianship of a Public Guardian for Adults without charge.

CHILD SUPPORT***Establishment, Modification, and Payment***

[ACT 904 \(HB1612\)](#) provides that the incarceration of a parent shall not be treated as voluntary unemployment for the purpose of establishing or modifying an award of child support. The act amends the law concerning the application and revision of the family support chart and requires a court to order all payments to be made through the Arkansas child support clearinghouse for cases in which the income of the noncustodial parent is subject to withholding. The act also permits a court to allocate the cost of healthcare coverage between the parents of a child and amends the requirements concerning the redirection of child support payments. The act amends the law concerning data entered into and the use of the Arkansas Child Support Tracking System and amends the law concerning electronic fund transfers and electronic data information. Finally, the act requires the clerk to make the child support payment record available to the officiates of the court, judges, attorneys, and abstractors. The act is effective on and after January 1, 2020.

Family Child Support Chart

[ACT 907 \(HB1802\)](#) requires the committee that is appointed by the Chief Justice of the Supreme Court for the purpose of revising the family support chart to revise the family support chart based on payor income and recipient income. The act also prohibits the committee from relying on the payor income-based family support chart when revising the family support chart.

CHILD WELFARE***Arkansas Coalition for Juvenile Justice***

[ACT 938 \(SB617\)](#) repeals the law concerning the Arkansas Coalition for Juvenile Justice.

Child Abduction Response Team

[ACT 913 \(HB1674\)](#) requires certain state agencies to collaborate in a multi-agency effort to rescue abducted or endangered children, implement one (1) or more statewide child abduction response teams, and allocate the respective resources of each agency to cases that involve missing or endangered children. The act also tasks the Department of Arkansas State Police with assembling the statewide child abduction response teams.

Child Abuse Hotline - Fetal Alcohol Spectrum Disorder

[ACT 598 \(HB1452\)](#) amends the law concerning referrals to the Child Abuse Hotline for children born with fetal alcohol spectrum disorder.

Child Abuse Hotline - Immunity

[ACT 970 \(HB1746\)](#) provides civil and criminal immunity for individuals who make reports to the Child Abuse Hotline in good faith.

Child Maltreatment - Disclosure of Confidential Information

[ACT 590 \(SB497\)](#) amends the law concerning the disclosure of confidential information under the Child Maltreatment Act. The act allows certain information concerning child maltreatment to be disclosed to federal, state, and local government entities that have a need for the information in order to carry out the responsibility of the entities under the law to protect children from child maltreatment.

FAMILY LAW**CHILD WELFARE*****Child Maltreatment - Investigations***

[ACT 881 \(SB288\)](#) amends the law concerning the initiation of an investigation under the Child Maltreatment Act and amends the requirements for a child maltreatment investigation that involves an alleged offender who is neither a family member nor a fictive kin and not living in the home with the alleged victim.

Child Maltreatment - Reports, Investigation, and Placement of Name on Registry

[ACT 802 \(SB287\)](#) prohibits certain reports of child maltreatment from being accepted by the Child Abuse Hotline and requires the Department of Human Services and Department of Arkansas State Police to establish procedures for the Child Abuse Hotline. The act also requires a report of child maltreatment that is accepted by the Child Abuse Hotline to be investigated in accordance with procedures established by the Department of Human Services. The act establishes procedures for the administrative closure of an investigation of child maltreatment and for the adjudication of allegations of child maltreatment and offender-risk determinations made by the Department of Human Services. Finally, the act repeals the law concerning no merit investigations.

Child Maltreatment Investigation - Notice and Disclosure

[ACT 531 \(HB1470\)](#) amends the law concerning the confidentiality and disclosure of a true report of child maltreatment under the Child Maltreatment Act and the notices that must be provided under the Child Maltreatment Act when a juvenile is taken into protective custody, when there is an investigative determination, when the Department of Human Services releases custody of a child, and when custody of a child is invoked by any person.

Child Maltreatment Investigations Oversight Committee

[ACT 1081 \(SB537\)](#) amends the composition of the membership of the Child Maltreatment Investigations Oversight Committee and allows a member of the General Assembly to submit a case to the Child Maltreatment Investigations Oversight Committee for discussion, evaluation, and review. The act also amends the law concerning persons who may attend a meeting of the Child Maltreatment Investigations Oversight Committee and when a child maltreatment record and the details of a discussion related to a child maltreatment record may be accessed or disclosed.

Child Welfare Ombudsman

[ACT 945 \(SB662\)](#) creates the Child Welfare Ombudsman Division within the Arkansas Child Abuse/Rape/Domestic Violence Commission and provides the qualifications, powers, and duties of the Child Welfare Ombudsman. The act allows a Child Welfare Ombudsman to attend open and closed adoption hearings and hearings held under the Arkansas Juvenile Code of 1989 and prohibits a Child Welfare Ombudsman from disclosing information that he or she obtains through attendance at a hearing unless the disclosure is otherwise permitted by law. The act also provides that records maintained by the division that pertain to a court case or investigation of a juvenile who is the subject of work performed by the division is confidential and not subject to disclosure unless otherwise permitted by law. The act declares an emergency and is effective on and after July 1, 2019.

FAMILY LAW**CHILD WELFARE*****Childcare Facilities - Licensing and Registration***

[ACT 131 \(HB1225\)](#) requires the Division of Child Care and Early Childhood Education of the Department of Human Services to create and make available on the department's website a form and graphical chart that concisely explains the minimum licensing requirements and licensing procedures for a licensed home and a licensed child care center; the registration requirements and registration procedures for a registered child care family home; the voluntary registry of day care family homes and the procedures for registering as a day care family home with the voluntary registry; the availability of federal and state funds, grants, programs, and other financial assistance; and the availability of federal or state tax benefits. The act also requires the division to submit a report detailing any rules that exceed the federal requirements concerning the licensing and registration of child care facilities to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on Children and Youth.

Educational Neglect

[ACT 554 \(SB250\)](#) amends the law concerning educational neglect and establishes when the Child Abuse Hotline is required to accept a report of educational neglect.

Endangering the Welfare of a Minor in the First Degree

[ACT 185 \(SB168\)](#) amends the Safe Haven Act concerning the affirmative defense to the offense of endangering the welfare of a minor in the first degree. The act extends the affirmative defense to a parent who voluntarily delivers and leaves a child or voluntarily arranges for another person to deliver and leave a child with a law enforcement agency or fire department. Additionally, the act provides that the affirmative defense is not a defense to a prosecution that arises from an act of abuse or neglect committed before the delivery of a child to a law enforcement agency or fire department.

Foster Homes and Foster Youth Transitions

[ACT 663 \(HB1469\)](#) amends the definition of "foster home" under the Child Welfare Agency Licensing Act and establishes care requirements and limitations of a foster home under the Child Welfare Agency Licensing Act. Additionally, the act amends the law concerning foster youth transitions.

Human Trafficking - Training and Education

[ACT 937 \(SB593\)](#) requires the Department of Education and the Department of Human Services to collaborate on providing awareness and training materials to local school districts on human trafficking that include without limitation strategies for the prevention of child trafficking. The act also provides specific requirements for the content of the training materials on human trafficking.

Mandated Reporters - Employees and Contractors of DHS

[ACT 531 \(HB1470\)](#) amends the law concerning mandated reporters under the Adult and Long-Term Care Facility Resident Maltreatment Act and the Child Maltreatment Act and includes as a mandated reporter an employee working under contract for or a contractor of the Department of Human Services when acting within the scope of his or her contract or employment.

Mandated Reporters - Immunity

[ACT 186 \(HB1022\)](#) provides that a mandated reporter who in good faith notifies the Child Abuse Hotline in accordance with the law is immune from civil and criminal liability.

FAMILY LAWCHILD WELFARE***Placement of Juveniles***

[ACT 541 \(HB1643\)](#) amends the law concerning the length of time for which a juvenile who is in the custody of the Department of Human Services may be placed in a trial home placement with a parent of the juvenile or a person from whom custody of the juvenile was removed. The act also addresses when a trial home placement with a parent who did not have custody of a juvenile at the time of the removal of the juvenile may occur.

Prepaid Mobile Device Protection Act

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

Trafficking and the Unlawful Solicitation for the Relinquishment of Parental Rights

[ACT 1022 \(HB1789\)](#) amends the law concerning the trafficking of persons and creates a new offense concerning unlawful solicitation for the relinquishment of parental rights.

Voluntary Delivery of a Child

[ACT 185 \(SB168\)](#) makes the provisions of the Safe Haven Act applicable to a law enforcement agency and a fire department and specifies the criteria for a newborn safety device and the obligations of a medical provider, law enforcement agency, and fire department that voluntarily installs a newborn safety device. The act authorizes a medical provider, law enforcement agency, or fire department to take possession of certain infants without a court order if the parent of the child voluntarily delivers the child to a medical provider, law enforcement agency, or fire department without expressing an intent to return for the child or if the parent leaves the child in a newborn safety device that is voluntarily installed by a medical provider, law enforcement agency, or fire department.

Youth Justice Reform Board - Creation and Membership

[ACT 931 \(SB506\)](#) amends the membership of the Youth Justice Reform Board and provides that the Youth Justice Reform Board shall cease operation by June 30, 2021.

COMMISSION FOR PARENT COUNSEL***Duties***

[ACT 333 \(SB86\)](#) amends the law concerning the duties of the Commission for Parent Counsel and requires the commission to establish a funding formula to determine how an attorney is paid.

CUSTODY AND VISITATION***Award of Custody***

[ACT 906 \(HB1759\)](#) lists certain requirements for modified child custody decrees that are based on the active duty status of a parent as a member of the United States Armed Forces deployed outside of the United States or on the federal active duty status of a parent as a member of a state National Guard or a reserve component of the armed forces.

FAMILY LAW

CUSTODY AND VISITATION

Visitation - Grandparents

[ACT 679 \(HB1799\)](#) creates "Tara's Law", which amends the rights of grandparents in custody and visitation matters. The act provides additional circumstances under which a petition for reasonable visitation with a grandchild or great-grandchild may be filed by a grandparent or a great-grandparent and provides additional circumstances that a grandparent or a great-grandparent must prove to establish that visitation with his or her grandchild or great-grandchild is in the best interest of the grandchild or great-grandchild.

FOSTER CARE

Foster Homes and Foster Youth Transitions

[ACT 663 \(HB1469\)](#) amends the definition of "foster home" under the Child Welfare Agency Licensing Act and establishes care requirements and limitations of a foster home under the Child Welfare Agency Licensing Act. Additionally, the act amends the law concerning foster youth transitions.

GUARDIANSHIP

Duties and Responsibilities of Custodians

[ACT 326 \(HB1466\)](#) repeals the provision that provides that a hearing is not required under the Adult Maltreatment Custody Act if counsel for both parties agree to waive the hearing or if an emergency exists for entry of an order; provides that unless a procedure is necessary in a situation that threatens the life of a maltreated adult who is in the custody of the Department of Human Services, the express approval of a court is required before the department may provide consent to the amputation of a body part of the maltreated adult; and establishes the procedures to be used for the consideration of issues requiring court approval.

Powers and Duties - Investments

[ACT 591 \(SB501\)](#) provides that a guardian of the estate and a guardian under the Uniform Veterans' Guardianship Act may make certain investments without a prior order from the court.

Public Guardian for Adults

[ACT 529 \(HB1424\)](#) authorizes the purchase of burial services by the Public Guardian for Adults and clarifies the responsibilities of the Public Guardian for Adults after the death of a ward.

Qualifications of Guardians

[ACT 833 \(HB1762\)](#) amends the law to allow certain convicted and unparoled felons to be appointed as a guardian of the person.

Subsidized Guardianship - Eligibility

[ACT 968 \(HB1711\)](#) amends the law concerning a child's eligibility for a guardianship subsidy under the Arkansas Subsidized Guardianship Act.

FAMILY LAW**HUMAN SERVICES DEPARTMENT*****Childcare Facilities - Licensing and Registration***

[ACT 131 \(HB1225\)](#) requires the Division of Child Care and Early Childhood Education of the Department of Human Services to create and make available on the department's website a form and graphical chart that concisely explains the minimum licensing requirements and licensing procedures for a licensed home and a licensed child care center; the registration requirements and registration procedures for a registered child care family home; the voluntary registry of day care family homes and the procedures for registering as a day care family home with the voluntary registry; the availability of federal and state funds, grants, programs, and other financial assistance; and the availability of federal or state tax benefits. The act also requires the division to submit a report detailing any rules that exceed the federal requirements concerning the licensing and registration of child care facilities to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on Children and Youth.

Division of Youth Services

[ACT 189 \(SB152\)](#) transforms the juvenile justice system; provides that the validated risk assessment system selected by the Juvenile Judges Committee of the Arkansas Judicial Council with the Division of Youth Services shall be the only validated risk assessment system used by courts for commitment throughout the state; requires diversion agreements to be implemented by all juvenile courts based on validated assessment tools; provides that diversion agreements shall be used to provide for payment of restitution to a victim; requires the Division of Youth Services to use validated risk assessments for all juveniles committed to the division; amends the law concerning circumstances under which a juvenile may not be committed to the Division of Youth Services; clarifies the treatment model for community-based alternative basic services; and amends the authority and responsibility of the Division of Youth Services concerning reforms, reinvestment plans, and collaborative information-sharing systems. The act is effective on and after July 1, 2020.

Division of Youth Services - Release of Information

[ACT 365 \(HB1384\)](#) clarifies when the Division of Youth Services of the Department of Human Services may release information about a juvenile to the general public.

Juveniles - Taking into Custody

[ACT 531 \(HB1470\)](#) amends the law concerning when a juvenile may be taken into custody under the Arkansas Juvenile Code of 1989.

JUVENILE LAW***Adjudication or Conviction of Minor - Notice to School District***

[ACT 647 \(HB1551\)](#) amends the law concerning the confidentiality of records under the Arkansas Juvenile Code of 1989 and requires school districts to be notified of the adjudication or conviction of a minor that relates to the minor's commission of certain offenses.

Court Reports

[ACT 627 \(SB375\)](#) amends the law concerning court reports that are required under the Arkansas Juvenile Code of 1989.

Educational Neglect

[ACT 554 \(SB250\)](#) amends the law concerning educational neglect and establishes when the Child Abuse Hotline is required to accept a report of educational neglect.

FAMILY LAW**JUVENILE LAW*****Hearings - Attendance by Members of the General Assembly***

[ACT 329 \(SB7\)](#) allows members of the General Assembly to attend hearings under the Arkansas Juvenile Code of 1989 and adoption hearings that are related to a juvenile case and held under the Revised Uniform Adoption Act. The act also addresses when a court may exclude a member of the General Assembly from a hearing. Finally, the act prohibits the redisclosure of information obtained by a member of the General Assembly during his or her attendance at a hearing.

Hearings on Visitation

[ACT 558 \(SB83\)](#) provides that a petitioner has the burden of proving that unsupervised visitation is not in the best interest of a child at every hearing and provides that a rebuttable presumption that unsupervised visitation is in the best interest of a juvenile applies at every hearing. The act addresses supervised visitation with a parent from whom custody of a juvenile is removed, the timely entry of orders, and when a court is required to set a hearing to address the entry of a written order under the Arkansas Juvenile Code of 1989.

Imminent Harm

[ACT 927 \(SB87\)](#) defines "imminent harm" under the Arkansas Juvenile Code of 1989 and the Child Maltreatment Act.

Inmates - Punitive Isolation or Solitary Confinement

[ACT 971 \(HB1755\)](#) prohibits placing a juvenile who is in a juvenile detention facility or a minor who is an inmate in a state correctional facility in punitive isolation or solitary confinement as a disciplinary measure for more than twenty-four (24) hours unless the placement is due to certain circumstances.

Juvenile Justice System

[ACT 189 \(SB152\)](#) transforms the juvenile justice system; provides that the validated risk assessment system selected by the Juvenile Judges Committee of the Arkansas Judicial Council with the Division of Youth Services shall be the only validated risk assessment system used by courts for commitment throughout the state; requires diversion agreements to be implemented by all juvenile courts based on validated assessment tools; provides that diversion agreements shall be used to provide for payment of restitution to a victim; requires the Division of Youth Services to use validated risk assessments for all juveniles committed to the division; amends the law concerning circumstances under which a juvenile may not be committed to the Division of Youth Services; clarifies the treatment model for community-based alternative basic services; and amends the authority and responsibility of the Division of Youth Services concerning reforms, reinvestment plans, and collaborative information-sharing systems. The act is effective on and after July 1, 2020.

Parental Rights - Putative Parents

[ACT 541 \(HB1643\)](#) provides that a petitioner may name and serve a putative parent as a party to a dependency-neglect hearing in order to resolve the party status and rights of the putative parent or to terminate the rights of the putative parent and requires a petitioner to provide a putative parent with notice of a dependency-neglect proceeding if the putative parent is identified and the petitioner does not name and serve the putative parent as a party to the proceeding. The act provides that a putative parent has the burden of proving paternity and states that the failure of a putative parent to establish paternity or significant contacts with his or her child is a grounds for terminating parental rights. The act also addresses the effect of a termination of parental rights on a putative parent.

FAMILY LAW

JUVENILE LAW

Permanency Planning Hearing

[ACT 984 \(SB84\)](#) amends the law regarding permanency goals that are authorized by the court at a permanency planning hearing held under the Arkansas Juvenile Code of 1989.

Probable Cause Hearing

[ACT 559 \(SB90\)](#) amends the law concerning evidence presented during probable cause hearings held under the Arkansas Juvenile Code of 1989.

Reports

[ACT 332 \(SB82\)](#) amends the law concerning reports filed with the court and provided to all parties by the Department of Human Services or a court-appointed special advocate before a hearing held under the Arkansas Juvenile Code of 1989.

Resumption of Services for Parents

[ACT 317 \(SB91\)](#) provides that the Department of Human Services or an attorney ad litem may file a motion to resume services for a parent whose parental rights were previously terminated if the child is currently in the custody of the department and allows a waiver of the requirement that a motion to resume services be filed at least three (3) years after the date on which the order terminating the parental rights of the parent was entered if it is in the best interest of the child.

Taking into Custody

[ACT 531 \(HB1470\)](#) amends the law concerning when a juvenile may be taken into custody under the Arkansas Juvenile Code of 1989.

Termination of Parental Rights

[ACT 985 \(SB85\)](#) amends the law concerning evidence that a court may rely on in determining whether the termination of parental rights is in the best interests of the juvenile and establishes an affirmative defense to a termination of parental rights that is based on a prior involuntary termination of parental rights.

Visitation - Grandparents

[ACT 679 \(HB1799\)](#) creates "Tara's Law", which amends the rights of grandparents in custody and visitation matters. The act provides additional circumstances under which a petition for reasonable visitation with a grandchild or great-grandchild may be filed by a grandparent or a great-grandparent and provides additional circumstances that a grandparent or a great-grandparent must prove to establish that visitation with his or her grandchild or great-grandchild is in the best interest of the grandchild or great-grandchild.

MARRIAGE

Minors

[ACT 849 \(HB1708\)](#) amends the law to provide that a female who is seventeen (17) years of age is capable of entering into a marriage contract and provides that minors who intend to marry each other may appear before the judge in the district where the application for marriage is made if they are both seventeen (17) years of age and one (1) of the minors is a pregnant female.

TECHNICAL CORRECTIONS - FAMILY LAW - TITLE 9

Technical Corrections

[ACT 381 \(SB360\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 9 of the Arkansas Code.

FIRE PROTECTIONDEPARTMENTS***Position of Public Trust - Sex Offenders***

[ACT 987 \(SB183\)](#) prohibits a person who is required to register as a sex offender and who has been assessed as a Level 2, Level 3, or Level 4 sex offender from holding a position of public trust, which includes positions in public agencies that provide public safety services.

Sales Tax Exemption for Washer-Extractors

[ACT 840 \(HB1618\)](#) creates a sales and use tax exemption for washer-extractors used by a fire department. The act is effective on and after October 1, 2019.

Voluntary Delivery of a Child

[ACT 185 \(SB168\)](#) makes the provisions of the Safe Haven Act applicable to a law enforcement agency and a fire department and specifies the criteria for a newborn safety device and the obligations of a medical provider, law enforcement agency, and fire department that voluntarily installs a newborn safety device. The act authorizes a medical provider, law enforcement agency, or fire department to take possession of certain infants without a court order if the parent of the child voluntarily delivers the child to a medical provider, law enforcement agency, or fire department without expressing an intent to return for the child or if the parent leaves the child in a newborn safety device that is voluntarily installed by a medical provider, law enforcement agency, or fire department.

FIREFIGHTERS***Fire Department - Appointment to Position***

[ACT 192 \(SB54\)](#) provides that the maximum age limit required for an applicant to be appointed to a position with a fire department does not apply to a current or former service member of the regular or reserve component of the uniformed services of the United States who is within three (3) years of separation or retirement from the regular or reserve component of the uniformed services of the United States.

Paid Cancer Leave

[ACT 973 \(HB1773\)](#) creates a paid leave program for firefighters with occupationally caused cancer and authorizes the creation of a firefighter cancer relief network.

LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS***Disclosure of Financial Condition - Future Supplement Funds and Allocations***

[ACT 465 \(SB241\)](#) amends the law concerning the Future Supplement Fund-Police and the Future Supplement Fund-Fire. The act also amends the law concerning the allocation of insurance premium tax and additional allocations for certain underfunded plans. The act declares an emergency and is effective on and after May 1, 2019.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM***Benefits - Disability Retirement***

[ACT 178 \(SB72\)](#) amends the law concerning disability retirement under the Arkansas Local Police and Fire Retirement System. The act requires a proper application for disability retirement to be filed with the Board of Trustees of the Arkansas Local Police and Fire Retirement System no later than thirty (30) calendar days after the termination of active membership and provides that disability annuity is effective on the first day of the calendar month that follows the termination of active membership and the filing of the proper application for disability retirement with the board. The act declares an emergency and is effective on and after March 31, 2019.

FIRE PROTECTION**LOCAL POLICE AND FIRE RETIREMENT SYSTEM*****Benefits - Termination of Covered Employment***

[ACT 178 \(SB72\)](#) amends the law concerning the termination of covered employment under the Arkansas Local Police and Fire Retirement System. The act requires that the pay used for an annuity computation of an annuity with an effective date that is on or after July 1, 2019, be the final average pay at the time of termination from paid service employment with the system. The act declares an emergency and is effective on and after March 31, 2019.

Credited Service - Forfeiture and Restoration

[ACT 988 \(SB240\)](#) amends the law concerning the reemployment of certain retired members of the Arkansas Local Police and Fire Retirement System. The act applies to a member of the system who on or after January 1, 2020, elects to participate in the Local Police and Fire Deferred Retirement Option Plan, retires from the system as a participant in the Local Police and Fire Deferred Retirement Option Plan, or retires from the system. The act is effective on and after January 1, 2020.

Credited Service - Paid and Volunteer Service

[ACT 178 \(SB72\)](#) requires an employer to certify to the Board of Trustees of the Arkansas Local Police and Fire Retirement System the periods of employment to be considered for credit as paid service and for credit as volunteer service for each employee who is a member of the Arkansas Local Police and Fire Retirement System; requires a member of the system who is hired on or after July 1, 2019, to be covered by one (1) employer until the member accrues ten (10) years of actual service credit in the system; and allows a member who is hired on or after July 1, 2019, and accrues ten (10) years of actual service credit in the system to accrue a maximum of five (5) additional years of service credit. The act declares an emergency and is effective on and after March 31, 2019.

Credited Service - Service Credit

[ACT 178 \(SB72\)](#) amends the law concerning service credit under the Arkansas Local Police and Fire Retirement System and provides that on or after April 1, 2019, additional service credit shall not be credited. The act declares an emergency and is effective on and after March 31, 2019.

Disability Retirement

[ACT 638 \(HB1345\)](#) amends the law concerning disability retirement eligibility under the Arkansas Local Police and Fire Retirement System. The act defines “disease” to include without limitation cancer that a member is diagnosed with while he or she is in the line of duty. Additionally, the act allows a member who is diagnosed with cancer to be eligible for disability retirement.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM***Disability Retirement***

[ACT 638 \(HB1345\)](#) defines “disease” to include without limitation cancer that a firefighter or volunteer firefighter is diagnosed with while he or she is in the line of duty and allows a firefighter who is diagnosed with cancer to be eligible for disability retirement.

SYSTEMS AND PROCEDURES***Fire Department - Appointment to Position***

[ACT 192 \(SB54\)](#) provides that the maximum age limit required for an applicant to be appointed to a position with a fire department does not apply to a current or former service member of the regular or reserve component of the uniformed services of the United States who is within three (3) years of separation or retirement from the regular or reserve component of the uniformed services of the United States.

FIREARMS

AWARD OF SERVICE WEAPON

Employee of Department of Correction

[ACT 106 \(SB106\)](#) provides for the award of the service weapon that belonged to an employee of the Department of Correction to his or her surviving child in certain situations upon the employee's death.

CONCEALED HANDGUNS - GENERALLY

Division of Youth Services

[ACT 431 \(HB1533\)](#) prohibits the possession of a concealed handgun by a person with a license to carry a concealed handgun in a residential treatment facility owned or operated by the Division of Youth Services of the Department of Human Services.

Fees

[ACT 188 \(HB1036\)](#) reduces the fees for a license to carry a concealed handgun and for the renewal of a license to carry a concealed handgun.

Fees

[ACT 61 \(SB17\)](#) reduces the fees for a license to carry a concealed handgun and for the renewal of a license to carry a concealed handgun.

Licensing Requirements

[ACT 1038 \(HB1678\)](#) amends certain requirements for a license to carry a concealed handgun, specifically concerning an applicant's criminal history.

Possession by a Law Enforcement Officer

[ACT 472 \(SB197\)](#) provides for the scope in which a law enforcement officer may carry an open or concealed handgun both while on duty and off duty. The act declares an emergency and is effective on and after March 15, 2019.

Veterans

[ACT 917 \(HB1748\)](#) provides a pathway for a veteran to obtain a license to carry a concealed handgun even if the veteran was voluntarily admitted to a mental health treatment facility.

FORENSIC TESTING

Testing by the State Crime Laboratory

[ACT 1010 \(HB1217\)](#) amends the law concerning the submission of a firearm for forensic testing and the scope of the forensic testing of a firearm by the State Crime Laboratory.

POSSESSION

Possession by a Law Enforcement Officer

[ACT 472 \(SB197\)](#) provides for the scope in which a law enforcement officer may carry an open or concealed handgun both while on duty and off duty. The act declares an emergency and is effective on and after March 15, 2019.

PROHIBITED WEAPONS

Weapons No Longer Prohibited

[ACT 1051 \(HB1820\)](#) removes machine guns, sawed-off shotguns, sawed-off rifles, and firearms specifically made or specially adapted for silent discharge from the specifically named weapons that people were prohibited from possessing.

SALE AND PURCHASE

Disposition of a Forfeited Firearm

[ACT 630 \(SB403\)](#) establishes how a law enforcement agency may dispose of a firearm seized and forfeited to the law enforcement agency.

SILENT DISCHARGE

Noise Suppressors Permitted

[ACT 495 \(SB400\)](#) permits the use of a firearm specially made or adapted for silent discharge and an item that is in compliance with the National Firearms Act.

FREEDOM OF INFORMATION ACT

EXEMPTIONS

Alcohol Beverage Control - Investigations

[ACT 568 \(HB1556\)](#) exempts the undisclosed and ongoing investigations of the Alcoholic Beverage Control Board, Alcoholic Beverage Control Division, and Alcoholic Beverage Enforcement Division from disclosure under the Freedom of Information Act of 1967.

Confidential Informants

[ACT 1012 \(HB1417\)](#) provides an exemption to the Freedom of Information Act of 1967 for identifying information about a confidential informant.

Homeland Security

[ACT 599 \(HB1500\)](#) expands the exemption from the Freedom of Information Act of 1967 for homeland security plans to include cybersecurity incident plans and extends the sunset provision on the exemption to July 1, 2023. The act declares an emergency and is effective on and after July 1, 2019.

Information Regarding Capital Punishment

[ACT 810 \(SB464\)](#) exempts from disclosure certain information and procedures involved with a person who is sentenced to death for a capital offense, including information requested under the Freedom of Information Act of 1967.

Security Plans for Medical Marijuana Facilities

[ACT 1034 \(HB1557\)](#) provides an exemption from the Freedom of Information Act of 1967 for security plans related to medical marijuana facilities.

Undercover Law Enforcement Officers - Records Protection Study

[ACT 963 \(HB1630\)](#) creates the Undercover Law Enforcement Officer Public Records Protection Study and creates a focus group to determine the best method to protect the privacy and records of active and undercover law enforcement officers by exempting certain records and information from the Freedom of Information Act of 1967.

MEETINGS

Sound and Video Recording

[ACT 1028 \(HB1928\)](#) requires open public meetings to be recorded by audio or audio and visual recordings.

GAMBLING AND RACING

CASINOS

Clean Indoor Air Act

[ACT 947 \(SB667\)](#) amends an exception to the Arkansas Clean Indoor Air Act of 2006 to specify a casino licensee of the Arkansas Racing Commission may designate smoking areas on the gaming floor.

Letters of Support

[ACT 371 \(SB185\)](#) requires a casino applicant to submit a letter of support from the quorum court in the county and from the mayor, if the proposed casino is to be located in a city or town, and requires that the letter of support be dated and signed by the judge, quorum court, or mayor holding office at the time of the submission of the application. The act declares an emergency and is effective on and after March 8, 2019.

GREYHOUND RACING

Payable Winnings Agreements

[ACT 892 \(SB637\)](#) authorizes payable winnings agreements that deduct a percentage or agreed-upon amount from payable winnings at the payee's request to be paid to a nonprofit organization.

GENERAL ASSEMBLY**ARKANSAS LEGISLATIVE AUDIT*****Audits of Schools***

[ACT 867 \(HB1934\)](#) repeals a provision allowing the governing body of a school to adopt a resolution requiring that its annual financial audit be performed and financial statements be presented in accordance with the guidelines prescribed by the Government Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office, if applicable.

Regional Solid Waste Management Districts

[ACT 643 \(HB1459\)](#) requires Arkansas Legislative Audit to conduct an annual review of selected policies, procedures, and transactions of regional solid waste management districts.

BUREAU OF LEGISLATIVE RESEARCH***Code of Arkansas Rules***

[ACT 662 \(HB1429\)](#) directs the Bureau of Legislative Research to compile, format, and index a codification of the general and permanent administrative rules of state agencies to be known as the "Code of Arkansas Rules". The act requires the codification to be completed by January 1, 2023. The act also requires administrative rules to be written in plain language, revises the information required to be submitted to the Secretary of State and Legislative Council when filing an administrative rule, and amends the law regarding the Arkansas Register.

House and Senate Committees on Education - Succeed Scholarship Program - Study

[ACT 827 \(HB1400\)](#) requires the House Committee on Education and Senate Committee on Education to conduct a biennial study of the Succeed Scholarship Program to determine certain information and compile a final report; requires that private schools eligible under the Succeed Scholarship Program submit annually to the Department of Education in a format required by the Bureau of Legislative Research a report that contains certain information regarding students participating in the Succeed Scholarship Program; and requires that the department prepare and submit annually or obtain from its designated administrator for the Succeed Scholarship Program, in a format required by the Bureau of Legislative Research, a report regarding certain information concerning the Succeed Scholarship Program. The act requires the committees to file a report on a biennial basis beginning March 1, 2020.

Revision of Acts Amending the Arkansas Constitution

[ACT 694 \(SB376\)](#) allows the Arkansas Code Revision Commission to make certain revisions to acts of the General Assembly that amend the Arkansas Constitution in a manner similar to the commission's authority to revise acts of the General Assembly amending the Arkansas Code. The act also clarifies how to address conflicting acts of the General Assembly amending the Arkansas Constitution. The act declares an emergency and is effective on and after April 4, 2019.

COMMITTEES***All-terrain Vehicle Study***

[ACT 671 \(HB1744\)](#) requires the House Agriculture, Forestry, and Economic Development Committee and the Senate Agriculture, Forestry, and Economic Development Committee to meet jointly to conduct a comprehensive study of all-terrain vehicle tourism and to make recommendations to the General Assembly regarding the creation, development, and implementation of a statewide all-terrain vehicle trails system utilizing existing state roads to connect forest roads and all-terrain vehicle trails in national forests to increase tourism and economic development in the state. The act also requires the committees to file a written report with Legislative Council by December 1, 2020.

**GENERAL ASSEMBLY
COMMITTEES**

Annual Evaluation of Vocational-Technical Courses

[ACT 337 \(SB108\)](#) repeals the annual evaluation of vocational-technical courses by the Legislative Council, the House Committee on Education, and the Senate Committee on Education.

Child Maltreatment Investigations Oversight Committee

[ACT 1081 \(SB537\)](#) amends the composition of the membership of the Child Maltreatment Investigations Oversight Committee and allows a member of the General Assembly to submit a case to the Child Maltreatment Investigations Oversight Committee for discussion, evaluation, and review. The act also amends the law concerning persons who may attend a meeting of the Child Maltreatment Investigations Oversight Committee and when a child maltreatment record and the details of a discussion related to a child maltreatment record may be accessed or disclosed.

House and Senate Committees on Education - Biennial Study - Succeed Scholarship

[ACT 827 \(HB1400\)](#) requires the House Committee on Education and Senate Committee on Education to conduct a biennial study of the Succeed Scholarship Program to determine certain information and compile a final report; requires that private schools eligible under the Succeed Scholarship Program submit annually to the Department of Education in a format required by the Bureau of Legislative Research a report that contains certain information regarding students participating in the Succeed Scholarship Program; and requires that the department prepare and submit annually or obtain from its designated administrator for the Succeed Scholarship Program, in a format required by the Bureau of Legislative Research, a report regarding certain information concerning the Succeed Scholarship Program. The act requires the committees to file a report on a biennial basis beginning March 1, 2020.

Veterans Affairs

[ACT 551 \(SB4\)](#) requires the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on State Agencies and Governmental Affairs to examine veterans issues within Arkansas, including without limitation the occurrence of suicide among the veteran population in Arkansas. The act also requires the committees to file a written report with Legislative Council by December 1, 2020.

ETHICS

Employment of Former Member of the General Assembly

[ACT 661 \(HB1374\)](#) provides that a former member of the General Assembly elected or reelected on or after November 6, 2018, shall not enter into employment as the director of an educational cooperative or area agency on aging until two (2) years after the expiration of the term of office for which he or she was elected. The act declares an emergency and is effective on and after April 2, 2019.

FISCAL SESSION

Dates

[ACT 545 \(SB445\)](#) provides for the fiscal session to begin on the second Monday in February in the years in which the preferential primary election is held in May and on the second Wednesday in April in the years in which the preferential primary election is held in March.

JOINT BUDGET COMMITTEE

Constitutional Officers and Departments - Budget Requests and Cash Fund Expenditures

[ACT 678 \(HB1341\)](#) creates certain requirements for budget requests of constitutional officers and departments and provides for the General Assembly to budget, approve, and appropriate cash fund expenditures for constitutional officers and departments beginning with the 2021 fiscal year.

GENERAL ASSEMBLY
LEGISLATIVE COUNCIL

Administrative Rules

[ACT 517 \(HB1431\)](#) provides a timeline for the adoption of administrative rules required by newly enacted laws and provides that the authority of a state agency to promulgate an administrative rule shall be narrowly interpreted by the state agency.

Administrative Rules - Code of Arkansas Rules

[ACT 662 \(HB1429\)](#) directs the Bureau of Legislative Research to compile, format, and index a codification of the general and permanent administrative rules of state agencies to be known as the "Code of Arkansas Rules". The act requires the codification to be completed by January 1, 2023. The act also requires administrative rules to be written in plain language, revises the information required to be submitted to the Secretary of State and Legislative Council when filing an administrative rule, and amends the law regarding the Arkansas Register.

Administrative Rules - Occupational Licensing

[ACT 319 \(HB1302\)](#) creates the Red Tape Reduction Collective Rulemaking Act of 2019, which establishes an expedited procedure for occupational licensing entities to collectively submit proposed, amended, or repealed rules responsive to legislation.

Annual Evaluation of Vocational-Technical Courses

[ACT 337 \(SB108\)](#) repeals the annual evaluation of vocational-technical courses by the Legislative Council, the House Committee on Education, and the Senate Committee on Education.

National Statuary Hall Collection - Review of Actions

[ACT 1068 \(HB1969\)](#) revises Act 581 of 2019 concerning Arkansas's contributions to the National Statuary Hall Collection; clarifies the duties of the Secretary of State regarding the collection; provides for the review of certain proposed actions concerning the statues in the collection by the Legislative Council or Joint Budget Committee and the Capitol Arts and Grounds Commission; and creates the National Statuary Hall Collection Trust Fund to be used exclusively for the placement and replacement of Arkansas statues in the collection.

Procurement Contracts - Review and Reporting Requirements

[ACT 417 \(HB1161\)](#) consolidates the legislative review and reporting requirements for technical and general services contracts and professional and consulting services contracts; allows for the reporting (rather than review) of contracts that do not have a material change upon the renewal or extension of the contract; requires the tracking of protests, negotiations, and expiring contracts; provides for legislative review (rather than approval) of vehicle leases by state agencies; and repeals the reporting requirement for recycled paper products.

Red Tape Reduction Sunrise and Sunset Act of 2019

[ACT 600 \(HB1527\)](#) creates the Red Tape Reduction Sunrise and Sunset Act of 2019 and requires legislative review of occupational authorizations and occupational entities.

Replacement of Term "Regulation" with "Rule" - Rules Subcommittee

[ACT 315 \(HB1430\)](#) eliminates unnecessary references to the terms "regulation" and "regulations" and provides for consistent references to the terms "rule" or "rules" throughout the Arkansas Code. The act changes the name of an Arkansas Legislative Council Subcommittee to the Administrative Rules Subcommittee.

Subcommittee Review of Procurement Rules

[ACT 419 \(HB1178\)](#) requires the Office of State Procurement to submit all procurement rules to the Review Subcommittee of Legislative Council for review.

GENERAL ASSEMBLY**MEMBERS - GENERALLY*****Attendance at Juvenile and Adoption Hearings***

[ACT 329 \(SB7\)](#) allows members of the General Assembly to attend hearings under the Arkansas Juvenile Code of 1989 and adoption hearings that are related to a juvenile case and held under the Revised Uniform Adoption Act. The act also addresses when a court may exclude a member of the General Assembly from a hearing. Finally, the act prohibits the redisclosure of information obtained by a member of the General Assembly during his or her attendance at a hearing.

Flag Distribution

[ACT 220 \(HB1261\)](#) allows the distribution of flags flown over the State Capitol Building to an individual as an award in recognition of the individual's accomplishments by the Governor and the members of the General Assembly.

Retirement

[ACT 448 \(SB220\)](#) repeals the law concerning contributory members who are members of the General Assembly, serve as Governor of this state, are elected contributory state constitutional officers, or are state penitentiary employees. The act also repeals the law concerning contributory credited service for General Assembly members and state constitutional officers who die in office and the benefits received by their surviving spouses. Additionally, the act repeals the law concerning reciprocal service credit that is applicable only to the Arkansas Public Employees' Retirement System. The act provides that a member whose participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan ends is eligible for employment if the separation period required for the member to be considered as terminated from employment for retirement purposes would prevent the member from taking or holding office as a popularly elected official. The act declares an emergency and is effective on and after March 13, 2019.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM***Credited Service and Purchase of Military Service Credit - General Assembly***

[ACT 826 \(HB1346\)](#) amends the law concerning credited service received by members of the General Assembly under the Arkansas Public Employees' Retirement System. The act also amends the law concerning the purchase of military service credit by members of the General Assembly under the Arkansas Public Employees' Retirement System.

REFERRED CONSTITUTIONAL AMENDMENT***Challenges***

[ACT 376 \(SB346\)](#) revises the procedures for petitions and referred constitutional amendments, including revising the process for the submission of ballot titles and popular names of petitions before circulation and requiring the State Board of Election Commissioners to determine whether to certify the ballot title and popular name after a statewide initiative petition or statewide referendum petition is submitted to the Secretary of State for determination of the sufficiency of the signatures. The act also revises the law regarding the penalty for petition fraud, the signing and form of petitions, the counting of signatures, challenges to constitutional amendments proposed by the General Assembly, and the hiring and training of paid canvassers. The act declares an emergency and is effective on and after March 8, 2019.

GENERAL ASSEMBLY**REPORTS*****Session Report by Director of State Highways and Transportation***

[ACT 789 \(HB1750\)](#) requires the Director of State Highways and Transportation to provide information at each regular session and each fiscal session on various issues, including without limitation the location of the most congested routes in the state, the most dangerous transportation areas in the state, the expenditure per person of state and federal highway funds in each congressional district, and the number of miles of the state highway system that are in each congressional district.

TECHNICAL CORRECTIONS - TITLE 1

[ACT 377 \(SB354\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 1 of the Arkansas Code.

HEALTH**ABORTION*****Abolition***

[ACT 180 \(SB149\)](#) creates the Arkansas Human Life Protection Act, which abolishes abortion in Arkansas. The act has a contingent effective date and becomes effective on and after the certification of the Attorney General that either the United States Supreme Court overrules, in whole or in part, the central holding of *Roe v. Wade*, 410 U.S. 113 (1973), reaffirmed by *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), or an amendment to the United States Constitution is adopted that, in whole or in part, restores to Arkansas the authority to prohibit abortion.

Additional Reporting Requirements

[ACT 620 \(SB3\)](#) requires additional reporting requirements by certain physicians and healthcare facilities for abortion complications.

Down Syndrome Discrimination

[ACT 619 \(SB2\)](#) creates the Down Syndrome Discrimination By Abortion Prohibition Act, which prohibits abortion because the unborn child has or may have Down syndrome.

Increase in Penalties and Additional Acknowledgement

[ACT 801 \(SB278\)](#) amends the laws concerning abortion facilities and abortion reporting and the Born-Alive Infant Protection laws; requires an additional acknowledgement under the Woman's Right-to-Know Act; increases the waiting period from forty-two (42) hours to seventy-two (72) hours; and increases and clarifies penalties relating to abortion.

Perinatal Palliative Care Information

[ACT 953 \(HB1453\)](#) creates the Perinatal Palliative Care Information Act, which requires that certain information about perinatal palliative care be given to a woman before an abortion is performed.

Physician Qualifications - Presumption of Viability

[ACT 700 \(SB448\)](#) requires physicians to have certain qualifications in order to perform abortions and repeals the presumption of viability of a fetus at the twenty-fifth week of pregnancy.

Prohibition After Eighteen (18) Weeks

[ACT 493 \(HB1439\)](#) creates the Cherish Act, which prohibits abortions after eighteen (18) weeks' gestation except in a medical emergency or if the pregnancy is the result of rape or incest.

HEALTH**ABORTION*****Prohibition on State Agencies Consenting or Approving Abortion***

[ACT 1057 \(HB1856\)](#) prohibits state agencies from consenting or approving the termination of pregnancy for an individual in the custody or guardianship of the state and from expending state funds for the purpose of terminating a pregnancy.

Reversal of Abortion-inducing Drugs

[ACT 522 \(SB341\)](#) amends the Woman's Right-to-Know Act to provide information on reversing the effects of abortion-inducing drugs.

ABUSED AND NEGLECTED CHILDREN***Mandated Reporters - - Employees and Contractors of DHS***

[ACT 531 \(HB1470\)](#) amends the law concerning mandated reporters under the Adult and Long-Term Care Facility Resident Maltreatment Act and the Child Maltreatment Act and includes as a mandated reporter an employee working under contract for or a contractor of the Department of Human Services when acting within the scope of his or her contract or employment.

Unlawful Female Genital Mutilation of a Minor

[ACT 556 \(SB318\)](#) prohibits unlawful female genital mutilation of a minor; provides for a civil cause of action; and creates awareness programs for and statistical tracking of unlawful female genital mutilation of a minor. The act declares an emergency and is effective on and after March 26, 2019.

ADULT MALTREATMENT***Eligibility for Services - Adult Protective Services Unit***

[ACT 956 \(HB1543\)](#) clarifies the law on eligibility for services provided by the Adult Protective Services Unit of the Department of Human Services.

Investigations into Alleged Maltreatment

[ACT 967 \(HB1707\)](#) amends the law concerning required investigations of alleged unlawful conduct under the Adult and Long-Term Care Facility Resident Maltreatment Act. The act declares an emergency and is effective on and after April 12, 2019.

Mandated Reporters - Employees and Contractors of DHS

[ACT 531 \(HB1470\)](#) amends the law concerning mandated reporters under the Adult and Long-Term Care Facility Resident Maltreatment Act and the Child Maltreatment Act and includes as a mandated reporter an employee working under contract for or a contractor of the Department of Human Services when acting within the scope of his or her contract or employment.

Public Guardian for Adults - Records

[ACT 955 \(HB1542\)](#) allows the Department of Human Services to obtain certain records without charge under the Adult and Long-Term Care Facility Resident Maltreatment Act and allows the department to obtain certain records that relate to a ward who is under the guardianship of a Public Guardian for Adults without charge.

AREA AGENCY ON AGING***Employment of Former Member of the General Assembly***

[ACT 661 \(HB1374\)](#) provides that a former member of the General Assembly elected or reelected on or after November 6, 2018, shall not enter into employment as the director of an educational cooperative or area agency on aging until two (2) years after the expiration of the term of office for which he or she was elected. The act declares an emergency and is effective on and after April 2, 2019.

HEALTH**BOARDS AND COMMISSIONS*****Advisory Committee for Hospital Pharmacies - Abolition***

[ACT 175 \(HB1287\)](#) abolishes the Advisory Committee for Hospital Pharmacies, which advised on rules regarding hospital pharmacies.

Arkansas Blue Ribbon Panel on Pediatric Cancer Research

[ACT 1045 \(HB1803\)](#) creates the Arkansas Blue Ribbon Panel on Pediatric Cancer Research to advance pediatric cancer research and treatment, improve childhood cancer surveillance, and support resources for pediatric cancer patients and survivors of childhood cancers.

Arkansas Youth Suicide Prevention Task Force

[ACT 1091 \(SB683\)](#) abolishes the Arkansas Youth Suicide Prevention Task Force.

Health Services Permit Commission

[ACT 957 \(HB1545\)](#) amends the membership of the Health Services Permit Commission to include a retired or practicing physician and to specify that a designee of a representative of the Department of Human Services can be a member of the commission.

Osteopathic Rural Medical Practice Student Loan and Scholarship Board

[ACT 857 \(HB1841\)](#) creates the Osteopathic Rural Medical Practice Student Loan and Scholarship and creates the Osteopathic Rural Medical Practice Student Loan and Scholarship Board to administer the scholarship. The act declares an emergency and is effective on and after July 1, 2019.

Repeal Advisory Committee to the Arkansas State Board of Pharmacy

[ACT 174 \(HB1286\)](#) repeals the Advisory Committee to the Arkansas State Board of Pharmacy, which reviewed and made recommendations on the merit of all rules dealing with medical equipment, legend devices, and medical gases.

CHILD MALTREATMENT***Child Abuse Hotline - Fetal Alcohol Spectrum Disorder***

[ACT 598 \(HB1452\)](#) amends the law concerning referrals to the Child Abuse Hotline for children born with fetal alcohol spectrum disorder.

Child Maltreatment - Disclosure of Confidential Information

[ACT 590 \(SB497\)](#) amends the law concerning the disclosure of confidential information under the Child Maltreatment Act. The act allows certain information concerning child maltreatment to be disclosed to federal, state, and local government entities that have a need for the information in order to carry out the responsibility of the entities under the law to protect children from child maltreatment.

EMERGENCY SERVICES***National Emergency Medical Services Certification***

[ACT 958 \(HB1547\)](#) requires that persons licensed to provide emergency medical services or advanced life support rescue services maintain continual certification by the National Registry of Emergency Medical Technicians.

Position of Public Trust - Sex Offenders

[ACT 987 \(SB183\)](#) prohibits a person who is required to register as a sex offender and who has been assessed as a Level 2, Level 3, or Level 4 sex offender from holding a position of public trust, which includes positions in public agencies that provide public safety services.

Protection from Life-threatening Diseases and HIV

[ACT 253 \(HB1365\)](#) amends the law to ensure that law enforcement officers and personnel are protected from life-threatening diseases. The act also amends the HIV Shield Law to include protection for law enforcement officers, law enforcement personnel, and emergency response workers.

HEALTH

EMERGENCY SERVICES

Public Safety Communications - Next Generation 911 System

[ACT 660 \(HB1564\)](#) creates the Public Safety Act of 2019, which amends the Arkansas Public Safety Communications Act of 1985 and develops a next generation 911 system. The sections of this act concerning emergency telephone service charges and prepaid wireless public safety charges are effective on and after October 1, 2019.

Transportation of Nonemergency Behavioral Health Patients

[ACT 1041 \(HB1710\)](#) creates the Task Force on Transportation of Nonemergency Behavioral Health Patients to study the impact of transporting nonemergency behavioral health patients by emergency medical services personnel and equipment.

FOOD

Cottage Foods

[ACT 775 \(SB590\)](#) provides that a cottage food production operation at a pop-up shop within another established business is exempt from the definition of "food service establishment" and establishes that the Department of Health may inspect cottage food production operations that operate as a pop-up shop. The act also restricts certain sales of pop-up shops.

Donors of Live Food

[ACT 946 \(SB663\)](#) amends the law concerning donors of food to exclude liability for donors of live food.

Raw Sheep Milk

[ACT 846 \(HB1699\)](#) authorizes the sale of raw sheep milk.

GENERALLY

Colorectal Cancer

[ACT 655 \(HB1446\)](#) updates the Colorectal Cancer Prevention, Early Detection, and Treatment Act.

Coroners

[ACT 238 \(SB193\)](#) clarifies the training and certification requirements of medicolegal death investigators, coroners, and deputy coroners.

Death Certificates

[ACT 975 \(HB1815\)](#) amends the death certificate registration process for the signature of medical certificate of death.

Durable Medical Equipment

[ACT 1065 \(HB1964\)](#) regulates durable medical equipment agreements to avoid misrepresentation and provides a thirty-day return policy after the sale of durable medical equipment.

Human Cloning and Destructive Embryo Research

[ACT 653 \(HB1399\)](#) creates the Prohibition of Public Funding of Human Cloning and Destructive Embryo Research Act, which prohibits public funding of human cloning and destructive embryo research. The act is effective on and after January 1, 2020.

Life Care Providers

[ACT 777 \(SB615\)](#) requires a life care provider to include at least one (1) resident of the continuing care community who is nominated by the residents as a voting member of the life care provider's governing body.

HEALTH

GENERALLY

Medical Treatment for Homeless Minors

[ACT 690 \(SB340\)](#) amends the law concerning consent to medical treatment to authorize a liaison under the federal McKinney-Vento Homeless Assistance Act to consent to medical treatment for a homeless minor. The act declares an emergency and is effective on and after April 4, 2019.

Newborn Screenings for Spinal Muscular Atrophy

[ACT 58 \(HB1074\)](#) requires newborn screening for spinal muscular atrophy, also known as SMA, and mandates that insurance policies cover newborn screening for spinal muscular atrophy.

Respectful Language for Individuals with Disabilities

[ACT 1035 \(HB1651\)](#) amends and updates the laws regarding treatment for individuals with intellectual and developmental disabilities to ensure that respectful language is used within the Arkansas Code regarding individuals with intellectual and developmental disabilities.

Unclaimed Dead Bodies

[ACT 954 \(HB1484\)](#) clarifies the procedure for disposition of unclaimed dead bodies.

HEALTH CARE PROVIDERS

Audits - Recoupment

[ACT 940 \(SB642\)](#) modifies the time for recoupment of audits of a healthcare provider and allows for a healthcare provider to submit a corrected claim for up to six (6) months after recoupment for services that were actually provided but billed in error and without the intent to defraud.

Certified Behavioral Health Providers - Any Willing Provider Law

[ACT 316 \(HB1447\)](#) adds a certified behavioral health provider and a licensed intellectual and developmental disabilities service provider to the definition of "healthcare provider" under the Patient Protection Act of 1995 and as used under the any-willing-provider laws.

Chiropractic Student Preceptorship Program

[ACT 645 \(HB1524\)](#) establishes a chiropractic student preceptorship program.

Expert Witnesses

[ACT 687 \(SB273\)](#) clarifies that an expert witness testifying or offering opinions regarding an administrative proceeding before a board of any profession or occupation classified under state law as a profession of the healing arts has immunity. The act declares an emergency and is effective on and after April 4, 2019.

Genetic Counselor Licensure

[ACT 686 \(SB190\)](#) creates the Arkansas Genetic Counselor Licensure Act, which establishes a license for genetic counselors that is issued by the Arkansas State Medical Board.

HEALTH**HEALTH CARE PROVIDERS*****Healthcare Contracting Simplification Act***

[ACT 734 \(SB480\)](#) establishes the Healthcare Contracting Simplification Act and prohibits anticompetitive practices by a healthcare insurer. The act prohibits certain all-products clauses, most favored nation clauses, and clauses that impair the freedom of contract in a healthcare contract and voids healthcare contracts that contain such provisions. The act allows a contracting entity to offer a healthcare provider a contract that covers multiple health benefit plans that have the same reimbursement rates and other financial terms for the healthcare provider; add a new health benefit plan to an existing healthcare contract with a healthcare provider under the same reimbursement rates and other financial terms applicable under the original healthcare contract; and require a healthcare provider to accept multiple health benefit plans that do not differ in reimbursement rates or other financial terms for the healthcare provider. The act also clarifies the contracting process for healthcare contracts. The act is effective on and after September 1, 2019, and it applies to the activities of risk-based provider organizations on and after January 1, 2021.

Insurer - Contract

[ACT 589 \(SB472\)](#) requires a health insurer to contract with a licensed healthcare provider if the healthcare provider is permitted to participate in Medicare, Medicaid, or any other federal health benefit plan. The act declares an emergency and is effective on and after March 29, 2019.

Insurer - Virtual Payment

[ACT 300 \(HB1125\)](#) prohibits an insurer from making a healthcare provider accept payment for healthcare services through gift cards, credit cards, or other type of electronic payment or virtual credit cards.

Intellectual and Developmental Disabilities Service Providers

[ACT 316 \(HB1447\)](#) adds a certified behavioral health provider and a licensed intellectual and developmental disabilities service provider to the definition of "healthcare provider" under the Patient Protection Act of 1995 and as used under the any-willing-provider laws.

Interstate Physical Therapy Licensure Compact

[ACT 313 \(HB1421\)](#) establishes the Interstate Physical Therapy Licensure Compact in Arkansas, which facilitates the interstate practice of physical therapy to increase public access to physical therapy services.

Mandatory Electronic Prescribing for Controlled Substances

[ACT 447 \(SB174\)](#) requires mandatory electronic prescribing of controlled substances. The act has a contingent effective date and becomes effective on and after the later of January 1, 2021, or the certification by the Attorney General that the United States Department of Health and Human Services requires mandatory electronic prescribing.

Massage Therapy - Tuberculosis Tests

[ACT 312 \(HB1394\)](#) removes the tuberculosis tests as a requirement for licensure as a massage therapist.

Occupational Therapists - Accreditation Organization

[ACT 265 \(SB271\)](#) updates references to an accreditation organization related to occupational therapy.

Optometrists - Practice of Optometry

[ACT 579 \(HB1251\)](#) amends the definition of "practice of optometry" to include certain procedures and requires reporting of optometrists who meet requirements to perform laser procedures.

HEALTH**HEALTH CARE PROVIDERS*****Physical Therapists - Criminal Background Check***

[ACT 314 \(HB1422\)](#) requires a criminal background check as a requirement for licensure as a physical therapist or a physical therapist assistant.

Physician Assistants - Accreditation Organization

[ACT 263 \(SB269\)](#) updates references to the accreditation organization related to physician assistants.

Podiatrists Limitations on Schedule II Narcotics

[ACT 112 \(HB1013\)](#) requires the Arkansas Board of Podiatric Medicine to adopt rules regarding limitations on Schedule II narcotics.

Prescriptive Abilities

[ACT 309 \(HB1288\)](#) removes duplicative language regarding the prescriptive abilities of physician assistants, optometrists, and advanced practice registered nurses. The act also provides that pharmacists may fill prescriptions for all healthcare professionals with prescriptive authority to the extent of the scope of practice for that healthcare profession.

Psychologists and Psychological Examiners - Provisional Licenses

[ACT 887 \(SB505\)](#) amends the provisional license requirements for psychologists and psychological examiners.

Sexual Assault Collection Kits

[ACT 839 \(HB1567\)](#) establishes requirements concerning the collection and submission of sexual assault collection kits gathered by law enforcement agencies and healthcare providers and the testing requirements for sexual assault collection kits submitted to the State Crime Laboratory.

Social Workers - Licensing Updates

[ACT 623 \(SB172\)](#) amends the laws regarding social work licensing. The act also clarifies the licensing exemption for students and changes the term "reciprocity" to "endorsement".

Surgical Technologist - Extend Registration Deadline

[ACT 264 \(SB270\)](#) extends the registration deadline for a surgical technologist who has been employed to practice as a surgical technologist at any time period within the six (6) months before July 1, 2017.

Voluntary Delivery of a Child

[ACT 185 \(SB168\)](#) makes the provisions of the Safe Haven Act applicable to a law enforcement agency and a fire department and specifies the criteria for a newborn safety device and the obligations of a medical provider, law enforcement agency, and fire department that voluntarily installs a newborn safety device. The act authorizes a medical provider, law enforcement agency, or fire department to take possession of certain infants without a court order if the parent of the child voluntarily delivers the child to a medical provider, law enforcement agency, or fire department without expressing an intent to return for the child or if the parent leaves the child in a newborn safety device that is voluntarily installed by a medical provider, law enforcement agency, or fire department.

HEALTH CENTERS***Home Healthcare Services Agency - Confidential Information***

[ACT 1042 \(HB1712\)](#) repeals the law requiring that information received by the Director of the Division of Health Facilities Services through inspection or otherwise regarding home healthcare services agencies be treated as confidential.

HEALTH**HEALTH CENTERS*****Human Development Center - Distribution of Resident's Property upon Death***

[ACT 460 \(HB1331\)](#) establishes a process for distribution of a resident's property by a Human Development Center upon the death of the resident.

National Cancer Institute-Designated Cancer Center - Fund

[ACT 181 \(SB151\)](#) creates the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund and requires a semiannual report on the moneys in the fund, the use of the fund, and the progress of the Winthrop P. Rockefeller Cancer Institute toward achieving status as a National Cancer Institute-Designated Cancer Center.

Personal Care, Private Care Agency, and Home Healthcare

[ACT 811 \(SB468\)](#) amends the requirements for a personal care service provider, private care agency, and home healthcare services agency regarding visits to a patient's home and the distance of an office from the patient's home. The act also creates an Advisory Private Care Agency and Home Healthcare Services Agency Rule Working Group within the Department of Health to review the rules related to these organizations and make recommendations for changes.

Transfers of Patients from a Lay Midwife

[ACT 977 \(HB1860\)](#) requires reporting by a hospital or licensed healthcare facility to the Department of Health when a transfer of a patient from a lay midwife occurs.

HEALTH DEPARTMENT***Human Breast Milk***

[ACT 216 \(HB1176\)](#) requires the Department of Health to establish standards for transporting, processing, and distributing commercial human breast milk. The act also encourages the development of human breast milk depositories and banks in Arkansas.

Life Choices Lifeline Program

[ACT 1036 \(HB1664\)](#) authorizes the Department of Health to establish the Life Choices Lifeline Program as a statewide care program to provide direct services, support, social services case management, and referrals to biological parents of unborn children and biological or adoptive parents of children under two (2) years of age.

Maternal and Perinatal Outcomes Quality Review Committee

[ACT 1032 \(HB1441\)](#) improves maternal and perinatal outcomes by creating the Maternal and Perinatal Outcomes Quality Review Committee within the Department of Health to review data on births and to develop strategies for improving birth outcomes.

Maternal Mortality Review Committee

[ACT 829 \(HB1440\)](#) establishes the Maternal Mortality Review Committee within the Department of Health to review maternal deaths and to develop strategies for the prevention of maternal deaths.

Plumbing Plan Review

[ACT 889 \(SB525\)](#) modernizes the plumbing plan review submissions and responses. The act also clarifies that local jurisdiction review of certain plumbing plans and specifications do not require review by the Department of Health and that certain construction plans are required to be reviewed by the Department of Health.

Prescription Drug Monitoring Program - Federal Programs

[ACT 605 \(HB1627\)](#) amends the law regarding information exchange with other prescription drug monitoring programs to authorize information exchange with federal prescription drug monitoring programs.

HEALTHHEALTH DEPARTMENT

Prescription Drug Monitoring Program - Office of Medicaid Inspector General Access
[ACT 141 \(HB1317\)](#) amends the Prescription Drug Monitoring Program Act to allow access to the program by the Office of Medicaid Inspector General for review and investigation within the Arkansas Medicaid prescription drug program.

HUMAN SERVICES DEPARTMENT***Childcare Facilities - Licensing and Registration***

[ACT 131 \(HB1225\)](#) requires the Division of Child Care and Early Childhood Education of the Department of Human Services to create and make available on the department's website a form and graphical chart that concisely explains the minimum licensing requirements and licensing procedures for a licensed home and a licensed child care center; the registration requirements and registration procedures for a registered child care family home; the voluntary registry of day care family homes and the procedures for registering as a day care family home with the voluntary registry; the availability of federal and state funds, grants, programs, and other financial assistance; and the availability of federal or state tax benefits. The act also requires the division to submit a report detailing any rules that exceed the federal requirements concerning the licensing and registration of child care facilities to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on Children and Youth.

Human Trafficking - Training and Education

[ACT 937 \(SB593\)](#) requires the Department of Education and the Department of Human Services to collaborate on providing awareness and training materials to local school districts on human trafficking that include without limitation strategies for the prevention of child trafficking. The act also provides specific requirements for the content of the training materials on human trafficking.

Juveniles in Division of Youth Services Custody - Education and Teachers

[ACT 1089 \(SB677\)](#) requires a youth newly committed to the Division of Youth Services to undergo a reading assessment and dyslexia screening during the intake process; requires that youths who read below the required proficiency level be provided with appropriate intervention services; requires that youths currently committed to the Division of Youth Services receive information regarding dyslexia and dyslexia intervention services; and requires that an individual who teaches in the Division of Youth Services' education system demonstrate proficiency and awareness of the best practices of scientific reading instruction.

Waiting List for Alternative Community Services Waiver Program

[ACT 1033 \(HB1491\)](#) requires the Department of Human Services to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver", or successor program as soon as possible but no later than three (3) years after July 24, 2019.

LONG-TERM CARE FACILITIES***Long-Term Care Aide Training***

[ACT 1059 \(HB1913\)](#) amends the Long-Term Care Aide Training Act to specify certain requirements for training programs of long-term care aides, also known as certified nursing assistants or certified nursing aides.

Palliative Care

[ACT 813 \(SB504\)](#) extends the sunset date for the Palliative Care and Quality of Life Interdisciplinary Task Force to December 2021.

HEALTH**MEDICAID*****Additional Albuterol Inhaler***

[ACT 856 \(HB1801\)](#) requires the Arkansas Medicaid Program to cover the cost of an additional albuterol inhaler for a Medicaid beneficiary who has been prescribed an albuterol inhaler and who is under eighteen (18) years of age.

Arkansas Pharmacy Benefits Manager Licensure Act

[ACT 994 \(SB520\)](#) clarifies the State Insurance Department's regulatory and enforcement authority concerning pharmacy benefits managers; extends the time for pharmacists and pharmacies to file an administrative appeal to challenge a maximum allowable cost list and for the pharmacy benefits manager to respond and resolve the appeal; prohibits a pharmacy benefits manager from spread pricing; prohibits a pharmacy benefits manager from reducing payments for pharmacist services by a pharmacy benefits manager or a healthcare insurer made directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement; and makes the Arkansas Pharmacy Benefits Manager Licensure Act applicable to an organization or entity directly or indirectly providing services to patients under the Medicaid Provider-Led Organized Care Act or any other Medicaid managed care program in Arkansas.

Medicaid Fraud and Adult Maltreatment Updates

[ACT 916 \(HB1719\)](#) updates the Medicaid Fraud Act and the Medicaid Fraud False Claims Act to address flaws identified in recent investigations and changes related to the implementation of managed care and updates the adult maltreatment penalties. The act also modifies the sentencing scheme for Medicaid fraud by implementing appropriate sanctions in certain situations and prohibits false statements in a Medicaid provider application or agreement. The act prohibits persons who have been suspended or excluded from the Arkansas Medicaid Program from participating directly or indirectly in the Arkansas Medicaid Program and clarifies when rewards may be paid and from what funds.

Medication-assisted Treatment - Opioid Addiction

[ACT 964 \(HB1656\)](#) prohibits a healthcare insurer, including the Arkansas Medicaid Program, from requiring prior authorization for medication-assisted treatment of opioid addiction. The act applies the prohibition to the Arkansas Medicaid Program as it pertains to prescription drugs for treatment of opioid addiction designated as preferred on the evidence-based preferred drug list provided there is at least one (1) of each of buprenorphine, naloxone, naltrexone, methadone, and their various formulations and combinations with the preferred designation on the preferred drug list. The act declares an emergency and is effective on and after April 12, 2019.

Medications Approved for Tobacco Cessation

[ACT 959 \(HB1555\)](#) increases coverage for medications approved by the United States Food and Drug Administration for tobacco cessation in the Arkansas Medicaid Program without a prior authorization.

Ridesharing Applications

[ACT 952 \(HB1435\)](#) authorizes the Arkansas Medicaid Program to reimburse for ridesharing applications.

MEDICAL MARIJUANA***Dispensary Distance Requirements***

[ACT 1004 \(SB665\)](#) amends the Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", to add a facility for individuals with developmental disabilities to the distance requirements for a dispensary. The act declares an emergency and is effective on and after April 15, 2019.

HEALTH

MEDICAL MARIJUANA

Prohibitions on Advertising

[ACT 928 \(SB441\)](#) adds restrictions regarding the advertising of medical marijuana and the use of certain symbols.

Prohibitions on Manufacturing and Processing

[ACT 989 \(SB440\)](#) prohibits certain manufacturing and processing of medical marijuana in food and drink.

Security Plans for Medical Marijuana Facilities - FOIA Exemption

[ACT 1034 \(HB1557\)](#) provides an exemption from the Freedom of Information Act of 1967 for security plans related to medical marijuana facilities.

Special Privilege Tax - Extend Sunset Date

[ACT 592 \(HB1212\)](#) extends the sunset date for the Arkansas Medical Marijuana Special Privilege Tax Act of 2017. The act declares an emergency and is effective on and after March 29, 2019.

MENTAL HEALTH

Individuals Who Are Deaf or Hard of Hearing

[ACT 644 \(HB1471\)](#) creates the Mental Health for Individuals who are Deaf or Hard of Hearing Bill of Rights Act; establishes standards of care for mental health services for individuals who are deaf or hard of hearing; and provides culturally affirmative and linguistically appropriate mental health services to individuals who are deaf or hard of hearing.

NURSES

Collaborative Practice Agreement - Podiatrist

[ACT 308 \(HB1230\)](#) authorizes a podiatrist to have a collaborative practice agreement with an advanced practice registered nurse.

Criminal Background Checks

[ACT 626 \(SB301\)](#) amends the laws concerning criminal background checks for nursing licensure to authorize the Arkansas State Nursing Board to participate at the state and federal level in programs that provide notification of an arrest subsequent to an initial criminal background check.

DACA Recipients Licensure

[ACT 837 \(HB1552\)](#) authorizes the Arkansas State Board of Nursing to license recipients of the Deferred Action for Childhood Arrivals (DACA) policy.

Prescriptive Authority of Advanced Practice Registered Nurses

[ACT 593 \(HB1267\)](#) amends the prescriptive authority of an advanced practice registered nurse to include drugs listed in Schedule II under certain circumstances.

PHARMACISTS AND PHARMACIES

Biological Product Substitutions

[ACT 637 \(HB1269\)](#) authorizes pharmacists to dispense an interchangeable biological product in place of a biological product when there is a cost saving for the patient.

Nicotine Replacement Therapy

[ACT 651 \(HB1263\)](#) authorizes a pharmacist and a physician to initiate therapy and administer or dispense, or both, nicotine replacement therapy products.

HEALTH**PHARMACISTS AND PHARMACIES*****Pharmacy Benefits Manager***

[ACT 994 \(SB520\)](#) clarifies the State Insurance Department's regulatory and enforcement authority concerning pharmacy benefits managers; extends the time for pharmacists and pharmacies to file an administrative appeal to challenge a maximum allowable cost list and for the pharmacy benefits manager to respond and resolve the appeal; prohibits a pharmacy benefits manager from spread pricing; prohibits a pharmacy benefits manager from reducing payments for pharmacist services by a pharmacy benefits manager or a healthcare insurer made directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement; and makes the Arkansas Pharmacy Benefits Manager Licensure Act applicable to an organization or entity directly or indirectly providing services to patients under the Medicaid Provider-Led Organized Care Act or any other Medicaid managed care program in Arkansas.

Vaccines and Immunizations

[ACT 652 \(HB1278\)](#) amends the definition of "practice of pharmacy" to allow vaccines and immunizations to be given to a person from seven (7) years of age to eighteen (18) years of age under a general written protocol.

PHYSICIANS***Adverse Professional Review Action***

[ACT 996 \(SB592\)](#) amends the Patient Protection Act of 1993 and protects the right of a patient to see the healthcare provider of the patient's choice after an adverse professional review action unless that healthcare provider has violated the appropriate standard of care. The act declares an emergency and is effective on and after April 15, 2019.

Assignment of Benefits

[ACT 736 \(SB512\)](#) provides for and regulates the assignment of benefits to a healthcare provider.

Educational Licenses

[ACT 701 \(SB456\)](#) amends the educational licenses issued by the Arkansas State Medical Board and updates the name of the license as an "academic license".

Foreign Graduates - License to Practice

[ACT 267 \(SB274\)](#) adds fellowship as a method for a foreign graduate to obtain a license to practice medicine. The act declares an emergency and is effective on and after March 1, 2019.

Maintenance of Certification

[ACT 804 \(SB339\)](#) prohibits the requirement of, barring of, and discrimination against a physician for his or her decision not to participate in maintenance of certification for licensure, physician hospital staff, admitting privileges, or reimbursement.

Medical Education - Graduate Medical Education Residency Expansion Board

[ACT 854 \(HB1785\)](#) creates the Graduate Medical Education Residency Expansion Board and requires the Graduate Medical Education Residency Expansion Board to administer and distribute planning grants to certain entities in order to establish additional first-year residency programs, establish new graduate medical education programs with first-year residency positions, and support additional years of residency for certain individuals.

HEALTH**PHYSICIANS**

Medical Education - Osteopathic Rural Medical Practice Student Loan and Scholarship
[ACT 857 \(HB1841\)](#) creates the Osteopathic Rural Medical Practice Student Loan and Scholarship and creates the Osteopathic Rural Medical Practice Student Loan and Scholarship Board to administer the scholarship. The act declares an emergency and is effective on and after July 1, 2019.

Osteopathic Physicians - Citizenship or Legal Residency for Licensure
[ACT 607 \(HB1658\)](#) requires citizenship or legal residency for licensure as an osteopathic physician in Arkansas. The act declares an emergency and is effective on and after March 29, 2019.

Out-of-state Physicians
[ACT 688 \(SB275\)](#) clarifies the law regarding out-of-state physicians who practice patient care services initiated in this state through the use of any medium.

Physician-assisted Suicide
[ACT 930 \(SB503\)](#) amends the offense of physician-assisted suicide by increasing the penalty to a Class B felony.

Recording of Certificate Before Practicing
[ACT 266 \(SB272\)](#) repeals obsolete laws regarding the recording of a certificate before practicing medicine.

Telemedicine Credentialing
[ACT 921 \(HB1883\)](#) improves the efficiency of telemedicine credentialing of physicians by specifying the telemedicine credentialing process for a physician.

PUBLIC SCHOOL DISTRICTS

Curriculum - Health Education - Primary Prevention Programs Act
[ACT 841 \(HB1621\)](#) creates the Primary Prevention Programs Act, which requires an education program concerning risk behavior that is provided to youth by or through a state agency or public school to utilize a primary prevention and risk avoidance program.

SCHOOL DISTRICTS

Albuterol Administration in Schools
[ACT 851 \(HB1745\)](#) amends the laws concerning prescription asthma inhalers in school districts and public charter schools and authorizes school districts and public charter schools to acquire and stock albuterol for administration in certain situations.

Bleeding Control Training
[ACT 245 \(HB1014\)](#) requires each public school to provide bleeding control training to students in grades nine through twelve (9-12).

University of Arkansas for Medical Sciences - School Safety Crisis Line - Creation
[ACT 1064 \(HB1963\)](#) requires the University of Arkansas for Medical Sciences Psychiatric Research Institute to establish and operate a pilot program that creates a school safety and crisis line known as ARSafeSchools that can be accessed through telephone, text message, and smartphone application; creates the ARSafeSchools fund for the creation and operation of the ARSafeSchools school safety and crisis line; and requires public school districts to update student discipline policies to account for reports through the ARSafeSchools school safety and crisis line.

HEALTH**SCHOOL DISTRICTS*****Vaccinations - Exemptions to Vaccination Requirements***

[ACT 676 \(HB1786\)](#) requires a public or private school to create and maintain a report that provides certain information regarding the number and percentage of students within the public or private school who have an exemption from the requirement to obtain vaccinations and the number and percentage of students within the public or private school who have neither provided proof of vaccination nor obtained an exemption from the requirement to obtain vaccinations.

STUDENTS***Scoliosis Screening***

[ACT 843 \(HB1641\)](#) amends the law concerning the rules involving scoliosis screening in schools to require the Division of Elementary and Secondary Education of the Department of Education to promulgate rules on this subject.

Use of Sunscreen

[ACT 247 \(HB1167\)](#) allows the possession and use of sunscreen in schools without a physician authorization.

SUBSTANCE ABUSE***Medication-assisted Treatment - Prior Authorization***

[ACT 964 \(HB1656\)](#) prohibits a healthcare insurer, including the Arkansas Medicaid Program, from requiring prior authorization for medication-assisted treatment of opioid addiction. The act applies the prohibition to the Arkansas Medicaid Program as it pertains to prescription drugs for treatment of opioid addiction designated as preferred on the evidence-based preferred drug list provided there is at least one (1) of each of buprenorphine, naloxone, naltrexone, methadone, and their various formulations and combinations with the preferred designation on the preferred drug list. The act declares an emergency and is effective on and after April 12, 2019.

Peer Support Specialist and Criminal Background Checks

[ACT 951 \(HB1433\)](#) authorizes individuals with prior drug-related offenses to work with individuals receiving substance abuse treatment as peer support specialists or work in similar positions requiring a history of receiving behavioral health services. The act declares an emergency and is effective on and after April 12, 2019.

TECHNICAL CORRECTIONS - PUBLIC HEALTH AND WELFARE - TITLE 20

[ACT 389 \(SB368\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 20 of the Arkansas Code.

TOBACCO***Clean Indoor Air Act - Casinos***

[ACT 947 \(SB667\)](#) amends an exception to the Arkansas Clean Indoor Air Act of 2006 to specify a casino licensee of the Arkansas Racing Commission may designate smoking areas on the gaming floor.

TRAINING***Public Secondary Schools - Health Curriculum - Bleeding Control Training***

[ACT 245 \(HB1014\)](#) requires each public school to provide bleeding control training to students in grades nine through twelve (9-12).

VETERINARY MEDICINE***Equine Massage***

[ACT 286 \(HB1146\)](#) exempts equine massage therapy or animal massage therapy from licensure by the Veterinary Medical Examining Board.

HEALTH

VETERINARY MEDICINE

Exemption to Licensure - Chiropractic upon Animals

[ACT 139 \(HB1264\)](#) amends the exemption to licensure by the Veterinary Medical Examining Board to remove the supervision requirement for chiropractors performing chiropractic upon animals.

Veterinary Technologist and Veterinary Technician Specialist Certification

[ACT 169 \(HB1124\)](#) amends the laws concerning veterinary medicine and establishes a veterinary technologist certification and a veterinary technician specialist certification.

WATER

Fees Associated with Public Water System Services

[ACT 788 \(HB1737\)](#) increases certain fees associated with the Public Water System Service Act.

HIGHWAYS AND TRANSPORTATION

AERONAUTICS AND AVIATION

Arkansas Department of Aeronautics Fund - Grants

[ACT 152 \(HB1011\)](#) authorizes use of the Arkansas Department of Aeronautics Fund by the Arkansas Department of Aeronautics for the distribution of grants to qualifying applicants for any purpose related to the development of aeronautics, the promotion of aeronautics, or aviation education.

Aviation Fuel

[ACT 606 \(HB1654\)](#) clarifies that aviation fuel does not fall under the definition of "engine fuels" that are required to be tested by the State Plant Board.

BOATING

Certificate of Title

[ACT 733 \(SB479\)](#) creates the Arkansas Motorboat Registration and Titling Act to establish the requirements and procedures for registering with a certificate of number and titling motorboats manufactured on and after January 1, 2020.

CITY STREETS

Bicycle Safety

[ACT 650 \(SB388\)](#) allows bicyclists to yield at stop signs and red lights under certain circumstances.

Electric Motorized Scooters

[ACT 1015 \(HB1619\)](#) authorizes a local authority to regulate the safe operation and the presence of electric motorized scooters on public property.

Municipal Aid Fund

[ACT 133 \(HB1228\)](#) provides that highway revenues transferred to the Municipal Aid Fund shall be paid over by the Treasurer of State by direct deposit to municipal treasurers for credit to the street fund.

FINANCE AND FUNDING

Arkansas Department of Aeronautics Fund - Distribution of Grants

[ACT 152 \(HB1011\)](#) authorizes use of the Arkansas Department of Aeronautics Fund by the Arkansas Department of Aeronautics for the distribution of grants to qualifying applicants for any purpose related to the development of aeronautics, the promotion of aeronautics, or aviation education.

HIGHWAY COMMISSION

Appointment of Commissioners

[ACT 331 \(SB71\)](#) clarifies the procedure for the appointment of members of the State Highway Commission as set out in Arkansas Constitution, Amendment 42.

HIGHWAYS AND TRANSPORTATIONHIGHWAY COMMISSION***Autonomous Vehicles***

[ACT 468 \(HB1561\)](#) provides that a person may operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on the streets and highways of this state for a commercial purpose upon the approval of an autonomous vehicle program by the State Highway Commission. The act declares an emergency and is effective on and after March 14, 2019.

HISTORICAL MARKERS***True Grit Trail***

[ACT 469 \(HB1628\)](#) designates the route along Highway 22 between Dardanelle and Fort Smith the "True Grit Trail".

INTERSTATES***Designation - Gold Star Families Highway***

[ACT 1070 \(HB1979\)](#) designates I-630 and a portion of Highway 163 North as a "Gold Star Families Highway".

Designation - Scenic Highway

[ACT 293 \(SB167\)](#) designates State Highway 549, to be known in the future as Interstate 49, in northwest Arkansas as a scenic highway.

RAILROADS***Autonomous Vehicles***

[ACT 1052 \(HB1822\)](#) requires an autonomous vehicle and fully autonomous vehicle to have the capability to safely negotiate railroad crossings unless an exemption is granted by the Arkansas Department of Transportation. The act also requires the department to consult with railroad companies when considering an exemption that affects the operation of autonomous vehicles or fully autonomous vehicles at railroad crossings. The act declares an emergency and is effective on and after April 16, 2019.

Employees Involved in Accident or Incident

[ACT 467 \(HB1549\)](#) provides that a railroad employee involved in a railroad accident or incident may present Federal Railroad Administration certification in lieu of a driver's license to law enforcement. The act declares an emergency and is effective on and after March 14, 2019.

Employees Involved in Accident or Incident

[ACT 467 \(HB1549\)](#) provides that a railroad employee involved in a railroad accident or incident may present Federal Railroad Administration certification in lieu of a driver's license to law enforcement. The act declares an emergency and is effective on and after March 14, 2019.

Unlawful Use of Unmanned Aircraft System

[ACT 508 \(HB1646\)](#) prohibits the use of an unmanned aircraft system to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record a railroad operating facility.

SAFETY***Autonomous Vehicles***

[ACT 468 \(HB1561\)](#) allows a person to operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on streets and highways for a commercial purpose. The act also requires proof of motor vehicle liability insurance and compliance with all applicable traffic and motor vehicle safety laws and rules adopted by the Office of Motor Vehicle. The act declares an emergency and is effective on and after March 14, 2019.

HIGHWAYS AND TRANSPORTATION**SAFETY*****Bicycles***

[ACT 650 \(SB388\)](#) allows bicyclists to yield at stop signs and red lights under certain circumstances.

Distracted Driving

[ACT 738 \(SB534\)](#) requires primary enforcement of distracted driving restrictions imposed on drivers under twenty-one (21) years of age, drivers in highway work zones, and drivers in school zones. The act also clarifies that a driver may use a wireless telecommunications device if he or she is pulled over to the side of or off of a public road, street, or highway.

Electric Motorized Scooters

[ACT 1015 \(HB1619\)](#) authorizes a local authority to regulate the safe operation and the presence of electric motorized scooters on public property.

Human Trafficking Prevention Training

[ACT 366 \(HB1425\)](#) provides that the holder of a Class A commercial driver license applying for renewal is not required to complete the human trafficking prevention training if he or she has completed the training at least once.

Motor Carrier Safety Improvement

[ACT 782 \(HB1448\)](#) provides that the deployment, implementation, or use of a motor carrier safety improvement does not change the worker status of a driver.

Passing of Authorized Vehicle

[ACT 550 \(HB1689\)](#) increases the fine imposed for the unlawful passing of an authorized vehicle stopped on a highway.

Railroads - Autonomous Vehicles

[ACT 1052 \(HB1822\)](#) requires an autonomous vehicle and fully autonomous vehicle to have the capability to safely negotiate railroad crossings unless an exemption is granted by the Arkansas Department of Transportation. The act also requires the department to consult with railroad companies when considering an exemption that affects the operation of autonomous vehicles or fully autonomous vehicles at railroad crossings. The act declares an emergency and is effective on and after April 16, 2019.

School Buses - Operation of School Buses - Radio Communications

[ACT 577 \(HB1683\)](#) excludes devices with push-to-talk capabilities from the definitions of "cellular telephone", "wireless telecommunications device", and "handheld wireless telephone" and allows an individual operating a school bus to use a two-way radio communications device or other similar device as a means of communicating with central dispatch, the school transportation department, or the equivalent of the school transportation department.

SCENIC HIGHWAYS***Designation - Camden Expedition Scenic Highway***

[ACT 292 \(HB1414\)](#) designates certain routes in central and southwest Arkansas as the "Camden Expedition Scenic Highway".

Designation - Scenic Highway

[ACT 293 \(SB167\)](#) designates State Highway 549, to be known in the future as Interstate 49, in northwest Arkansas as a scenic highway.

HIGHWAYS AND TRANSPORTATION**SPEED LIMITS*****Maximum***

[ACT 784 \(HB1631\)](#) allows a motor vehicle to be operated at a maximum speed limit of seventy-five miles per hour (75 m.p.h.) on a controlled-access highway located outside an urban area that has at least four (4) lanes that are divided by a median strip. The act also authorizes the State Highway Commission to decrease the maximum speed limit on a controlled-access highway upon the completion of an engineering and traffic investigation. The act is effective on and after July 1, 2020.

STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM***Eligibility to Receive a Benefit Increase***

[ACT 294 \(SB200\)](#) provides that beginning on July 1, 2019, a redetermination of benefits shall not apply to an additional monthly benefit that is available to a member who is eligible to receive an increase in benefits and provides that a member shall continue to receive any previous increases to an additional monthly benefit that were received by the member through a redetermination of benefits before July 1, 2019. The act also clarifies that the rules regarding a redetermination of benefits apply to all previous increases to an additional monthly benefit received by a member through a redetermination of benefits before July 1, 2019.

Employer Contributions

[ACT 295 \(SB201\)](#) requires the employer contribution to be a set percentage rate of the compensation of the employee and provides that the Board of Trustees of the Arkansas State Highway Employees' Retirement System shall determine the employer contribution percentage rate after receiving recommendations from the actuary of the system. The act prohibits the set percentage rate from being less than twelve and nine-tenths percent (12.9%) of compensation or from being greater than fourteen and nine-tenths percent (14.9%) of compensation. The act declares an emergency and is effective on and after July 1, 2019.

Member Contributions

[ACT 295 \(SB201\)](#) provides that beginning on July 1, 2019, the Board of Trustees of the Arkansas State Highway Employees' Retirement System is required to assess member contribution rates after receiving recommendations from the actuary of the system. The act requires an assessed member contribution rate to be no more than seven percent (7%) of compensation and to be increased by no more than five-tenths of one percent (0.5%) in a single year. The act declares an emergency and is effective on and after July 1, 2019.

STATE HIGHWAYS***All-terrain Vehicles - Department of Parks and Tourism***

[ACT 1048 \(HB1811\)](#) provides that an employee of the Department of Parks and Tourism may operate a department-owned all-terrain vehicle on a public street or highway to access contiguous areas of a state park in order to perform his or her duties.

Autonomous Vehicles

[ACT 468 \(HB1561\)](#) provides that a person may operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on the streets and highways of this state for a commercial purpose upon the approval of an autonomous vehicle program by the State Highway Commission. The act declares an emergency and is effective on and after March 14, 2019.

Bicycle Safety

[ACT 650 \(SB388\)](#) allows bicyclists to yield at stop signs and red lights under certain circumstances.

HIGHWAYS AND TRANSPORTATION**STATE HIGHWAYS*****Designation - Camden Expedition Scenic Highway***

[ACT 292 \(HB1414\)](#) designates certain routes in central and southwest Arkansas as the "Camden Expedition Scenic Highway".

Designation - Gold Star Families Highway

[ACT 1070 \(HB1979\)](#) designates I-630 and a portion of Highway 163 North as a "Gold Star Families Highway".

Designation - Scenic Highway

[ACT 293 \(SB167\)](#) designates State Highway 549, to be known in the future as Interstate 49, in northwest Arkansas as a scenic highway.

Nonconsent Towing - Heavy-duty

[ACT 1063 \(HB1956\)](#) provides that a tow facility may tow heavy-duty motor vehicles as part of a law enforcement program if the tow facility is licensed by the Arkansas Towing and Recovery Board, passes safety inspections, and complies with state and federal laws. The act also provides that a tow company, an emergency medical services provider, or local law enforcement is not responsible for any damage or claims that may result from the removal of an unattended vehicle if acting in good faith and using reasonable care. Section 1 of the act concerning the nonconsent towing rotation for heavy-duty vehicles is effective on and after January 1, 2020.

Passing of Authorized Vehicle

[ACT 550 \(HB1689\)](#) increases the fine imposed for the unlawful passing of an authorized vehicle stopped on a highway.

Speed Limit

[ACT 784 \(HB1631\)](#) allows a motor vehicle to be operated at a maximum speed limit of seventy-five miles per hour (75 m.p.h.) on a controlled-access highway located outside an urban area that has at least four (4) lanes that are divided by a median strip. The act also authorizes the State Highway Commission to decrease the maximum speed limit on a controlled-access highway upon the completion of an engineering and traffic investigation. The act is effective on and after July 1, 2020.

Transportation Projects - Procurement Pilot Program

[ACT 1019 \(HB1693\)](#) amends the Construction Manager-General Contactor Method of Procurement Pilot Program to allow for the selection of five (5) transportation projects.

STATE POLICE***Nonconsent Towing***

[ACT 1063 \(HB1956\)](#) provides that the Department of Arkansas State Police may remove an unattended vehicle without the consent of the operator or passenger.

TECHNICAL CORRECTIONS - TRANSPORTATION - TITLE 27

[ACT 394 \(SB373\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 27 of the Arkansas Code.

TRANSPORTATION DEPARTMENT***Audit***

[ACT 298 \(SB385\)](#) provides for a comprehensive review and audit of the Arkansas Department of Transportation, including without limitation its processes, procedures, procurement procedures, projects, expenditures, and appeals processes.

Procurement Pilot Program

[ACT 1019 \(HB1693\)](#) amends the Construction Manager-General Contactor Method of Procurement Pilot Program to allow for the selection of five (5) transportation projects.

HIGHWAYS AND TRANSPORTATION**TRANSPORTATION DEPARTMENT*****Public School Districts - Traffic Study***

[ACT 858 \(HB1847\)](#) amends the design and construction standards in the Arkansas Public School Academic Facility Manual regarding site selection for a public school district facility to allow a public school district to have a traffic study conducted by the Arkansas Department of Transportation.

Railroad Crossing - Autonomous Vehicles

[ACT 1052 \(HB1822\)](#) requires an autonomous vehicle and fully autonomous vehicle to have the capability to safely negotiate railroad crossings unless an exemption is granted by the Arkansas Department of Transportation. The act also requires the department to consult with railroad companies when considering an exemption that affects the operation of autonomous vehicles or fully autonomous vehicles at railroad crossings. The act declares an emergency and is effective on and after April 16, 2019.

Report on Transportation Issues

[ACT 789 \(HB1750\)](#) requires the Director of State Highways and Transportation to provide information at each regular session and each fiscal session on various issues, including without limitation the location of the most congested routes in the state, the most dangerous transportation areas in the state, the expenditure per person of state and federal highway funds in each congressional district, and the number of miles of the state highway system that are in each congressional district.

Reporting

[ACT 299 \(SB386\)](#) requires the Director of State Highways and Transportation to annually provide draft legislation to the Legislative Council for review and approval.

WEIGHT AND LOAD LIMITS AND PERMITS***Agronomic or Horticultural Crops***

[ACT 859 \(HB1855\)](#) allows the issuance of a permit for the hauling of agronomic or horticultural crops by a truck tractor and semi-trailer-trailer combination.

IMPROVEMENT DISTRICTS**FINANCE*****Financial Records***

[ACT 708 \(HB1663\)](#) requires maintenance of financial records during the existence of and for five (5) years following the dissolution of an improvement district; clarifies that financial records are subject to the Freedom of information Act of 1967; and modifies how subsequent indebtedness is incurred for certain improvement districts.

FIRE PROTECTION DISTRICTS***Assessments***

[ACT 1077 \(SB461\)](#) allows the quorum court more participation in the assessment-setting of a fire protection district and requires the county collector to collect district assessments as a prerequisite to the collection of real property taxes. The act declares an emergency and is effective on and after April 17, 2019.

Indebtedness

[ACT 739 \(SB540\)](#) modifies the amount of indebtedness a fire protection district can incur.

PROCEDURES***Creation of Improvement Districts***

[ACT 1025 \(HB1896\)](#) provides for enhanced petition procedures for the creation of certain improvement districts.

IMPROVEMENT DISTRICTS

REGIONAL SOLID WASTE MANAGEMENT DISTRICTS

Board of Directors

[ACT 643 \(HB1459\)](#) requires Arkansas Legislative Audit to conduct an annual review of selected policies, procedures, and transactions of regional solid waste management districts.

WATER DISTRICTS

Board of Directors

[ACT 450 \(SB253\)](#) modifies the appointment process for a board of directors of a regional water distribution district.

INDIVIDUALS WITH DISABILITIES

ACCESSIBILITY

Service Animals - Misrepresentation

[ACT 1002 \(SB654\)](#) provides a civil penalty of two hundred fifty dollars (\$250) for misrepresenting an animal as a service animal.

Waiting List for Alternative Community Services Waiver Program

[ACT 1033 \(HB1491\)](#) requires the Department of Human Services to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver", or successor program as soon as possible but no later than three (3) years after July 24, 2019.

DISCRIMINATION

Respectful Language Within the Arkansas Code

[ACT 1035 \(HB1651\)](#) amends and updates the laws regarding treatment for individuals with intellectual and developmental disabilities to ensure that respectful language is used within the Arkansas Code regarding individuals with intellectual and developmental disabilities.

Special License Plates - Word "Disabled"

[ACT 236 \(SB161\)](#) prohibits the display of the word "disabled" on a special license plate issued by the Office of Motor Vehicle for persons with disabilities.

HUMAN DEVELOPMENT CENTER

Distribution of Resident's Property upon Death

[ACT 460 \(HB1331\)](#) establishes a process for distribution of a resident's property by a Human Development Center upon the death of the resident.

SERVICES

Achieving a Better Life Experience Accounts - Death of Designated Beneficiary

[ACT 59 \(HB1076\)](#) amends the Achieving A Better Life Experience Program Act to authorize the transfer of ABLE account assets following the death of a designated beneficiary and prohibits the state from seeking payment from the ABLE account following the designated beneficiary's death.

Income Tax Deduction - Contributions to ABLE Accounts

[ACT 825 \(HB1075\)](#) provides for an income tax deduction for contributions to disability savings accounts. The act is effective for tax years beginning on and after January 1, 2019.

Mental Health - Individuals Who Are Deaf or Hard of Hearing

[ACT 644 \(HB1471\)](#) creates the Mental Health for Individuals who are Deaf or Hard of Hearing Bill of Rights Act; establishes standards of care for mental health services for individuals who are deaf or hard of hearing; and provides culturally affirmative and linguistically appropriate mental health services to individuals who are deaf or hard of hearing.

INSURANCE

AGENTS, ADJUSTERS, AND CONSULTANTS

[ACT 521 \(SB310\)](#) amends the procedure for the appointment of an insurance agent.

INSURANCE**ARKANSAS PREPAID FUNERAL BENEFITS LAW*****Life Insurance Benefits***

[ACT 500 \(HB1391\)](#) requires an insurer to verify the benefits for a contract beneficiary under a whole life insurance policy or annuity within three (3) business days from the receipt of a notification of death of a contract beneficiary and a request for verification of benefits by an owner, beneficiary, assignee, or the authorized representative of an owner, beneficiary, or assignee. The act clarifies that verification of benefits includes without limitation whether or not the deceased is a covered person under the policy or annuity, the death benefit amount under the policy or annuity, and whether or not the policy or annuity is in the contestability period.

CHILDREN***PANS/PANDAS Advisory Council***

[ACT 878 \(SB252\)](#) provides for an interdisciplinary panel at the University of Arkansas for Medical Sciences to create a protocol for the treatment of and diagnostic framework for the coverage of PANS and PANDAS to allow for the assignment of an International Classification of Diseases Code or other applicable medical code for insurance coverage purposes. The act also establishes the Arkansas PANS/PANDAS Advisory Council, which expires on December 31, 2020.

COMMERCIAL PROPERTY AND CASUALTY INSURANCE***Forms and Endorsements - Timing***

[ACT 343 \(SB284\)](#) clarifies the timing for acceptance of forms or endorsements that reduce, restrict, or modify the original policy coverage.

COMPANIES AND ASSOCIATIONS

[ACT 521 \(SB310\)](#) amends the requirements for an insurer's annual statement, the licensing and regulation of captive insurers, the procedure for remittance of premium taxes by a surplus lines broker, the requirements for a domestic stock insurer to obtain reinsurance by an assumption agreement, and the applicability of the Arkansas Insurance Code to farmers' mutual aid companies and associations. The act also establishes the Corporate Governance Annual Disclosure Act.

Affiliate Transfer

[ACT 689 \(SB291\)](#) permits affiliate transfers between insurers under certain conditions.

Audits of Medical Providers

[ACT 940 \(SB642\)](#) modifies the time for recoupment of audits of a healthcare provider and allows for a healthcare provider to submit a corrected claim for up to six (6) months after recoupment for services that were actually provided but billed in error and without the intent to defraud.

Books and Records - Trade Practices

[ACT 696 \(SB396\)](#) amends the statutes concerning the books and records requirements under the Arkansas Insurance Code to require retention for five (5) calendar years and compliance with the standards outlined in the most recent and appropriate companion National Association of Insurance Commissioners Market Conduct Examiners Handbook. The act clarifies that the books and records requirements apply to company operations and management, policyholder service, marketing, producer licensing, underwriting, rating, complaint handling, grievance handling, and claims practices, and with respect to health insurers, the requirements apply to the entity's practices regarding network adequacy, utilization review, quality assessment and improvement, and provider credentialing. The act modifies the Trade Practices Act under the Arkansas Insurance Code to retain a complaints register for five (5) calendar years.

INSURANCE**COMPANIES AND ASSOCIATIONS*****Continuing Care Provider Regulation - Life Care Providers***

[ACT 777 \(SB615\)](#) requires a life care provider to include at least one (1) resident of the continuing care community who is nominated by the residents as a voting member of the life care provider's governing body.

Contract with Healthcare Provider

[ACT 589 \(SB472\)](#) requires a health insurer to contract with a licensed healthcare provider if the healthcare provider is permitted to participate in Medicare, Medicaid, or any other federal health benefit plan. The act declares an emergency and is effective on and after March 29, 2019.

Healthcare Contracting Simplification Act

[ACT 734 \(SB480\)](#) establishes the Healthcare Contracting Simplification Act and prohibits anticompetitive practices by a healthcare insurer. The act prohibits certain all-products clauses, most favored nation clauses, and clauses that impair the freedom of contract in a healthcare contract and voids healthcare contracts that contain such provisions. The act allows a contracting entity to offer a healthcare provider a contract that covers multiple health benefit plans that have the same reimbursement rates and other financial terms for the healthcare provider; add a new health benefit plan to an existing healthcare contract with a healthcare provider under the same reimbursement rates and other financial terms applicable under the original healthcare contract; and require a healthcare provider to accept multiple health benefit plans that do not differ in reimbursement rates or other financial terms for the healthcare provider. The act also clarifies the contracting process for healthcare contracts. The act is effective on and after September 1, 2019, and it applies to the activities of risk-based provider organizations on and after January 1, 2021.

Healthcare Provider - Adverse Professional Review Action

[ACT 996 \(SB592\)](#) amends the Patient Protection Act of 1993 and protects the right of a patient to see the healthcare provider of the patient's choice after an adverse professional review action unless that healthcare provider has violated the appropriate standard of care. The act declares an emergency and is effective on and after April 15, 2019.

Member Identification Card - Disclosure

[ACT 706 \(SB527\)](#) establishes the Healthcare Payor Identification Card Act to require disclosure on member identification cards of whether the health benefit plan is an insured or self-insured plan. The act declares an emergency and is effective on and after April 4, 2019.

Multiple Employer Trusts - Self-insured

[ACT 919 \(HB1837\)](#) modifies the statutes concerning multiple employer trusts, multiple employer welfare arrangements that are not fully insured, and self-insured plans to include, to the extent permitted by federal law, employers in a common trade or industry, employers representing two (2) or more trades or industries, sole proprietors, or working owners. The act also provides that whether a multiple employer welfare arrangement is subject to the requirements of the large group market is determined at the aggregate level.

COVERAGE AND BENEFITS

[ACT 521 \(SB310\)](#) amends the Arkansas Prepaid Funeral Benefits Law, clarifies excepted benefits, and repeals the annual report of malpractice rates.

INSURANCE**COVERAGE AND BENEFITS*****Essential Health Benefit***

[ACT 477 \(SB380\)](#) requires fully insured large group insurers to provide coverage as an essential health benefit for an optional screening mammography and breast ultrasound benefit for the diagnosis of breast disease such as cancer and the evaluation of dense breast tissue.

Healthcare Provider - Assignment of Benefits

[ACT 736 \(SB512\)](#) provides for and regulates the assignment of benefits to a healthcare provider.

Insured or Self-insured Plan - Member Identification Card

[ACT 706 \(SB527\)](#) establishes the Healthcare Payor Identification Card Act to require disclosure on member identification cards of whether the health benefit plan is an insured or self-insured plan. The act declares an emergency and is effective on and after April 4, 2019.

Interdisciplinary Panel - PANS/PANDAS

[ACT 878 \(SB252\)](#) provides for an interdisciplinary panel at the University of Arkansas for Medical Sciences to create a protocol for the treatment of and diagnostic framework for the coverage of PANS and PANDAS to allow for the assignment of an International Classification of Diseases Code or other applicable medical code for insurance coverage purposes. The act also establishes the Arkansas PANS/PANDAS Advisory Council, which expires on December 31, 2020.

Medication-assisted Treatment - Opioid Addiction

[ACT 964 \(HB1656\)](#) prohibits a healthcare insurer, including the Arkansas Medicaid Program, from requiring prior authorization for medication-assisted treatment of opioid addiction. The act applies the prohibition to the Arkansas Medicaid Program as it pertains to prescription drugs for treatment of opioid addiction designated as preferred on the evidence-based preferred drug list provided there is at least one (1) of each of buprenorphine, naloxone, naltrexone, methadone, and their various formulations and combinations with the preferred designation on the preferred drug list. The act declares an emergency and is effective on and after April 12, 2019.

Spinal Muscular Atrophy

[ACT 58 \(HB1074\)](#) requires newborn screening for spinal muscular atrophy, also known as SMA, and mandates that insurance policies cover newborn screening for spinal muscular atrophy.

Step Therapy Requirements - Cancer Prescription Drugs

[ACT 699 \(SB446\)](#) defines "metastatic cancer" and clarifies the applicability of step therapy requirements for certain prescription medications to treat metastatic cancer.

FUNERAL AND BURIAL INSURANCE***Arkansas Prepaid Funeral Benefits Law***

[ACT 521 \(SB310\)](#) amends the Arkansas Prepaid Funeral Benefits Law, clarifies excepted benefits, and repeals the annual report of malpractice rates.

GENERALLY***Restatement of the Law - Not Public Policy***

[ACT 742 \(SB565\)](#) provides that a statement of the law in the American Law Institute's Restatement of the Law, Liability Insurance does not constitute the public policy of Arkansas.

INSURANCE**HEALTH INSURANCE*****Arkansas Life and Health Insurance Guaranty Association***

[ACT 520 \(SB292\)](#) amends the Arkansas Life and Health Insurance Guaranty Association Act to apply to a health maintenance organization and clarifies the scope of the act to Medicare Parts C and D, Medicaid, and structured settlement annuity benefits. The act provides that an association, unless prohibited by law, may file for actuarially justified rate or premium increase under the terms and conditions of the policy or contract providing coverage. The act also modifies the amounts of Class A and Class B assessments, the applicability to long-term care insurance, available credits for future assessments under certain conditions, and the recoupment of assessments.

Assignment of Benefits

[ACT 736 \(SB512\)](#) provides for and regulates the assignment of benefits to a healthcare provider.

Audits of Medical Providers - Recoupment

[ACT 940 \(SB642\)](#) modifies the time for recoupment of audits of a healthcare provider and allows for a healthcare provider to submit a corrected claim for up to six (6) months after recoupment for services that were actually provided but billed in error and without the intent to defraud.

Durable Medical Equipment

[ACT 1065 \(HB1964\)](#) regulates durable medical equipment agreements to avoid misrepresentation and provides a thirty-day return policy after the sale of durable medical equipment.

Healthcare Provider - Adverse Professional Review Action

[ACT 996 \(SB592\)](#) amends the Patient Protection Act of 1993 and protects the right of a patient to see the healthcare provider of the patient's choice after an adverse professional review action unless that healthcare provider has violated the appropriate standard of care. The act declares an emergency and is effective on and after April 15, 2019.

Healthcare Provider - Payments

[ACT 862 \(HB1900\)](#) clarifies the procedures for a healthcare payor for reimbursement or when determining any gain-sharing or risk-sharing of a healthcare provider under an alternative payment system.

Insurer - Health Care Providers

[ACT 589 \(SB472\)](#) requires a health insurer to contract with a licensed healthcare provider if the healthcare provider is permitted to participate in Medicare, Medicaid, or any other federal health benefit plan. The act declares an emergency and is effective on and after March 29, 2019.

Maintenance of Certification

[ACT 804 \(SB339\)](#) prohibits the requirement of, barring of, and discrimination against a physician for his or her decision not to participate in maintenance of certification for licensure, physician hospital staff, admitting privileges, or reimbursement.

Member Identification Card - Insured or Self-insured Plan

[ACT 706 \(SB527\)](#) establishes the Healthcare Payor Identification Card Act to require disclosure on member identification cards of whether the health benefit plan is an insured or self-insured plan. The act declares an emergency and is effective on and after April 4, 2019.

INSURANCE**HEALTH INSURANCE*****Multiple Employer Trusts***

[ACT 919 \(HB1837\)](#) modifies the statutes concerning multiple employer trusts, multiple employer welfare arrangements that are not fully insured, and self-insured plans to include, to the extent permitted by federal law, employers in a common trade or industry, employers representing two (2) or more trades or industries, sole proprietors, or working owners. The act also provides that whether a multiple employer welfare arrangement is subject to the requirements of the large group market is determined at the aggregate level.

Prior Authorization - Medication-assisted Treatment

[ACT 964 \(HB1656\)](#) prohibits a healthcare insurer, including the Arkansas Medicaid Program, from requiring prior authorization for medication-assisted treatment of opioid addiction. The act applies the prohibition to the Arkansas Medicaid Program as it pertains to prescription drugs for treatment of opioid addiction designated as preferred on the evidence-based preferred drug list provided there is at least one (1) of each of buprenorphine, naloxone, naltrexone, methadone, and their various formulations and combinations with the preferred designation on the preferred drug list. The act declares an emergency and is effective on and after April 12, 2019.

Screening Mammography and Breast Ultrasound

[ACT 477 \(SB380\)](#) requires fully insured large group insurers to provide coverage as an essential health benefit for an optional screening mammography and breast ultrasound benefit for the diagnosis of breast disease such as cancer and the evaluation of dense breast tissue.

Step Therapy - Prescription Drugs

[ACT 699 \(SB446\)](#) defines "metastatic cancer" and clarifies the applicability of step therapy requirements for certain prescription medications to treat metastatic cancer.

INSURANCE DEPARTMENT***General Omnibus***

[ACT 521 \(SB310\)](#) enacts the State Insurance Department's general omnibus bill, including updates to numerous insurance laws. The act amends the Arkansas Prepaid Funeral Benefits Law, the requirements for an insurer's annual statement, the licensing and regulation of captive insurers, the procedure for the appointment of an insurance agent, the procedure for remittance of premium taxes by a surplus lines broker, the requirements for a domestic stock insurer to obtain reinsurance by an assumption agreement, the applicability of the Arkansas Insurance Code to farmers' mutual aid companies and associations, and excepted benefits. The act also repeals the annual report of malpractice rates and establishes the Corporate Governance Annual Disclosure Act.

Rules - Arkansas Firefighter Cancer Relief Network Trust Fund

[ACT 823 \(SB585\)](#) creates the Arkansas Firefighter Cancer Relief Network Trust Fund to be administered by the State Insurance Department through donations. The act provides that the trust fund will be used to fund relief for firefighters who are diagnosed with cancer and who are participating in a firefighter cancer relief network created and governed by the Arkansas Association of Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association Inc.

Transfer of Arkansas Health Insurance Marketplace

[ACT 107 \(SB113\)](#) abolishes the Board of Directors of the Arkansas Health Insurance Marketplace and transfers the Arkansas Health Insurance Marketplace to the State Insurance Department. The act declares an emergency and is effective on and after March 15, 2019.

INSURANCE**LIABILITY INSURANCE*****Casualty Insurance - Inflatable Attractions***

[ACT 585 \(SB263\)](#) amends the Amusement Ride and Amusement Attraction Safety Insurance Act to reduce the frequency of inspections of inflatable attractions to annually and removes the requirement that an insurance company perform an inspection of an inflatable attraction.

Malpractice Rates - Annual Report

[ACT 521 \(SB310\)](#) amends the Arkansas Prepaid Funeral Benefits Law, clarifies excepted benefits, and repeals the annual report of malpractice rates.

Motor Vehicle - Online Insurance Verification

[ACT 869 \(HB1945\)](#) amends the Arkansas Online Insurance Verification System Act; provides for an annual transfer for expenses related to the online insurance verification system and transfers a portion of a fine assessed for the failure to carry the required motor vehicle liability insurance to the benefit of the Arkansas First Responder Safety Enhancement Fund. The act also contains temporary language requiring the implementation of the online insurance verification system by January 1, 2020. Sections 2 and 5 of the act concerning the Arkansas First Responder Safety Enhancement Fund become effective upon notification to the Legislative Council and the Director of the Bureau of Legislative Research that the online insurance verification system is fully operational.

LIFE INSURANCE AND ANNUITIES***Arkansas Life and Health Insurance Guaranty Association***

[ACT 520 \(SB292\)](#) amends the Arkansas Life and Health Insurance Guaranty Association Act to apply to a health maintenance organization and clarifies the scope of the act to Medicare Parts C and D, Medicaid, and structured settlement annuity benefits. The act provides that an association, unless prohibited by law, may file for actuarially justified rate or premium increase under the terms and conditions of the policy or contract providing coverage. The act also modifies the amounts of Class A and Class B assessments, the applicability to long-term care insurance, available credits for future assessments under certain conditions, and the recoupment of assessments.

Arkansas National Guard - State-sponsored Life Insurance

[ACT 922 \(HB1894\)](#) designates the Adjutant General as the official sponsor of the Arkansas National Guard state-sponsored life insurance program. The act provides that the Adjutant General is responsible for providing Arkansas National Guard members access to and information concerning state-sponsored life insurance.

Verification of Benefits

[ACT 500 \(HB1391\)](#) requires an insurer to verify the benefits for a contract beneficiary under a whole life insurance policy or annuity within three (3) business days from the receipt of a notification of death of a contract beneficiary and a request for verification of benefits by an owner, beneficiary, assignee, or the authorized representative of an owner, beneficiary, or assignee. The act clarifies that verification of benefits includes without limitation whether or not the deceased is a covered person under the policy or annuity, the death benefit amount under the policy or annuity, and whether or not the policy or annuity is in the contestability period.

LONG-TERM CARE INSURANCE***Life Care Providers***

[ACT 777 \(SB615\)](#) requires a life care provider to include at least one (1) resident of the continuing care community who is nominated by the residents as a voting member of the life care provider's governing body.

INSURANCE**MOTOR VEHICLES*****Online Insurance Verification***

[ACT 869 \(HB1945\)](#) amends the Arkansas Online Insurance Verification System Act; provides for an annual transfer for expenses related to the online insurance verification system and transfers a portion of a fine assessed for the failure to carry the required motor vehicle liability insurance to the benefit of the Arkansas First Responder Safety Enhancement Fund. The act also contains temporary language requiring the implementation of the online insurance verification system by January 1, 2020. Sections 2 and 5 of the act concerning the Arkansas First Responder Safety Enhancement Fund become effective upon notification to the Legislative Council and the Director of the Bureau of Legislative Research that the online insurance verification system is fully operational.

PATIENTS' RIGHTS AND ISSUES***Durable Medical Equipment - Return Policy***

[ACT 1065 \(HB1964\)](#) regulates durable medical equipment agreements to avoid misrepresentation and provides a thirty-day return policy after the sale of durable medical equipment.

Healthcare Provider

[ACT 316 \(HB1447\)](#) adds a certified behavioral health provider and a licensed intellectual and developmental disabilities service provider to the definition of "healthcare provider" under the Patient Protection Act of 1995 and as used under the any-willing-provider laws.

Living Organ Donor - Unfair Discrimination

[ACT 244 \(SB309\)](#) prohibits unfair discrimination practices under the Arkansas Insurance Code against a living organ donor.

Medication-assisted Treatment - Opioid Addiction

[ACT 964 \(HB1656\)](#) prohibits a healthcare insurer, including the Arkansas Medicaid Program, from requiring prior authorization for medication-assisted treatment of opioid addiction. The act applies the prohibition to the Arkansas Medicaid Program as it pertains to prescription drugs for treatment of opioid addiction designated as preferred on the evidence-based preferred drug list provided there is at least one (1) of each of buprenorphine, naloxone, naltrexone, methadone, and their various formulations and combinations with the preferred designation on the preferred drug list. The act declares an emergency and is effective on and after April 12, 2019.

Trade Practices Act - Arkansas Insurance Code

[ACT 696 \(SB396\)](#) amends the statutes concerning the books and records requirements under the Arkansas Insurance Code to require retention for five (5) calendar years and compliance with the standards outlined in the most recent and appropriate companion National Association of Insurance Commissioners Market Conduct Examiners Handbook. The act clarifies that the books and records requirements apply to company operations and management, policyholder service, marketing, producer licensing, underwriting, rating, complaint handling, grievance handling, and claims practices, and with respect to health insurers, the requirements apply to the entity's practices regarding network adequacy, utilization review, quality assessment and improvement, and provider credentialing. The act modifies the Trade Practices Act under the Arkansas Insurance Code to retain a complaints register for five (5) calendar years.

INSURANCE**PAYMENTS, PROCEEDS, AND SETTLEMENTS*****Arkansas Prepaid Funeral Benefits Law - Verification of Benefits***

[ACT 500 \(HB1391\)](#) requires an insurer to verify the benefits for a contract beneficiary under a whole life insurance policy or annuity within three (3) business days from the receipt of a notification of death of a contract beneficiary and a request for verification of benefits by an owner, beneficiary, assignee, or the authorized representative of an owner, beneficiary, or assignee. The act clarifies that verification of benefits includes without limitation whether or not the deceased is a covered person under the policy or annuity, the death benefit amount under the policy or annuity, and whether or not the policy or annuity is in the contestability period.

Healthcare Provider

[ACT 862 \(HB1900\)](#) clarifies the procedures for a healthcare payor for reimbursement or when determining any gain-sharing or risk-sharing of a healthcare provider under an alternative payment system.

Healthcare Services - Gift Cards, Credit Cards, or Virtual Credit Cards

[ACT 300 \(HB1125\)](#) prohibits an insurer from making a healthcare provider accept payment for healthcare services through gift cards, credit cards, or other type of electronic payment or virtual credit cards.

PHARMACIES AND PHARMACISTS***Arkansas Pharmacy Benefits Manager Licensure Act***

[ACT 994 \(SB520\)](#) clarifies the State Insurance Department's regulatory and enforcement authority concerning pharmacy benefits managers; extends the time for pharmacists and pharmacies to file an administrative appeal to challenge a maximum allowable cost list and for the pharmacy benefits manager to respond and resolve the appeal; prohibits a pharmacy benefits manager from spread pricing; prohibits a pharmacy benefits manager from reducing payments for pharmacist services by a pharmacy benefits manager or a healthcare insurer made directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement; and makes the Arkansas Pharmacy Benefits Manager Licensure Act applicable to an organization or entity directly or indirectly providing services to patients under the Medicaid Provider-Led Organized Care Act or any other Medicaid managed care program in Arkansas.

POLICIES***Affiliate Transfer***

[ACT 689 \(SB291\)](#) permits affiliate transfers between insurers under certain conditions.

Books and Records

[ACT 696 \(SB396\)](#) amends the statutes concerning the books and records requirements under the Arkansas Insurance Code to require retention for five (5) calendar years and compliance with the standards outlined in the most recent and appropriate companion National Association of Insurance Commissioners Market Conduct Examiners Handbook. The act clarifies that the books and records requirements apply to company operations and management, policyholder service, marketing, producer licensing, underwriting, rating, complaint handling, grievance handling, and claims practices, and with respect to health insurers, the requirements apply to the entity's practices regarding network adequacy, utilization review, quality assessment and improvement, and provider credentialing. The act modifies the Trade Practices Act under the Arkansas Insurance Code to retain a complaints register for five (5) calendar years.

INSURANCE POLICIES

Insured or Self-insured Plan - Member Identification Card

[ACT 706 \(SB527\)](#) establishes the Healthcare Payor Identification Card Act to require disclosure on member identification cards of whether the health benefit plan is an insured or self-insured plan. The act declares an emergency and is effective on and after April 4, 2019.

Minimum Standards

[ACT 343 \(SB284\)](#) clarifies the timing for acceptance of forms or endorsements that reduce, restrict, or modify the original policy coverage.

PREMIUM TAXES

Limitations on Salary Credit

[ACT 457 \(SB345\)](#) phases in a reduction of the percentage of the credit available to offset the accident and health insurance premium tax and provides for a per-taxpayer cap on the credit available to offset the accident and health insurance premium tax.

REGULATION

General Omnibus

[ACT 521 \(SB310\)](#) enacts the State Insurance Department's general omnibus bill, including updates to numerous insurance laws. The act amends the Arkansas Prepaid Funeral Benefits Law, the requirements for an insurer's annual statement, the licensing and regulation of captive insurers, the procedure for the appointment of an insurance agent, the procedure for remittance of premium taxes by a surplus lines broker, the requirements for a domestic stock insurer to obtain reinsurance by an assumption agreement, the applicability of the Arkansas Insurance Code to farmers' mutual aid companies and associations, and excepted benefits. The act also repeals the annual report of malpractice rates and establishes the Corporate Governance Annual Disclosure Act.

Life Care Providers

[ACT 777 \(SB615\)](#) requires a life care provider to include at least one (1) resident of the continuing care community who is nominated by the residents as a voting member of the life care provider's governing body.

Pharmacy Benefits Manager

[ACT 994 \(SB520\)](#) clarifies the State Insurance Department's regulatory and enforcement authority concerning pharmacy benefits managers; extends the time for pharmacists and pharmacies to file an administrative appeal to challenge a maximum allowable cost list and for the pharmacy benefits manager to respond and resolve the appeal; prohibits a pharmacy benefits manager from spread pricing; prohibits a pharmacy benefits manager from reducing payments for pharmacist services by a pharmacy benefits manager or a healthcare insurer made directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement; and makes the Arkansas Pharmacy Benefits Manager Licensure Act applicable to an organization or entity directly or indirectly providing services to patients under the Medicaid Provider-Led Organized Care Act or any other Medicaid managed care program in Arkansas.

Small Wireless Facility Deployment Act

[ACT 797 \(HB1874\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 999 of 2019. The act is effective on and after September 1, 2019.

INSURANCE

TRAVEL INSURANCE

[ACT 698 \(SB399\)](#) provides a comprehensive regulatory framework for the sale of travel insurance. The act is effective for travel insurance sold on and after October 1, 2019.

LABOR AND INDUSTRIAL RELATIONS

TECHNICAL CORRECTIONS - LABOR AND INDUSTRIAL RELATIONS - TITLE 11

[ACT 382 \(SB361\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 11 of the Arkansas Code.

UNEMPLOYMENT ELIGIBILITY AND BENEFITS

Disqualification

[ACT 453 \(SB299\)](#) amends the law regarding certain eligibility requirements and disqualification under the Department of Workforce Services Law to reduce improper payments. The act clarifies what is considered to be suitable work; modifies the amount of paid wages for insured work as requalifying wages to ten (10) times his or her weekly benefit amount; amends the determination of the continuation of the disqualification for benefits from the effective date of the disqualification; amends the law concerning separation payments; changes the time period for disqualification for benefits due to false statements or misrepresentation and terminates benefits paid after the determination; clarifies that a worker is liable for repayment of fraudulently collected benefits and is ineligible for benefits until the benefits are repaid; provides a penalty for the overpayment of benefits unless repaid within thirty (30) days of the determination of overpayment; clarifies that an individual is not eligible for benefits until repayment is made for any overpayments due to fraud; and establishes a fund for a portion of the penalty assessed for recovery of claims for benefits to be used for integrity related activities. The act is effective on and after October 1, 2019.

UNEMPLOYMENT INSURANCE

Failure to Report

[ACT 455 \(SB303\)](#) maintains the integrity of the unemployment insurance program by clarifying the penalty for failure to report under the Department of Workforce Services Law.

Penalty Payments - Integrity Activities

[ACT 375 \(SB302\)](#) creates a subaccount fund for the distribution of the penalty assessed on fraudulent overpayments and credited to the Unemployment Compensation Fund to fund the activities to protect the integrity of the unemployment insurance program.

WAGES

Minimum Wage Act

[ACT 853 \(HB1751\)](#) amends the Minimum Wage Act of the State of Arkansas to use federal law to determine reasonable costs related to board, lodging, apparel, or other items and services. The act requires an employee to prove a violation of the wage and hour provisions was willful; prohibits an employee from becoming a party plaintiff unless written consent is filed; places a two-year statute of limitation on causes of action; authorizes the payment of indebtedness by automatic deposit or preloaded debit card; and requires payment by employer upon discharge.

Taxable Wage Base

[ACT 512 \(SB298\)](#) reduces the taxable wage base to lessen the financial burden on employers and slow the growth of the unemployment insurance trust fund.

WORKERS' COMPENSATION

Employment Status

[ACT 1055 \(HB1850\)](#) creates the Empower Independent Contractors Act of 2019 that requires the use of a twenty-factor test to determine the employment status of an individual and amends portions of the law within Title 11 to require the twenty-factor test in determining employment status.

LABOR AND INDUSTRIAL RELATIONS

WORKFORCE SERVICES DEPARTMENT

Criminal Background Check - Policy

[ACT 373 \(SB296\)](#) establishes a criminal background check policy for the Department of Workforce Services. The act declares an emergency and is effective on and after March 8, 2019.

Special Fund

[ACT 374 \(SB297\)](#) clarifies which laws, acts, and programs the Department of Workforce Services Special Fund may be used to administer as determined by the Director of the Department of Workforce Services. The act provides that the Department of Workforce Services Special Fund may be used to administer the Department of Workforce Services Law, the Arkansas Workforce Innovation and Opportunity Act, the Temporary Assistance for Needy Families Program, the Arkansas Works Act of 2016, and any other programs transferred under the direction and supervision of the Department of Workforce Services.

Stabilization Tax

[ACT 454 \(SB300\)](#) allows that the Department of Workforce Services to retain and use the proceeds of the stabilization tax for worker training and efficient administration of Department of Workforce Services Law. The act declares an emergency and is effective on and after March 13, 2019.

Unemployment Compensation Fund - Fraudulent Overpayments

[ACT 375 \(SB302\)](#) creates a subaccount fund for the distribution of the penalty assessed on fraudulent overpayments and credited to the Unemployment Compensation Fund to fund the activities to protect the integrity of the unemployment insurance program.

Workforce Services Data

[ACT 242 \(SB294\)](#) provides that the Arkansas Economic Development Commission is entitled to receive workforce services data under the Department of Workforce Services Law.

WORKING CONDITIONS

Microchip Implantation

[ACT 516 \(HB1177\)](#) protects employees from being forced to undergo human microchip implantation at the request of employers.

LAW ENFORCEMENT

ADULT MALTREATMENT

Records - Access by Department of Human Services

[ACT 955 \(HB1542\)](#) allows the Department of Human Services to obtain certain records without charge under the Adult and Long-Term Care Facility Resident Maltreatment Act and allows the department to obtain certain records that relate to a ward who is under the guardianship of a Public Guardian for Adults without charge.

CHILD MALTREATMENT

Child Abuse Hotline - Fetal Alcohol Spectrum Disorder

[ACT 598 \(HB1452\)](#) amends the law concerning referrals to the Child Abuse Hotline for children born with fetal alcohol spectrum disorder.

Child Abuse Hotline - Immunity

[ACT 970 \(HB1746\)](#) provides civil and criminal immunity for individuals who make reports to the Child Abuse Hotline in good faith.

LAW ENFORCEMENT**CHILD MALTREATMENT*****Child Maltreatment - Reports, Investigation, and Placement of Name on Registry***

[ACT 802 \(SB287\)](#) prohibits certain reports of child maltreatment from being accepted by the Child Abuse Hotline and requires the Department of Human Services and Department of Arkansas State Police to establish procedures for the Child Abuse Hotline. The act also requires a report of child maltreatment that is accepted by the Child Abuse Hotline to be investigated in accordance with procedures established by the Department of Human Services. The act establishes procedures for the administrative closure of an investigation of child maltreatment and for the adjudication of allegations of child maltreatment and offender-risk determinations made by the Department of Human Services. Finally, the act repeals the law concerning no merit investigations.

Child Maltreatment Investigations Oversight Committee

[ACT 1081 \(SB537\)](#) amends the composition of the membership of the Child Maltreatment Investigations Oversight Committee and allows a member of the General Assembly to submit a case to the Child Maltreatment Investigations Oversight Committee for discussion, evaluation, and review. The act also amends the law concerning persons who may attend a meeting of the Child Maltreatment Investigations Oversight Committee and when a child maltreatment record and the details of a discussion related to a child maltreatment record may be accessed or disclosed.

Child Welfare Ombudsman

[ACT 945 \(SB662\)](#) creates the Child Welfare Ombudsman Division within the Arkansas Child Abuse/Rape/Domestic Violence Commission and provides the qualifications, powers, and duties of the Child Welfare Ombudsman. The act allows a Child Welfare Ombudsman to attend open and closed adoption hearings and hearings held under the Arkansas Juvenile Code of 1989 and prohibits a Child Welfare Ombudsman from disclosing information that he or she obtains through attendance at a hearing unless the disclosure is otherwise permitted by law. The act also provides that records maintained by the division that pertain to a court case or investigation of a juvenile who is the subject of work performed by the division is confidential and not subject to disclosure unless otherwise permitted by law. The act declares an emergency and is effective on and after July 1, 2019.

Educational Neglect

[ACT 554 \(SB250\)](#) amends the law concerning educational neglect and establishes when the Child Abuse Hotline is required to accept a report of educational neglect.

Imminent Harm

[ACT 927 \(SB87\)](#) defines "imminent harm" under the Arkansas Juvenile Code of 1989 and the Child Maltreatment Act.

Investigations

[ACT 881 \(SB288\)](#) amends the law concerning the initiation of an investigation under the Child Maltreatment Act and amends the requirements for a child maltreatment investigation that involves an alleged offender who is neither a family member nor a fictive kin and not living in the home with the alleged victim.

Mandated Reporters - Immunity

[ACT 186 \(HB1022\)](#) provides that a mandated reporter who in good faith notifies the Child Abuse Hotline in accordance with the law is immune from civil and criminal liability.

LAW ENFORCEMENT**CHILD MALTREATMENT*****Notice and Disclosure***

[ACT 531 \(HB1470\)](#) amends the law concerning the confidentiality and disclosure of a true report of child maltreatment under the Child Maltreatment Act and the notices that must be provided under the Child Maltreatment Act when a juvenile is taken into protective custody, when there is an investigative determination, when the Department of Human Services releases custody of a child, and when custody of a child is invoked by any person.

CHILD WELFARE***Child Abduction Response Team***

[ACT 913 \(HB1674\)](#) requires certain state agencies to collaborate in a multi-agency effort to rescue abducted or endangered children, implement one (1) or more statewide child abduction response teams, and allocate the respective resources of each agency to cases that involve missing or endangered children. The act also tasks the Department of Arkansas State Police with assembling the statewide child abduction response teams.

COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING***Generally***

[ACT 151 \(HB1248\)](#) makes several technical and administrative changes concerning the duties of the Commission on Law Enforcement Standards and Training as well as certain technical and administrative changes to the requirements of the commission concerning the training and certification of law enforcement officers.

COUNTY SHERIFFS AND DEPUTIES***Possession of a Concealed Handgun***

[ACT 472 \(SB197\)](#) provides for the scope in which a law enforcement officer may carry an open or concealed handgun both while on duty and off duty. The act declares an emergency and is effective on and after March 15, 2019.

CRIME INFORMATION CENTER***Data Collection***

[ACT 766 \(HB1848\)](#) requires the address where a criminal offense occurs to be collected by the Arkansas Crime Information Center in the performance of its data collection duties.

Lawful Dissemination of a Person's Criminal History Information

[ACT 519 \(SB266\)](#) amends the law concerning the lawful dissemination of a person's criminal history information to private contractors housing state inmates and to requesting noncriminal justice agencies.

CRIME LABORATORY***Forensic Testing of Firearms***

[ACT 1010 \(HB1217\)](#) amends the law concerning the submission of a firearm for forensic testing and the scope of the forensic testing of a firearm by the State Crime Laboratory.

Records

[ACT 1001 \(SB646\)](#) amends the law concerning who may access confidential and privileged records maintained by the State Crime Laboratory.

Services Offered

[ACT 636 \(HB1218\)](#) amends the law concerning the services offered to law enforcement agencies by the State Crime Laboratory.

Sexual Assault Collection Kits

[ACT 839 \(HB1567\)](#) establishes requirements concerning the collection and submission of sexual assault collection kits gathered by law enforcement agencies and healthcare providers and the testing requirements for sexual assault collection kits submitted to the State Crime Laboratory.

LAW ENFORCEMENT**CRIMINAL INVESTIGATION - GENERALLY*****Child Maltreatment - Disclosure of Confidential Information***

[ACT 590 \(SB497\)](#) amends the law concerning the disclosure of confidential information under the Child Maltreatment Act. The act allows certain information concerning child maltreatment to be disclosed to federal, state, and local government entities that have a need for the information in order to carry out the responsibility of the entities under the law to protect children from child maltreatment.

Geolocation of Internet Protocol Address

[ACT 584 \(SB204\)](#) provides the guidelines for requesting and providing geolocation of an internet protocol address by a commercial third party in an emergency situation.

Investigations into Alleged Adult Maltreatment

[ACT 967 \(HB1707\)](#) amends the law concerning required investigations of alleged unlawful conduct under the Adult and Long-Term Care Facility Resident Maltreatment Act. The act declares an emergency and is effective on and after April 12, 2019.

Missing or Unidentified Persons

[ACT 920 \(HB1881\)](#) amends the law concerning and establishes training and investigations regarding a search for a missing person or discovery of an unidentified person. The act also sets out requirements for a law enforcement agency to enter certain information into the National Missing and Unidentified Persons System.

Sexual Assault Collection Kits

[ACT 839 \(HB1567\)](#) establishes requirements concerning the collection and submission of sexual assault collection kits gathered by law enforcement agencies and healthcare providers and the testing requirements for sexual assault collection kits submitted to the State Crime Laboratory.

CRIMINAL REPORTING***Adult and Child Maltreatment - Mandated Reporters***

[ACT 531 \(HB1470\)](#) amends the law concerning mandated reporters under the Adult and Long-Term Care Facility Resident Maltreatment Act and the Child Maltreatment Act and includes as a mandated reporter an employee working under contract for or a contractor of the Department of Human Services when acting within the scope of his or her contract or employment.

School Safety - Mandated Reporting

[ACT 530 \(HB1437\)](#) requires certain persons to notify law enforcement if they have a good faith belief that there is a serious and imminent threat to the public based on a threat made by an individual regarding violence in or targeted at a school that was communicated to them during the course of their professional duties. The act also creates criminal offenses concerning mandated reporters who knowingly or recklessly fail to notify law enforcement of the threat and persons who purposely make a false report of a threat regarding violence in or targeted at a school to law enforcement. Finally, the act provides immunity from civil and criminal liability to a person who notifies law enforcement in good faith of a threat regarding violence in or targeted at a school.

GENERALLY***Confidential Informants***

[ACT 1012 \(HB1417\)](#) provides an exemption to the Freedom of Information Act of 1967 for identifying information about a confidential informant.

LAW ENFORCEMENT**GENERALLY*****Juveniles - Taking into Custody***

[ACT 531 \(HB1470\)](#) amends the law concerning when a juvenile may be taken into custody under the Arkansas Juvenile Code of 1989.

Position of Public Trust - Sex Offenders

[ACT 987 \(SB183\)](#) prohibits a person who is required to register as a sex offender and who has been assessed as a Level 2, Level 3, or Level 4 sex offender from holding a position of public trust, which includes positions in public agencies that provide public safety services.

Protection from Life-threatening Disease and HIV

[ACT 253 \(HB1365\)](#) amends the law to ensure that law enforcement officers and personnel are protected from life-threatening diseases. The act also amends the HIV Shield Law to include protection for law enforcement officers, law enforcement personnel, and emergency response workers.

Special Event Security

[ACT 397 \(HB1415\)](#) creates the Arkansas Public Events Committee to develop a suggested standard security protocol of best practices for admission procedures for public events held at arenas, stadiums, auditoriums, and other facilities designed to hold a large number of people.

Voluntary Delivery of a Child

[ACT 185 \(SB168\)](#) makes the provisions of the Safe Haven Act applicable to a law enforcement agency and a fire department and specifies the criteria for a newborn safety device and the obligations of a medical provider, law enforcement agency, and fire department that voluntarily installs a newborn safety device. The act authorizes a medical provider, law enforcement agency, or fire department to take possession of certain infants without a court order if the parent of the child voluntarily delivers the child to a medical provider, law enforcement agency, or fire department without expressing an intent to return for the child or if the parent leaves the child in a newborn safety device that is voluntarily installed by a medical provider, law enforcement agency, or fire department.

INMATES***Minors - Punitive Isolation or Solitary Confinement***

[ACT 971 \(HB1755\)](#) prohibits placing a juvenile who is in a juvenile detention facility or a minor who is an inmate in a state correctional facility in punitive isolation or solitary confinement as a disciplinary measure for more than twenty-four (24) hours unless the placement is due to certain circumstances.

JURISDICTION***Child Abduction Response Team***

[ACT 913 \(HB1674\)](#) requires certain state agencies to collaborate in a multi-agency effort to rescue abducted or endangered children, implement one (1) or more statewide child abduction response teams, and allocate the respective resources of each agency to cases that involve missing or endangered children. The act also tasks the Department of Arkansas State Police with assembling the statewide child abduction response teams.

John L. McClellan Memorial Veterans' Hospital

[ACT 104 \(SB55\)](#) allows law enforcement at the John L. McClellan Memorial Veterans' Hospital to exercise concurrent jurisdiction.

LAW ENFORCEMENT**LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS*****Disclosure of Financial Condition - Future Supplement Funds and Allocations***

[ACT 465 \(SB241\)](#) amends the law concerning the Future Supplement Fund-Police and the Future Supplement Fund-Fire. The act also amends the law concerning the allocation of insurance premium tax and additional allocations for certain underfunded plans. The act declares an emergency and is effective on and after May 1, 2019.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM***Benefits - Disability Retirement***

[ACT 178 \(SB72\)](#) amends the law concerning disability retirement under the Arkansas Local Police and Fire Retirement System. The act requires a proper application for disability retirement to be filed with the Board of Trustees of the Arkansas Local Police and Fire Retirement System no later than thirty (30) calendar days after the termination of active membership and provides that disability annuity is effective on the first day of the calendar month that follows the termination of active membership and the filing of the proper application for disability retirement with the board. The act declares an emergency and is effective on and after March 31, 2019.

Benefits - Termination of Covered Employment

[ACT 178 \(SB72\)](#) amends the law concerning the termination of covered employment under the Arkansas Local Police and Fire Retirement System. The act requires that the pay used for an annuity computation of an annuity with an effective date that is on or after July 1, 2019, be the final average pay at the time of termination from paid service employment with the system. The act declares an emergency and is effective on and after March 31, 2019.

Credited Service - Forfeiture and Restoration

[ACT 988 \(SB240\)](#) amends the law concerning the reemployment of certain retired members of the Arkansas Local Police and Fire Retirement System. The act applies to a member of the system who on or after January 1, 2020, elects to participate in the Local Police and Fire Deferred Retirement Option Plan, retires from the system as a participant in the Local Police and Fire Deferred Retirement Option Plan, or retires from the system. The act is effective on and after January 1, 2020.

Credited Service - Paid and Volunteer Service

[ACT 178 \(SB72\)](#) requires an employer to certify to the Board of Trustees of the Arkansas Local Police and Fire Retirement System the periods of employment to be considered for credit as paid service and for credit as volunteer service for each employee who is a member of the Arkansas Local Police and Fire Retirement System; requires a member of the system who is hired on or after July 1, 2019, to be covered by one (1) employer until the member accrues ten (10) years of actual service credit in the system; and allows a member who is hired on or after July 1, 2019, and accrues ten (10) years of actual service credit in the system to accrue a maximum of five (5) additional years of service credit. The act declares an emergency and is effective on and after March 31, 2019.

Credited Service - Service Credit

[ACT 178 \(SB72\)](#) amends the law concerning service credit under the Arkansas Local Police and Fire Retirement System and provides that on or after April 1, 2019, additional service credit shall not be credited. The act declares an emergency and is effective on and after March 31, 2019.

LAW ENFORCEMENT

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

Disability Retirement

[ACT 638 \(HB1345\)](#) amends the law concerning disability retirement eligibility under the Arkansas Local Police and Fire Retirement System. The act defines “disease” to include without limitation cancer that a member is diagnosed with while he or she is in the line of duty. Additionally, the act allows a member who is diagnosed with cancer to be eligible for disability retirement.

MUNICIPAL LAW ENFORCEMENT

Arkansas Speed Trap Law

[ACT 364 \(HB1304\)](#) amends the Arkansas Speed Trap Law and provides for automatic legislative audit for certain municipalities.

Possession of a Concealed Handgun

[ACT 472 \(SB197\)](#) provides for the scope in which a law enforcement officer may carry an open or concealed handgun both while on duty and off duty. The act declares an emergency and is effective on and after March 15, 2019.

PROBATION AND PAROLE

Parole Discharge

[ACT 821 \(SB573\)](#) establishes when the Parole Board may discharge a person from parole and provides for the reinstatement of voting rights for minors who have been discharged from parole.

SEX OFFENDER REGISTRATION

Duty to Register or Verify Registration

[ACT 587 \(SB351\)](#) provides that certain sex offenders are not required to register under the Sex Offender Registration Act of 1997.

STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM

Eligibility to Receive a Benefit Increase

[ACT 294 \(SB200\)](#) provides that beginning on July 1, 2019, a redetermination of benefits shall not apply to an additional monthly benefit that is available to a member who is eligible to receive an increase in benefits and provides that a member shall continue to receive any previous increases to an additional monthly benefit that were received by the member through a redetermination of benefits before July 1, 2019. The act also clarifies that the rules regarding a redetermination of benefits apply to all previous increases to an additional monthly benefit received by a member through a redetermination of benefits before July 1, 2019.

Employer Contributions

[ACT 295 \(SB201\)](#) requires the employer contribution to be a set percentage rate of the compensation of the employee and provides that the Board of Trustees of the Arkansas State Highway Employees' Retirement System shall determine the employer contribution percentage rate after receiving recommendations from the actuary of the system. The act prohibits the set percentage rate from being less than twelve and nine-tenths percent (12.9%) of compensation or from being greater than fourteen and nine-tenths percent (14.9%) of compensation. The act declares an emergency and is effective on and after July 1, 2019.

LAW ENFORCEMENT**STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM*****Member Contributions***

[ACT 295 \(SB201\)](#) provides that beginning on July 1, 2019, the Board of Trustees of the Arkansas State Highway Employees' Retirement System is required to assess member contribution rates after receiving recommendations from the actuary of the system. The act requires an assessed member contribution rate to be no more than seven percent (7%) of compensation and to be increased by no more than five-tenths of one percent (0.5%) in a single year. The act declares an emergency and is effective on and after July 1, 2019.

STATE POLICE***Possession of a Concealed Handgun***

[ACT 472 \(SB197\)](#) provides for the scope in which a law enforcement officer may carry an open or concealed handgun both while on duty and off duty. The act declares an emergency and is effective on and after March 15, 2019.

STATE POLICE RETIREMENT SYSTEM***Death Benefits***

[ACT 511 \(SB144\)](#) amends the law concerning death benefit provisions under the Tier Two Benefit Plan for the State Police Retirement System. The act requires the surviving spouse of a member of the system to have been married to the member for at least six (6) months before the surviving spouse may receive an annuity. The act applies retroactively to January 1, 2017.

Eligibility for Benefits - Voluntary Retirement

[ACT 950 \(HB1333\)](#) amends the law concerning voluntary retirement and eligibility for benefits under Tier Two of the State Police Retirement System. The act requires credited service to be considered when determining whether a member who voluntarily retires is eligible for benefits.

TRAINING AND QUALIFICATIONS***Controlled Substance Overdose Identification Training***

[ACT 646 \(HB1529\)](#) provides for controlled substance overdose identification training by law enforcement officers with an emphasis on opioid overdoses.

Generally

[ACT 151 \(HB1248\)](#) makes several technical and administrative changes concerning the duties of the Commission on Law Enforcement Standards and Training as well as certain technical and administrative changes to the requirements of the commission concerning the training and certification of law enforcement officers.

Missing or Unidentified Persons

[ACT 920 \(HB1881\)](#) amends the law concerning and establishes training and investigations regarding a search for a missing person or discovery of an unidentified person. The act also sets out requirements for a law enforcement agency to enter certain information into the National Missing and Unidentified Persons System.

LOTTERY**LOTTERY COMMISSION*****Bond***

[ACT 683 \(HB1859\)](#) requires a lottery retailer to post a bond of a certain amount; requires the Office of the Arkansas Lottery to establish a separate account in which bond fees shall be placed; and repeals the establishment of a separate fidelity fund. The act declares an emergency and is effective on and after July 1, 2019.

LOTTERYLOTTERY COMMISSION***Prizes - Claiming of Prizes***

[ACT 682 \(HB1858\)](#) amends the definition of a "super retailer" under the Arkansas Scholarship Lottery Act and allows individuals who win certain amounts in the lottery to claim prizes from certain entities based on the amount of the prize.

RETAILERS***Bond - Certain Amount***

[ACT 683 \(HB1859\)](#) requires a lottery retailer to post a bond of a certain amount; requires the Office of the Arkansas Lottery to establish a separate account in which bond fees shall be placed; and repeals the establishment of a separate fidelity fund. The act declares an emergency and is effective on and after July 1, 2019.

Super Retailers - Claiming of Prizes

[ACT 682 \(HB1858\)](#) amends the definition of a "super retailer" under the Arkansas Scholarship Lottery Act and allows individuals who win certain amounts in the lottery to claim prizes from certain entities based on the amount of the prize.

MILITARY AND VETERANSACTIVE DUTY SERVICE***Automatic Occupational Licensure***

[ACT 820 \(SB564\)](#) provides automatic licensure for active duty service members, returning military veterans, the spouses of active duty service members, and the spouses of returning military veterans to engage in an occupation or profession if the individual is the holder in good standing of a substantially equivalent occupational license issued by another state, territory, or district of the United States and the occupational licensing entity failed to submit rules for an expedited process within one (1) year of the effective date of the act.

Benefits

[ACT 462 \(HB1522\)](#) extends state benefits given to service members on federal orders to members of the Arkansas National Guard on state active duty, including without limitation state benefits concerning education, elections, military affairs, occupational licensure, and driver's license renewal.

Cybersecurity Threats

[ACT 149 \(HB1128\)](#) authorizes the Governor to order the organized militia into state active duty for the purpose of addressing cybersecurity threats or cybersecurity vulnerabilities.

Death Benefit

[ACT 767 \(HB1879\)](#) authorizes the payment of a death benefit to a designated beneficiary of a member of the Arkansas National Guard on state active duty.

Education - Military Children - School Choice

[ACT 171 \(HB1175\)](#) amends the deadline by which a student who has a parent or guardian who resides on a military base may apply for a transfer under the Public School Choice Act of 2015 and the Arkansas Opportunity Public School Choice Act of 2004.

Income Tax Exemption for Active Duty Service Pay

[ACT 669 \(HB1721\)](#) clarifies who is eligible for the income tax exemption allowed for service pay received by an active duty member of the armed forces. The act is effective for tax years beginning on and after January 1, 2020.

Military Support Revolving Fund

[ACT 459 \(HB1129\)](#) authorizes the deposit of federal reimbursements into the Military Support Revolving Fund to be used by the State Military Department.

MILITARY AND VETERANS

ACTIVE DUTY SERVICE

Nonresident Military Spouses

[ACT 215 \(HB1119\)](#) amends the law concerning the appointment and commission of a notary public to allow a nonresident spouse of a United States military service member to be a notary public.

CHILD CUSTODY AND VISITATION

Award of Custody

[ACT 906 \(HB1759\)](#) lists certain requirements for modified child custody decrees that are based on the active duty status of a parent as a member of the United States Armed Forces deployed outside of the United States or on the federal active duty status of a parent as a member of a state National Guard or a reserve component of the armed forces.

CHILDREN

Interstate Compact on Educational Opportunity for Children of Military Families

[ACT 939 \(SB638\)](#) amends the Interstate Compact on Educational Opportunity for Children of Military Families and amends aspects of the law with respect to children of military families who are enrolled in a public school.

CIVIL SERVICE

Fire Department - Appointment to Position

[ACT 192 \(SB54\)](#) provides that the maximum age limit required for an applicant to be appointed to a position with a fire department does not apply to a current or former service member of the regular or reserve component of the uniformed services of the United States who is within three (3) years of separation or retirement from the regular or reserve component of the uniformed services of the United States.

HIGHWAY DESIGNATION

Gold Star Families Highway

[ACT 1070 \(HB1979\)](#) designates I-630 and a portion of Highway 163 North as a "Gold Star Families Highway".

MENTAL HEALTH TREATMENT

Concealed Handgun Licensing

[ACT 917 \(HB1748\)](#) provides a pathway for a veteran to obtain a license to carry a concealed handgun even if the veteran was voluntarily admitted to a mental health treatment facility.

MILITARY CODE

Arkansas National Guard - Cybersecurity Threats

[ACT 149 \(HB1128\)](#) authorizes the Governor to order the organized militia into state active duty for the purpose of addressing cybersecurity threats or cybersecurity vulnerabilities.

Military Justice Act of 2016

[ACT 211 \(HB1318\)](#) amends the Military Code of Arkansas by incorporating the changes made to the Uniform Code of Military Justice by the federal Military Justice Act of 2016. The act declares an emergency and is effective on and after February 26, 2019.

MILITARY HONORS AND FUNERALS

Arkansas Medal of Honor Memorial

[ACT 926 \(HB1936\)](#) creates the Arkansas Medal of Honor Commission to review and approve the names of Medal of Honor recipients submitted for inclusion on the Arkansas Medal of Honor Memorial. The act also authorizes the commission to solicit, receive, and disburse funds necessary to accomplish the commission's duties.

MILITARY AND VETERANS

MILITARY JUSTICE

Military Justice Act of 2016

[ACT 211 \(HB1318\)](#) amends the Military Code of Arkansas by incorporating the changes made to the Uniform Code of Military Justice by the federal Military Justice Act of 2016. The act declares an emergency and is effective on and after February 26, 2019.

NATIONAL GUARD AND RESERVES

Death Benefit

[ACT 767 \(HB1879\)](#) authorizes the payment of a death benefit to a designated beneficiary of a member of the Arkansas National Guard on state active duty.

Military Personnel - Removal

[ACT 148 \(HB1127\)](#) authorizes the removal of an officer from the Arkansas National Guard by the Adjutant General if the officer has had federal recognition withdrawn in the grade and branch in which he or she was formerly recognized. The act declares an emergency and is effective on and after February 14, 2019.

Military Support Revolving Fund

[ACT 459 \(HB1129\)](#) authorizes the deposit of federal reimbursements into the Military Support Revolving Fund to be used by the State Military Department.

Removal of Officer

[ACT 148 \(HB1127\)](#) authorizes the removal of an officer from the Arkansas National Guard by the Adjutant General if the officer has had federal recognition withdrawn in the grade and branch in which he or she was formerly recognized. The act declares an emergency and is effective on and after February 14, 2019.

State-sponsored Life Insurance

[ACT 922 \(HB1894\)](#) designates the Adjutant General as the official sponsor of the Arkansas National Guard state-sponsored life insurance program. The act provides that the Adjutant General is responsible for providing Arkansas National Guard members access to and information concerning state-sponsored life insurance.

RETIREMENT

Arkansas National Guard

[ACT 474 \(SB242\)](#) amends the law concerning the retirement and pensions of members of the Arkansas National Guard called into state active duty.

Purchase of Military Service Credit - General Assembly

[ACT 826 \(HB1346\)](#) amends the law concerning credited service received by members of the General Assembly under the Arkansas Public Employees' Retirement System. The act also amends the law concerning the purchase of military service credit by members of the General Assembly under the Arkansas Public Employees' Retirement System.

SERVICE-DISABLED VETERANS

Lifetime Hunting and Fishing Licenses for Disabled Veterans

[ACT 729 \(SB397\)](#) amends the definition of a disabled veteran for purposes of obtaining a lifetime hunting and fishing license and provides that a disabled veteran may obtain a lifetime combination hunting and fishing license that includes a lifetime trout stamp and lifetime duck stamp for a set fee.

SPECIAL LICENSE PLATES

Distinguished Flying Cross - Surviving Spouse

[ACT 993 \(SB499\)](#) allows the reissuance of a special license plate to a surviving spouse of a recipient of the Distinguished Flying Cross.

MILITARY AND VETERANSSPECIAL LICENSE PLATES***Gold Star Family - Eligibility***

[ACT 635 \(SB594\)](#) amends the definition of a "family member" authorized to receive a Gold Star Family special license plate to include a deceased service member's birth parent, step parent, adoptive parent, biological child, adopted child, and stepchild. The act also amends the definition of "deceased service member" to mean a member of the United States Armed Forces who was killed or died in the honorable performance of his or her duty within one (1) year of receiving a service-connected injury or contracting a service-connected illness.

Purple Heart Recipient Special License Plate - Surviving Spouse

[ACT 167 \(HB1012\)](#) authorizes the issuance of a Purple Heart Recipient special license plate to the surviving spouse of a deceased person who would have been entitled to receive a Purple Heart Recipient special license plate.

Reissuance to Surviving Spouse

[ACT 915 \(HB1716\)](#) authorizes the reissuance of a special license plate, with a decal stating "Surviving Spouse", to the surviving spouse of a deceased person who was entitled to receive the Medal of Honor Recipient special license plate, Purple Heart Recipient special license plate, or Distinguished Flying Cross special license plate.

VETERANS***Automatic Occupational Licensure***

[ACT 820 \(SB564\)](#) provides automatic licensure for active duty service members, returning military veterans, the spouses of active duty service members, and the spouses of returning military veterans to engage in an occupation or profession if the individual is the holder in good standing of a substantially equivalent occupational license issued by another state, territory, or district of the United States and the occupational licensing entity failed to submit rules for an expedited process within one (1) year of the effective date of the act.

Driver's License and Identification Card - Veteran Designation

[ACT 66 \(HB1100\)](#) allows a person applying to obtain a veteran designation on a driver's license or identification card to provide different types of military discharge documents to show that he or she had a discharge status of "honorable" or "general under honorable conditions".

John L. McClellan Memorial Veterans' Hospital - Concurrent Jurisdiction

[ACT 104 \(SB55\)](#) allows law enforcement at the John L. McClellan Memorial Veterans' Hospital to exercise concurrent jurisdiction.

Legislative Study

[ACT 551 \(SB4\)](#) requires the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Committee on State Agencies and Governmental Affairs to examine veterans issues within Arkansas, including without limitation the occurrence of suicide among the veteran population in Arkansas. The act also requires the committees to file a written report with Legislative Council by December 1, 2020.

MOTOR VEHICLESALL-TERRAIN VEHICLES***Department of Parks and Tourism***

[ACT 1048 \(HB1811\)](#) provides that an employee of the Department of Parks and Tourism may operate a department-owned all-terrain vehicle on a public street or highway to access contiguous areas of a state park in order to perform his or her duties.

MOTOR VEHICLESALL-TERRAIN VEHICLES***Liability - Private Property***

[ACT 794 \(HB1833\)](#) provides that an owner of private property is not liable for an injury to or the death of a participant resulting from the inherent risk of all-terrain vehicle use.

COMMERCIAL DRIVER'S LICENSE***Human Trafficking Prevention Training***

[ACT 366 \(HB1425\)](#) provides that the holder of a Class A commercial driver license applying for renewal is not required to complete the human trafficking prevention training if he or she has completed the training at least once.

DRIVER'S LICENSE***Driver's License Reinstatement Fees***

[ACT 992 \(SB493\)](#) provides for a one-time driver's license reinstatement fee in certain circumstances to cover all administrative orders to suspend, revoke, or cancel a driver's license for a person ordered to pay a reinstatement fee in order to have a valid driver's license.

Driving Record Fee

[ACT 586 \(SB268\)](#) provides that additional driving record information fees collected shall be deposited to the credit of the Department of Arkansas State Police Fund.

Eyesight Test

[ACT 1031 \(HB1947\)](#) requires an eyesight test for an applicant's subsequent driver's license renewal every eight (8) years or sixteen (16) years depending on the validity period of the driver's license.

Identification Card - Veteran Designation

[ACT 66 \(HB1100\)](#) allows a person applying to obtain a veteran designation on a driver's license or identification card to provide different types of military discharge documents to show that he or she had a discharge status of "honorable" or "general under honorable conditions".

Instruction Permit - Validity of Written Examination

[ACT 617 \(HB1867\)](#) provides that proof of a diploma or its equivalent or regular attendance in school with a "C" average is not required to obtain a driver's permit or license. The act also provides that a passing score on the written examination required for the issuance of a instruction permit is valid for a period of twenty-four (24) months.

Oath of Financial Responsibility

[ACT 961 \(HB1622\)](#) provides that a person authorized to sign a form accepting financial responsibility for a person applying for a driver's license may have the required oath administered within thirty (30) days from the date the application is submitted, and the oath is not required to be administered at the Office of Driver Services.

Reinstatement Fees

[ACT 803 \(SB315\)](#) requires outstanding driver's license reinstatement fees to be set off against the taxpayer's state income tax refund and paid to the Office of Driver Services.

Renewal - Intermediate Driver's License

[ACT 596 \(HB1406\)](#) provides that an intermediate driver's license may be renewed as a regular driver's license within thirty (30) days of the expiration of the intermediate driver's license.

Renewal - State Active Duty

[ACT 462 \(HB1522\)](#) extends state benefits given to service members on federal orders to members of the Arkansas National Guard on state active duty, including without limitation state benefits concerning education, elections, military affairs, occupational licensure, and driver's license renewal.

MOTOR VEHICLES

DRIVER'S LICENSE

Required Notices

[ACT 1087 \(SB657\)](#) provides that an employee of the Office of Driver Services may send required notices by first class mail to a person whose driver's license or permit has been suspended, disqualified, or revoked.

Restricted Driver's Permit

[ACT 69 \(HB1241\)](#) amends the procedures and timeline for when an inmate, probationer, or parolee may be issued a restricted driver's permit.

Suspension for Violating a Criminal Law

[ACT 704 \(SB513\)](#) provides that courts may waive a suspension of a person's driver's license as a penalty for violating a criminal law under certain circumstances.

DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Penalty for Battery in the Second Degree

[ACT 783 \(HB1610\)](#) provides that battery in the second degree is a Class C felony if the person recklessly causes serious physical injury to another person while operating or being in actual physical control of a motor vehicle or motorboat if the person is intoxicated at the time.

Presentencing Report for a DWI or BWI

[ACT 321 \(HB1367\)](#) amends the law concerning the submission of the required presentencing report for a DWI or BWI to the sentencing court.

Testing for Blood Alcohol Content

[ACT 654 \(HB1411\)](#) provides a definition of "motor vehicle" as it pertains to DWI offenses and amends the law concerning testing for blood alcohol content of the driver of a motor vehicle or motorboat when a motor vehicle or boating accident occurs and death or serious bodily injury results.

EQUIPMENT

Autonomous Vehicles

[ACT 468 \(HB1561\)](#) allows a person to operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on streets and highways for a commercial purpose. The act also requires proof of motor vehicle liability insurance and compliance with all applicable traffic and motor vehicle safety laws and rules adopted by the Office of Motor Vehicle. The act declares an emergency and is effective on and after March 14, 2019.

Worker Status

[ACT 782 \(HB1448\)](#) provides that the deployment, implementation, or use of a motor carrier safety improvement does not change the worker status of a driver.

FINANCIAL RESPONSIBILITY AND INSURANCE

Autonomous Vehicles

[ACT 468 \(HB1561\)](#) allows a person to operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on streets and highways for a commercial purpose. The act also requires proof of motor vehicle liability insurance and compliance with all applicable traffic and motor vehicle safety laws and rules adopted by the Office of Motor Vehicle. The act declares an emergency and is effective on and after March 14, 2019.

Historic or Special Interest Vehicle

[ACT 368 \(HB1496\)](#) requires that a historic or special interest vehicle be forty-five (45) years of age for registration purposes and to be furnished a special interest license plate. The act also requires that the owner of a historic or special interest vehicle provide the Department of Finance and Administration yearly proof of current motor vehicle insurance coverage.

MOTOR VEHICLESFINANCIAL RESPONSIBILITY AND INSURANCE***Online Insurance Verification***

[ACT 869 \(HB1945\)](#) amends the Arkansas Online Insurance Verification System Act; provides for an annual transfer for expenses related to the online insurance verification system and transfers a portion of a fine assessed for the failure to carry the required motor vehicle liability insurance to the benefit of the Arkansas First Responder Safety Enhancement Fund. The act also contains temporary language requiring the implementation of the online insurance verification system by January 1, 2020. Sections 2 and 5 of the act concerning the Arkansas First Responder Safety Enhancement Fund become effective upon notification to the Legislative Council and the Director of the Bureau of Legislative Research that the online insurance verification system is fully operational.

Requirements

[ACT 961 \(HB1622\)](#) provides that a person authorized to sign a form accepting financial responsibility for a person applying for a driver's license may have the required oath administered within thirty (30) days from the date the application is submitted, and the oath is not required to be administered at the Office of Driver Services.

GUARANTEED ASSET PROTECTION WAIVERS***Regulations***

[ACT 787 \(HB1672\)](#) regulates guaranteed asset protection waivers; provides a framework within which guaranteed asset protection waivers are defined and may be offered in this state; and clarifies that guaranteed asset protection waivers are not insurance.

HIGHWAY COMMISSION***Autonomous Vehicles***

[ACT 468 \(HB1561\)](#) provides that a person may operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on the streets and highways of this state for a commercial purpose upon the approval of an autonomous vehicle program by the State Highway Commission. The act declares an emergency and is effective on and after March 14, 2019.

Hauling Permit

[ACT 859 \(HB1855\)](#) allows the issuance of a permit for the hauling of agronomic or horticultural crops by a truck tractor and semi-trailer-trailer combination.

LICENSE PLATES***Temporary Preprinted Paper Buyer's Tag***

[ACT 525 \(SB495\)](#) provides that a person who buys a trailer or semitrailer from a licensed dealer may obtain one (1) temporary preprinted paper buyer's tag for the trailer or semitrailer.

MOTOR VEHICLE COMMISSION***Reimbursements***

[ACT 924 \(HB1917\)](#) amends the Arkansas Motor Vehicle Commission Act concerning a claim for reimbursement by a new motor vehicle dealer.

NEW VEHICLES***Water-damaged***

[ACT 497 \(HB1322\)](#) amends the definition of "water-damaged" for the purpose of determining the disclosure of damage and repair required on the certificate of title.

OFFICE OF DRIVER SERVICES***Driver's License Reinstatement Fees***

[ACT 803 \(SB315\)](#) requires outstanding driver's license reinstatement fees to be set off against the taxpayer's state income tax refund and paid to the Office of Driver Services.

MOTOR VEHICLESOFFICE OF DRIVER SERVICES***Driver's License Renewal***

[ACT 596 \(HB1406\)](#) provides that an intermediate driver's license may be renewed as a regular driver's license within thirty (30) days of the expiration of the intermediate driver's license.

OFFICE OF MOTOR VEHICLES***Autonomous Vehicles***

[ACT 468 \(HB1561\)](#) allows a person to operate a maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on streets and highways for a commercial purpose. The act also requires proof of motor vehicle liability insurance and compliance with all applicable traffic and motor vehicle safety laws and rules adopted by the Office of Motor Vehicle. The act declares an emergency and is effective on and after March 14, 2019.

Expedited Title Processing Service

[ACT 524 \(SB494\)](#) provides that the Office of Motor Vehicle may provide an expedited title processing service for a motor vehicle subject to registration and issuance of a certificate of title.

RECREATIONAL VEHICLES***Department of Parks and Tourism***

[ACT 1048 \(HB1811\)](#) provides that an employee of the Department of Parks and Tourism may operate a department-owned all-terrain vehicle on a public street or highway to access contiguous areas of a state park in order to perform his or her duties.

Liability - Private Property

[ACT 794 \(HB1833\)](#) provides that an owner of private property is not liable for an injury to or the death of a participant resulting from the inherent risk of all-terrain vehicle use.

REGISTRATION***Additional Fee for Hybrid and Electric Vehicles***

[ACT 416 \(SB336\)](#) levies a wholesale sales tax on motor fuel and distillate special fuel; imposes an additional vehicle registration fee on hybrid and electric motor vehicles; and designates a portion of the revenues from the net casino gaming receipts tax to be used for highways. The provisions of the act concerning the wholesale sales taxes and the additional registration fee are effective on and after October 1, 2019.

Historic or Special Interest Vehicle

[ACT 368 \(HB1496\)](#) requires that a historic or special interest vehicle be forty-five (45) years of age for registration purposes and to be furnished a special interest license plate. The act also requires that the owner of a historic or special interest vehicle provide the Department of Finance and Administration yearly proof of current motor vehicle insurance coverage.

RULES OF THE ROAD***All-terrain Vehicles - Department of Parks and Tourism***

[ACT 1048 \(HB1811\)](#) provides that an employee of the Department of Parks and Tourism may operate a department-owned all-terrain vehicle on a public street or highway to access contiguous areas of a state park in order to perform his or her duties.

Bicycle Safety

[ACT 650 \(SB388\)](#) allows bicyclists to yield at stop signs and red lights under certain circumstances.

MOTOR VEHICLES**RULES OF THE ROAD*****Distracted Driving***

[ACT 738 \(SB534\)](#) requires primary enforcement of distracted driving restrictions imposed on drivers under twenty-one (21) years of age, drivers in highway work zones, and drivers in school zones. The act also clarifies that a driver may use a wireless telecommunications device if he or she is pulled over to the side of or off of a public road, street, or highway.

Distracted Driving in School Zone - Enforcement

[ACT 288 \(HB1182\)](#) makes the use of a handheld wireless telephone in a school zone a primary offense.

Passing of Authorized Vehicle

[ACT 550 \(HB1689\)](#) increases the fine imposed for the unlawful passing of an authorized vehicle stopped on a highway.

Railroads - Autonomous Vehicles

[ACT 1052 \(HB1822\)](#) requires an autonomous vehicle and fully autonomous vehicle to have the capability to safely negotiate railroad crossings unless an exemption is granted by the Arkansas Department of Transportation. The act also requires the department to consult with railroad companies when considering an exemption that affects the operation of autonomous vehicles or fully autonomous vehicles at railroad crossings. The act declares an emergency and is effective on and after April 16, 2019.

School Buses - Unlawful Passing

[ACT 166 \(HB1006\)](#) increases the fine imposed for the unlawful passing of a stopped school bus by the operator of a motor vehicle. The act also increases the penalty for the operator of a motor vehicle or motorcycle who unlawfully passes a stopped school bus while demonstrating a reckless disregard for the safety of the passengers of the school bus to a Class A misdemeanor.

Speed Limit

[ACT 784 \(HB1631\)](#) allows a motor vehicle to be operated at a maximum speed limit of seventy-five miles per hour (75 m.p.h.) on a controlled-access highway located outside an urban area that has at least four (4) lanes that are divided by a median strip. The act also authorizes the State Highway Commission to decrease the maximum speed limit on a controlled-access highway upon the completion of an engineering and traffic investigation. The act is effective on and after July 1, 2020.

SCHOOL BUSES***Unlawful Passing - Penalties***

[ACT 166 \(HB1006\)](#) increases the fine imposed for the unlawful passing of a stopped school bus by the operator of a motor vehicle. The act also increases the penalty for the operator of a motor vehicle or motorcycle who unlawfully passes a stopped school bus while demonstrating a reckless disregard for the safety of the passengers of the school bus to a Class A misdemeanor.

SEAT BELTS***Penalty for Not Wearing a Seat Belt***

[ACT 743 \(SB575\)](#) provides that a defendant is not required to pay court costs for a seat belt violation if he or she pays the applicable fines before his or her first appearance.

SPECIAL LICENSE PLATES***Creation - Grand Lodge***

[ACT 578 \(HB1784\)](#) authorizes the issuance and reissuance of a special license plate to promote and support the Grand Lodge of Arkansas. The act also authorizes the issuance and reissuance of a special license plate to promote and support the Prince Hall Grand Lodge of Arkansas.

MOTOR VEHICLES

SPECIAL LICENSE PLATES

Distinguished Flying Cross - Surviving Spouse

[ACT 993 \(SB499\)](#) allows the reissuance of a special license plate to a surviving spouse of a recipient of the Distinguished Flying Cross.

Gold Star Family - Eligibility

[ACT 635 \(SB594\)](#) amends the definition of a "family member" authorized to receive a Gold Star Family special license plate to include a deceased service member's birth parent, step parent, adoptive parent, biological child, adopted child, and stepchild. The act also amends the definition of "deceased service member" to mean a member of the United States Armed Forces who was killed or died in the honorable performance of his or her duty within one (1) year of receiving a service-connected injury or contracting a service-connected illness.

Historic or Special Interest Vehicle

[ACT 368 \(HB1496\)](#) requires that a historic or special interest vehicle be forty-five (45) years of age for registration purposes and to be furnished a special interest license plate. The act also requires that the owner of a historic or special interest vehicle provide the Department of Finance and Administration yearly proof of current motor vehicle insurance coverage.

Issuance Requirements

[ACT 287 \(HB1172\)](#) requires the payment of an additional fee to the Department of Finance and Administration to cover the cost of creating a new type of special interest license plate.

Military - Reissuance to Surviving Spouse

[ACT 915 \(HB1716\)](#) authorizes the reissuance of a special license plate, with a decal stating "Surviving Spouse", to the surviving spouse of a deceased person who was entitled to receive the Medal of Honor Recipient special license plate, Purple Heart Recipient special license plate, or Distinguished Flying Cross special license plate.

Purple Heart Recipient Special License Plate - Surviving Spouse

[ACT 167 \(HB1012\)](#) authorizes the issuance of a Purple Heart Recipient special license plate to the surviving spouse of a deceased person who would have been entitled to receive a Purple Heart Recipient special license plate.

Word "Disabled"

[ACT 236 \(SB161\)](#) prohibits the display of the word "disabled" on a special license plate issued by the Office of Motor Vehicle for persons with disabilities.

STATE POLICE

Driving Record Fee

[ACT 586 \(SB268\)](#) provides that additional driving record information fees collected shall be deposited to the credit of the Department of Arkansas State Police Fund.

Nonconsent Towing

[ACT 1063 \(HB1956\)](#) provides that the Department of Arkansas State Police may remove an unattended vehicle without the consent of the operator or passenger.

TITLING

Expedited Title Processing Service

[ACT 524 \(SB494\)](#) provides that the Office of Motor Vehicle may provide an expedited title processing service for a motor vehicle subject to registration and issuance of a certificate of title.

TOWING AND STORAGE

"Tow Business" Definition

[ACT 176 \(HB1324\)](#) provides a definition for "tow business" or "towing business" used in regards to the removal or immobilization of unattended or abandoned vehicles.

MOTOR VEHICLESTOWING AND STORAGE***Nonconsent Towing - Heavy-duty Vehicles***

[ACT 1063 \(HB1956\)](#) provides that a tow facility may tow heavy-duty motor vehicles as part of a law enforcement program if the tow facility is licensed by the Arkansas Towing and Recovery Board, passes safety inspections, and complies with state and federal laws. The act also provides that a tow company, an emergency medical services provider, or local law enforcement is not responsible for any damage or claims that may result from the removal of an unattended vehicle if acting in good faith and using reasonable care. Section 1 of the act concerning the nonconsent towing rotation for heavy-duty vehicles is effective on and after January 1, 2020.

State Police

[ACT 1063 \(HB1956\)](#) provides that the Department of Arkansas State Police may remove an unattended vehicle without the consent of the operator or passenger.

TRANSPORTATION DEPARTMENT***Railroads - Autonomous Vehicles***

[ACT 1052 \(HB1822\)](#) requires an autonomous vehicle and fully autonomous vehicle to have the capability to safely negotiate railroad crossings unless an exemption is granted by the Arkansas Department of Transportation. The act also requires the department to consult with railroad companies when considering an exemption that affects the operation of autonomous vehicles or fully autonomous vehicles at railroad crossings. The act declares an emergency and is effective on and after April 16, 2019.

USED VEHICLES***Water-damaged***

[ACT 497 \(HB1322\)](#) amends the definition of "water-damaged" for the purpose of determining the disclosure of damage and repair required on the certificate of title.

NATURAL RESOURCESLOGGING AND TIMBER***Timber Sales***

[ACT 451 \(SB282\)](#) amends the law to authorize the purchase of timber when at least sixty percent (60%) of the known or locatable co-owners or coheirs of the land have consented.

MINERALS***Property Tax - Division Orders and Declarations of Interest***

[ACT 538 \(HB1559\)](#) requires the submission of a division order or declaration of interest to the county assessor if mineral rights are subject to a division order or declaration of interest and provides penalties for not submitting a required division order or declaration of interest. The act is effective for assessment years beginning on and after January 1, 2020.

Property Tax - Jurisdiction of County Equalization Boards

[ACT 509 \(HB1659\)](#) amends the jurisdiction of county equalization boards with respect to producing mineral rights. The act is effective for assessment years beginning on and after January 1, 2019.

OIL, GAS, AND BRINE***Gas Assessment Fees as General Revenue***

[ACT 705 \(SB523\)](#) designates certain gas assessment fees as general revenue. The act declares an emergency and is effective on and after April 4, 2019.

NATURAL RESOURCES

OIL, GAS, AND BRINE

Theft of Oil and Gas Equipment

[ACT 611 \(HB1720\)](#) amends the offense of theft of property to enhance penalties for theft of certain oil and gas equipment and petroleum-related property. The act also makes organizational changes and technical corrections.

TECHNICAL CORRECTIONS - NATURAL RESOURCES AND ECONOMIC DEVELOPMENT - TITLE 15

[ACT 384 \(SB363\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 15 of the Arkansas Code.

WATER

Funding for Waterways Commission and Arkansas River Navigation System

[ACT 561 \(SB453\)](#) creates the Arkansas River Navigation System Fund and dedicates a portion of the ad valorem tax on water transportation companies to the Arkansas Waterways Commission and the Arkansas River Navigation System Fund to provide funding for the development, improvement, and expansion of river transportation resources within the McClellan-Kerr Arkansas River Navigation System.

Transfer of Water Resource and Conservation Tax Credits

[ACT 1073 \(HB1985\)](#) allows for the transfer of income tax credits related to water resource conservation and development. The act is effective for tax years beginning on and after January 1, 2020.

WILDLIFE

Fee - Lifetime Combination Trout Permit and State Duck Stamp

[ACT 886 \(SB486\)](#) authorizes an increase for the special annual fee for a trout special permit, a lifetime trout stamp, and a lifetime combination trout and state duck stamp.

Lifetime Hunting and Fishing Licenses for Disabled Veterans

[ACT 729 \(SB397\)](#) amends the definition of a disabled veteran for purposes of obtaining a lifetime hunting and fishing license and provides that a disabled veteran may obtain a lifetime combination hunting and fishing license that includes a lifetime trout stamp and lifetime duck stamp for a set fee.

State Primitive Fish

[ACT 576 \(HB1640\)](#) designates the alligator gar as the official primitive fish of the State of Arkansas.

PROFESSIONS AND OCCUPATIONS

ACCOUNTANTS

Inactive Status

[ACT 452 \(SB290\)](#) allows the Arkansas State Board of Public Accountancy by rule to exempt certain persons from certain continuing education requirements in the field, including attorneys with a current law license providing tax services, a nonresident licensee who holds an active CPA or PA license in their state of residence, services provided on a volunteer basis, and if an application has been submitted to the Arkansas State Board of Public Accountancy to upgrade the license to active status.

APPRAISERS

Licensing and Certification

[ACT 514 \(SB394\)](#) amends the laws concerning licensing and certification of appraisers and creates a registration class for a registered apprentice appraiser.

PROFESSIONS AND OCCUPATIONS

APPRAISERS

Requirements Under the Appraisal Management Company Registration Act

[ACT 513 \(SB393\)](#) amends the requirements for registration under the Appraisal Management Company Registration Act.

AUTOMATIC LICENSURE

Military Members, Veterans, and Spouses

[ACT 820 \(SB564\)](#) provides automatic licensure for active duty service members, returning military veterans, the spouses of active duty service members, and the spouses of returning military veterans to engage in an occupation or profession if the individual is the holder in good standing of a substantially equivalent occupational license issued by another state, territory, or district of the United States and the occupational licensing entity failed to submit rules for an expedited process within one (1) year of the effective date of the act.

CONTRACTORS AND SUBCONTRACTORS

Licensing and Registration Requirements

[ACT 805 \(SB342\)](#) amends the licensing requirements of contractors and subcontractors; requires subcontractor registration; allows for a bond in lieu of a financial statement; and allows the emergency suspension of a license. The act is effective on and after July 1, 2020.

COUNSELORS AND THERAPISTS

Arkansas Board of Examiners in Counseling - Licensing Requirements

[ACT 370 \(SB164\)](#) amends the licensing requirements for licensed professional counselors and marriage and family therapists and amends the examination, reciprocity, suspension, and revocation procedures.

CURRENCY EXCHANGE - MONEY TRANSMITTER

Uniform Money Services Act

[ACT 111 \(SB187\)](#) amends the Uniform Money Services Act; modifies the application procedures for money transmission licenses; amends the statutes concerning a currency exchange license; revises the financial standards for licensees; modifies the permissible investments as a licensee; and repeals out-of-date provisions.

FUNERAL HOMES AND BURIAL ASSOCIATIONS

Access to Refrigeration Unit

[ACT 697 \(SB398\)](#) requires a multi-unit funeral establishment enterprise to have access to a refrigeration unit within a reasonable time after death as determined by rule of the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services.

GENERALLY

Criminal Background Checks

[ACT 990 \(SB451\)](#) amends the laws regarding criminal background checks for professions and occupations to obtain consistency regarding criminal background checks and disqualifying offenses for licensure.

Delinquent Student Loans and Scholarships - Effect on Licensure

[ACT 250 \(HB1296\)](#) ensures that default or delinquent student loans or scholarships do not result in suspension or revocation of a license.

Expedited Temporary and Provisional Licensure

[ACT 426 \(HB1301\)](#) creates the Red Tape Reduction Expedited Temporary and Provisional Licensure Act and authorizes occupational licensing entities to grant expedited temporary and provisional licensing for certain individuals.

PROFESSIONS AND OCCUPATIONS**GENERALLY*****Licensing, Registration, and Certification of Certain Professions***

[ACT 1011 \(HB1255\)](#) amends the definition of occupational licensing and establishes a system of endorsement, recognition, and reciprocity of licenses for certain occupational licenses.

Review of Authorizations and Entities

[ACT 600 \(HB1527\)](#) creates the Red Tape Reduction Sunrise and Sunset Act of 2019 and requires legislative review of occupational authorizations and occupational entities.

HEALTH CARE WORKERS - OTHER***Audits - Recoupment***

[ACT 940 \(SB642\)](#) modifies the time for recoupment of audits of a healthcare provider and allows for a healthcare provider to submit a corrected claim for up to six (6) months after recoupment for services that were actually provided but billed in error and without the intent to defraud.

Chiropractic Student Preceptorship Program

[ACT 645 \(HB1524\)](#) establishes a chiropractic student preceptorship program.

Expert Witnesses

[ACT 687 \(SB273\)](#) clarifies that an expert witness testifying or offering opinions regarding an administrative proceeding before a board of any profession or occupation classified under state law as a profession of the healing arts has immunity. The act declares an emergency and is effective on and after April 4, 2019.

Genetic Counselor Licensure

[ACT 686 \(SB190\)](#) creates the Arkansas Genetic Counselor Licensure Act, which establishes a license for genetic counselors that is issued by the Arkansas State Medical Board.

Healthcare Contracting Simplification Act

[ACT 734 \(SB480\)](#) establishes the Healthcare Contracting Simplification Act and prohibits anticompetitive practices by a healthcare insurer. The act prohibits certain all-products clauses, most favored nation clauses, and clauses that impair the freedom of contract in a healthcare contract and voids healthcare contracts that contain such provisions. The act allows a contracting entity to offer a healthcare provider a contract that covers multiple health benefit plans that have the same reimbursement rates and other financial terms for the healthcare provider; add a new health benefit plan to an existing healthcare contract with a healthcare provider under the same reimbursement rates and other financial terms applicable under the original healthcare contract; and require a healthcare provider to accept multiple health benefit plans that do not differ in reimbursement rates or other financial terms for the healthcare provider. The act also clarifies the contracting process for healthcare contracts. The act is effective on and after September 1, 2019, and it applies to the activities of risk-based provider organizations on and after January 1, 2021.

Insurers - Contracts

[ACT 589 \(SB472\)](#) requires a health insurer to contract with a licensed healthcare provider if the healthcare provider is permitted to participate in Medicare, Medicaid, or any other federal health benefit plan. The act declares an emergency and is effective on and after March 29, 2019.

Lay Midwife - Transfers of Patient

[ACT 977 \(HB1860\)](#) requires reporting by a hospital or licensed healthcare facility to the Department of Health when a transfer of a patient from a lay midwife occurs.

PROFESSIONS AND OCCUPATIONS**HEALTH CARE WORKERS - OTHER*****Mandatory Electronic Prescribing for Controlled Substances***

[ACT 447 \(SB174\)](#) requires mandatory electronic prescribing of controlled substances. The act has a contingent effective date and becomes effective on and after the later of January 1, 2021, or the certification by the Attorney General that the United States Department of Health and Human Services requires mandatory electronic prescribing.

Occupational Therapists - Accreditation Organization

[ACT 265 \(SB271\)](#) updates references to an accreditation organization related to occupational therapy.

Payment

[ACT 862 \(HB1900\)](#) clarifies the procedures for a healthcare payor for reimbursement or when determining any gain-sharing or risk-sharing of a healthcare provider under an alternative payment system.

Peer Support Specialist and Criminal Background Checks

[ACT 951 \(HB1433\)](#) authorizes individuals with prior drug-related offenses to work with individuals receiving substance abuse treatment as peer support specialists or work in similar positions requiring a history of receiving behavioral health services. The act declares an emergency and is effective on and after April 12, 2019.

Physician Assistants - Accreditation Organization

[ACT 263 \(SB269\)](#) updates references to the accreditation organization related to physician assistants.

Podiatrist Limitations on Schedule II Narcotics

[ACT 112 \(HB1013\)](#) requires the Arkansas Board of Podiatric Medicine to adopt rules regarding limitations on Schedule II narcotics.

Prescriptive Abilities

[ACT 309 \(HB1288\)](#) removes duplicative language regarding the prescriptive abilities of physician assistants, optometrists, and advanced practice registered nurses. The act also provides that pharmacists may fill prescriptions for all healthcare professionals with prescriptive authority to the extent of the scope of practice for that healthcare profession.

Psychologists and Psychological Examiners - Provisional Licenses

[ACT 887 \(SB505\)](#) amends the provisional license requirements for psychologists and psychological examiners.

Surgical Technologist - Extend Registration Deadline

[ACT 264 \(SB270\)](#) extends the registration deadline for a surgical technologist who has been employed to practice as a surgical technologist at any time period within the six (6) months before July 1, 2017.

LOAN OFFICERS***Fair Mortgage Lending Act***

[ACT 200 \(SB188\)](#) amends the Fair Mortgage Lending Act to comply with recent developments in federal law concerning loan officers.

MESSAGE THERAPY***Tuberculosis Tests - Removal as Requirement of Licensure***

[ACT 312 \(HB1394\)](#) removes the tuberculosis tests as a requirement for licensure as a massage therapist.

PROFESSIONS AND OCCUPATIONSNURSES***Benefits for State Active Duty***

[ACT 462 \(HB1522\)](#) extends state benefits given to service members on federal orders to members of the Arkansas National Guard on state active duty, including without limitation state benefits concerning education, elections, military affairs, occupational licensure, and driver's license renewal.

Collaborative Practice Agreement - Podiatrist

[ACT 308 \(HB1230\)](#) authorizes a podiatrist to have a collaborative practice agreement with an advanced practice registered nurse.

Criminal Background Checks

[ACT 626 \(SB301\)](#) amends the laws concerning criminal background checks for nursing licensure to authorize the Arkansas State Nursing Board to participate at the state and federal level in programs that provide notification of an arrest subsequent to an initial criminal background check.

Licensure - DACA Recipients

[ACT 837 \(HB1552\)](#) authorizes the Arkansas State Board of Nursing to license recipients of the Deferred Action for Childhood Arrivals (DACA) policy.

Prescriptive Authority of Advanced Practice Registered Nurses

[ACT 593 \(HB1267\)](#) amends the prescriptive authority of an advanced practice registered nurse to include drugs listed in Schedule II under certain circumstances.

OPTOMETRISTS AND OPHTHALMOLOGISTS***Optometrists - Practice of Optometry***

[ACT 579 \(HB1251\)](#) amends the definition of "practice of optometry" to include certain procedures and requires reporting of optometrists who meet requirements to perform laser procedures.

PHARMACIES AND PHARMACISTS***Arkansas Pharmacy Benefits Manager Licensure Act***

[ACT 994 \(SB520\)](#) clarifies the State Insurance Department's regulatory and enforcement authority concerning pharmacy benefits managers; extends the time for pharmacists and pharmacies to file an administrative appeal to challenge a maximum allowable cost list and for the pharmacy benefits manager to respond and resolve the appeal; prohibits a pharmacy benefits manager from spread pricing; prohibits a pharmacy benefits manager from reducing payments for pharmacist services by a pharmacy benefits manager or a healthcare insurer made directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement; and makes the Arkansas Pharmacy Benefits Manager Licensure Act applicable to an organization or entity directly or indirectly providing services to patients under the Medicaid Provider-Led Organized Care Act or any other Medicaid managed care program in Arkansas.

Biological Product Substitutions

[ACT 637 \(HB1269\)](#) authorizes pharmacists to dispense an interchangeable biological product in place of a biological product when there is a cost saving for the patient.

Nicotine Replacement Therapy

[ACT 651 \(HB1263\)](#) authorizes a pharmacist and a physician to initiate therapy and administer or dispense, or both, nicotine replacement therapy products.

PROFESSIONS AND OCCUPATIONS

PHARMACIES AND PHARMACISTS

Vaccines and Immunizations

[ACT 652 \(HB1278\)](#) amends the definition of "practice of pharmacy" to allow vaccines and immunizations to be given to a person from seven (7) years of age to eighteen (18) years of age under a general written protocol.

PHYSICAL THERAPISTS AND ATHLETIC TRAINERS

Criminal Background Check

[ACT 314 \(HB1422\)](#) requires a criminal background check as a requirement for licensure as a physical therapist or a physical therapist assistant.

Interstate Physical Therapy Licensure Compact

[ACT 313 \(HB1421\)](#) establishes the Interstate Physical Therapy Licensure Compact in Arkansas, which facilitates the interstate practice of physical therapy to increase public access to physical therapy services.

PHYSICIANS

Abortion Reporting Requirements

[ACT 620 \(SB3\)](#) requires additional reporting requirements by certain physicians and healthcare facilities for abortion complications.

Adverse Professional Review Action

[ACT 996 \(SB592\)](#) amends the Patient Protection Act of 1993 and protects the right of a patient to see the healthcare provider of the patient's choice after an adverse professional review action unless that healthcare provider has violated the appropriate standard of care. The act declares an emergency and is effective on and after April 15, 2019.

Assignment of Benefits

[ACT 736 \(SB512\)](#) provides for and regulates the assignment of benefits to a healthcare provider.

Educational Licenses

[ACT 701 \(SB456\)](#) amends the educational licenses issued by the Arkansas State Medical Board and updates the name of the license as an "academic license".

Foreign Graduates - License to Practice

[ACT 267 \(SB274\)](#) adds fellowship as a method for a foreign graduate to obtain a license to practice medicine. The act declares an emergency and is effective on and after March 1, 2019.

Nicotine Replacement Therapy

[ACT 651 \(HB1263\)](#) authorizes a pharmacist and a physician to initiate therapy and administer or dispense, or both, nicotine replacement therapy products.

Osteopathic Physicians - Citizenship or Legal Residency for Licensure

[ACT 607 \(HB1658\)](#) requires citizenship or legal residency for licensure as an osteopathic physician in Arkansas. The act declares an emergency and is effective on and after March 29, 2019.

Out-of-state Physicians

[ACT 688 \(SB275\)](#) clarifies the law regarding out-of-state physicians who practice patient care services initiated in this state through the use of any medium.

Recording of Certificate Before Practicing

[ACT 266 \(SB272\)](#) repeals obsolete laws regarding the recording of a certificate before practicing medicine.

PROFESSIONS AND OCCUPATIONS

PHYSICIANS

Telemedicine Credentialing

[ACT 921 \(HB1883\)](#) improves the efficiency of telemedicine credentialing of physicians by specifying the telemedicine credentialing process for a physician.

PLUMBERS

Plumbing Plan Review

[ACT 889 \(SB525\)](#) modernizes the plumbing plan review submissions and responses. The act also clarifies that local jurisdiction review of certain plumbing plans and specifications do not require review by the Department of Health and that certain construction plans are required to be reviewed by the Department of Health.

SOCIAL WORKERS

Licensing Updates

[ACT 623 \(SB172\)](#) amends the laws regarding social work licensing. The act also clarifies the licensing exemption for students and changes the term "reciprocity" to "endorsement".

TECHNICAL CORRECTIONS - PROFESSIONS, OCCUPATIONS, AND BUSINESSES - TITLE 17

[ACT 386 \(SB365\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 17 of the Arkansas Code.

VETERINARIANS

Benefits for State Active Duty

[ACT 462 \(HB1522\)](#) extends state benefits given to service members on federal orders to members of the Arkansas National Guard on state active duty, including without limitation state benefits concerning education, elections, military affairs, occupational licensure, and driver's license renewal.

Equine Massage

[ACT 286 \(HB1146\)](#) exempts equine massage therapy or animal massage therapy from licensure by the Veterinary Medical Examining Board.

Exemption to Licensure - Chiropractic upon Animals

[ACT 139 \(HB1264\)](#) amends the exemption to licensure by the Veterinary Medical Examining Board to remove the supervision requirement for chiropractors performing chiropractic upon animals.

Veterinary Technologist and Veterinary Technician Specialist Certification

[ACT 169 \(HB1124\)](#) amends the laws concerning veterinary medicine and establishes a veterinary technologist certification and a veterinary technician specialist certification.

PROPERTY RIGHTS AND INTERESTS

FARMLAND

Real Estate Closing Disclosure

[ACT 515 \(SB408\)](#) provides that a closing agent is required to provide a written disclosure statement before or at the time of closing a real estate transaction that makes a buyer of real property aware that agricultural operations on real property nearby are protected and shall not be found to be a public or private nuisance.

LANDLORDS AND TENANTS

Liability for Criminal Acts

[ACT 496 \(SB469\)](#) provides that a person having an interest in real property is not liable to any person for the unforeseeable criminal acts of a third party committed on his or her real property. The act declares an emergency and is effective on and after March 18, 2019.

PROPERTY RIGHTS AND INTERESTS

MORTGAGES AND LIENS

Filing of Lien

[ACT 806 \(SB344\)](#) provides that a street address is not a correct description of real property required in a lien account filed with the clerk of the circuit court of the county in which the real property is located.

Loan Officers

[ACT 200 \(SB188\)](#) amends the Fair Mortgage Lending Act to comply with recent developments in federal law concerning loan officers.

Medical Services

[ACT 890 \(SB542\)](#) provides that an orthotist, a prosthetist, and a pedorthist have a lien on the value of services rendered and the cost of a device or medical appliance provided to a patient.

REAL PROPERTY - GENERALLY

Liability - All-terrain Vehicle Use

[ACT 794 \(HB1833\)](#) provides that an owner of private property is not liable for an injury to or the death of a participant resulting from the inherent risk of all-terrain vehicle use.

Liability for Criminal Acts

[ACT 496 \(SB469\)](#) provides that a person having an interest in real property is not liable to any person for the unforeseeable criminal acts of a third party committed on his or her real property. The act declares an emergency and is effective on and after March 18, 2019.

Real Estate Closing Disclosure

[ACT 515 \(SB408\)](#) provides that a closing agent is required to provide a written disclosure statement before or at the time of closing a real estate transaction that makes a buyer of real property aware that agricultural operations on real property nearby are protected and shall not be found to be a public or private nuisance.

Timber Sales

[ACT 451 \(SB282\)](#) amends the law to authorize the purchase of timber when at least sixty percent (60%) of the known or locatable co-owners or coheirs of the land have consented.

TECHNICAL CORRECTIONS - PROPERTY - TITLE 18

[ACT 387 \(SB366\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 18 of the Arkansas Code.

TRUSTS

Qualified Spousal Trusts

[ACT 1047 \(HB1810\)](#) provides for qualified spousal trusts in Arkansas and provides that two (2) settlors who are married to each other may create a qualified spousal trust.

UNCLAIMED PROPERTY

Distribution of Funds

[ACT 325 \(HB1428\)](#) allows the Auditor of State to transfer the funds received under the Unclaimed Property Act into the State Treasury Money Management Trust for investment purposes. The act declares an emergency and is effective on and after March 6, 2019.

Sale of Securities

[ACT 492 \(HB1427\)](#) provides that the Auditor of State may sell securities upon receipt from the holder. The act declares an emergency and is effective on and after March 15, 2019.

PUBLIC FINANCE

ACCOUNTING AND BUDGETARY PROCEDURES

Budget Requests - Expenditures of Cash Funds

[ACT 678 \(HB1341\)](#) creates certain requirements for budget requests of constitutional officers and departments and provides for the General Assembly to budget, approve, and appropriate cash fund expenditures for constitutional officers and departments beginning with the 2021 fiscal year.

PUBLIC FINANCEACCOUNTING AND BUDGETARY PROCEDURES***Maximum Number of Passenger Vehicles***

[ACT 942 \(SB651\)](#) amends the maximum number of passenger motor vehicles allowed for certain institutions of higher education. The act declares an emergency and is effective on and after July 1, 2019.

BOND ISSUES***Local Government Bonds - Capital Improvements - Use of Casino Tax Revenues***

[ACT 703 \(SB471\)](#) allows a municipality or county to pledge its portion of the net casino gaming receipts tax revenues to the repayment of certain local government bonds and allows local governments to issue certain bonds for energy efficiency facilities and facilities for voice, data, broadband, video, or wireless telecommunications services.

FEDERAL FUNDS***Military Support Revolving Fund***

[ACT 459 \(HB1129\)](#) authorizes the deposit of federal reimbursements into the Military Support Revolving Fund to be used by the State Military Department.

FUNDS - SPECIAL REVENUE, TRUST, AND MISCELLANEOUS***Arkansas Department of Aeronautics Fund - Distribution***

[ACT 152 \(HB1011\)](#) allows the use of the special revenue in the Arkansas Department of Aeronautics Fund for the distribution of grants by the department for any purpose related to the development of aeronautics, the promotion of aeronautics, or aviation education.

Arkansas Firefighter Cancer Relief Network Trust Fund

[ACT 823 \(SB585\)](#) creates the Arkansas Firefighter Cancer Relief Network Trust Fund to be administered by the State Insurance Department through donations. The act provides that the trust fund will be used to fund relief for firefighters who are diagnosed with cancer and who are participating in a firefighter cancer relief network created and governed by the Arkansas Association of Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association Inc.

Arkansas River Navigation System Fund

[ACT 561 \(SB453\)](#) creates the Arkansas River Navigation System Fund and dedicates a portion of the ad valorem tax on water transportation companies to the Arkansas Waterways Commission and the Arkansas River Navigation System Fund to provide funding for the development, improvement, and expansion of river transportation resources within the McClellan-Kerr Arkansas River Navigation System.

Arkansas Wine Grants Fund

[ACT 1050 \(HB1817\)](#) amends the law regarding native wine incentive grants to increase the grant amount to one hundred twenty-five thousand dollars (\$125,000) and amends the Arkansas Wine Grants Fund to transfer fees into the Arkansas Agricultural Marketing Grants Fund.

Department of Arkansas State Police Fund

[ACT 586 \(SB268\)](#) provides that additional driving record information fees collected shall be deposited to the credit of the Department of Arkansas State Police Fund.

Development and Enhancement Fund

[ACT 82 \(SB155\)](#) creates the Development and Enhancement Fund to provide a mechanism to disburse funds for various construction and improvement projects, unforeseen needs, funding deficiencies, and the completion of projects previously funded by the General Assembly. The fund is the successor fund to the General Improvement Fund. The act declares an emergency and is effective on and after July 1, 2019.

PUBLIC FINANCE**FUNDS - SPECIAL REVENUE, TRUST, AND MISCELLANEOUS*****National Statuary Hall Collection Trust Fund***

[ACT 1068 \(HB1969\)](#) creates the National Statuary Hall Collection Trust Fund to be used exclusively for the placement and replacement of Arkansas statues in the collection.

Property Tax Relief Trust Fund

[ACT 808 \(SB447\)](#) increases the homestead property tax credit to three hundred seventy-five dollars (\$375); transfers a portion of the Property Tax Relief Trust Fund to pay for voting machines; and transfers the remaining excess funds in the Property Tax Relief Trust Fund to the Long Term Reserve Fund. The increased homestead property tax credit amount is effective for assessment years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after April 9, 2019.

UAMS National Cancer Institute Designation Trust Fund

[ACT 580 \(HB1565\)](#) dedicates general revenue to be used for the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund. The act is effective on and after September 1, 2019.

University of Arkansas for Medical Sciences National Cancer Institute Designation

[ACT 181 \(SB151\)](#) creates the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund and requires a semiannual report on the moneys in the fund, the use of the fund, and the progress of the Winthrop P. Rockefeller Cancer Institute toward achieving status as a National Cancer Institute-Designated Cancer Center.

PURCHASING AND CONTRACTS***Contract with Entity Subject to a Business Closure Order***

[ACT 866 \(HB1931\)](#) prohibits a business that is subject to a business closure order by the Department of Finance and Administration from contracting or doing business with the state. The act is effective on and after January 1, 2020.

Contracting Requirements - Attorney Review - Performance-based Contracts

[ACT 418 \(HB1162\)](#) requires that certain contracts be reviewed by an attorney before being executed; allows multiyear contracts to be entered into for up to four (4) years; and requires performance-based standards for certain contracts.

Criminal Background Checks

[ACT 318 \(HB1277\)](#) requires criminal background checks on contractors of state agencies for performance of services in designated positions or designated financial or information technology positions.

Delegation of Authority - Protests

[ACT 420 \(HB1179\)](#) provides grounds for filing a protest of a solicitation or an award of a contract; provides a private cause of action for a person who is aggrieved by a meritless protest of a solicitation or an award of a contract; and requires that delegation orders for procurement purposes have an expiration date and be written, publicly posted, and narrowly tailored.

Design Services Contracts

[ACT 422 \(HB1181\)](#) allows the Building Authority Division of the Department of Finance and Administration to award statewide contracts for design services for state agencies to use in an emergency; prohibits a firm that has a contract with a state agency that has a material issue from bidding on additional state contracts; and requires the division to state in the invitation for bids if the division will consider minimum experience in evaluating the bidder's responsiveness.

PUBLIC FINANCE**PURCHASING AND CONTRACTS*****Energy Cost Savings***

[ACT 507 \(HB1636\)](#) adds new definitions and amends existing definitions that are applicable to the Guaranteed Energy Cost Savings Act and energy savings contracts. The act also amends the law concerning the length of a guaranteed energy savings contracts.

Mandatory State Contracts - Cooperative Purchasing Agreements

[ACT 421 \(HB1180\)](#) provides the State Procurement Director with the authority to award additional mandatory state contracts; allows the director to grant an exemption from a mandatory state contract in certain circumstances; limits the use of cooperative purchasing agreements; and provides an approval process for state agencies requesting to use a cooperative purchasing agreement.

Methods of Procurement - Training of Procurement Officials - Rules Review

[ACT 419 \(HB1178\)](#) provides for solicitation conferences to be held before the issuance of an invitation for bids, request for proposals, or request for qualifications; allows state agencies to make requests for best and final offers and negotiate competitive sealed bids and competitive sealed proposals; allows for the use of private evaluators in evaluating responses to certain requests for proposals; requires the Office of State Procurement to submit all procurement rules to the Review Subcommittee of Legislative Council for review; requires the training and certification of procurement officials; requires cost to be weighted at least thirty percent (30%) for a request for proposals; allows state agencies to issue requests for information; and requires vendor training and polling.

Review and Reporting Requirements

[ACT 417 \(HB1161\)](#) consolidates the legislative review and reporting requirements for technical and general services contracts and professional and consulting services contracts; allows for the reporting (rather than review) of contracts that do not have a material change upon the renewal or extension of the contract; requires the tracking of protests, negotiations, and expiring contracts; provides for legislative review (rather than approval) of vehicle leases by state agencies; and repeals the reporting requirement for recycled paper products.

Small Capital Improvement Projects

[ACT 658 \(HB1572\)](#) amends the law concerning state agency capital improvement contracts to make the law uniform.

Vendor Performance - Vendor Compliance with Procurement Laws

[ACT 418 \(HB1162\)](#) requires a state agency to report vendors that do not comply with performance-based standards; allows a state agency to report an issue with a vendor's performance under any contract; and requires contractors to ensure compliance with state procurement laws concerning the content and review of their contract with the state.

RECEIPT AND EXPENDITURE OF STATE REVENUE***Cancelled Checks - Requirements for Maintaining and Formatting***

[ACT 255 \(HB1405\)](#) provides requirements and alternative formats for maintaining and accessing the cancelled checks of a public entity.

REVENUE CLASSIFICATION LAW***General Revenue - Gas Assessment Fees***

[ACT 705 \(SB523\)](#) designates certain gas assessment fees as general revenue. The act declares an emergency and is effective on and after April 4, 2019.

PUBLIC FINANCE

REVENUE STABILIZATION LAW

Development and Enhancement Fund

[ACT 82 \(SB155\)](#) creates the Development and Enhancement Fund to provide a mechanism to disburse funds for various construction and improvement projects, unforeseen needs, funding deficiencies, and the completion of projects previously funded by the General Assembly. The fund is the successor fund to the General Improvement Fund. The act declares an emergency and is effective on and after July 1, 2019.

Direct Deposit of Funds

[ACT 616 \(HB1836\)](#) allows the Treasurer of State to transfer funds by direct deposit.

STATE TREASURY

Investment of Funds

[ACT 882 \(SB454\)](#) amends the law concerning the investment of funds in the State Treasury and amends the powers and duties of the State Board of Finance in relation to the chief investment officer of the Treasurer of State's office.

Unclaimed Property Funds

[ACT 325 \(HB1428\)](#) allows the Auditor of State to transfer the funds received under the Unclaimed Property Act into the State Treasury Money Management Trust for investment purposes. The act declares an emergency and is effective on and after March 6, 2019.

TECHNICAL CORRECTIONS - PUBLIC FINANCE - TITLE 19

[ACT 388 \(SB367\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 19 of the Arkansas Code.

PUBLIC OFFICERS AND EMPLOYEES

ACCOUNTING AND BUDGETING

Budget Requests - Expenditures of Cash Funds

[ACT 678 \(HB1341\)](#) creates certain requirements for budget requests of constitutional officers and departments and provides for the General Assembly to budget, approve, and appropriate cash fund expenditures for constitutional officers and departments beginning with the 2021 fiscal year.

COMPENSATION AND BENEFITS

Arkansas National Guard

[ACT 767 \(HB1879\)](#) authorizes the payment of a death benefit to a designated beneficiary of a member of the Arkansas National Guard on state active duty.

Career Service Recognition Payments

[ACT 914 \(HB1706\)](#) provides for an increase in the annual career service recognition payments for state employees and employees of institutions of higher education.

Higher Education Uniform Classification and Compensation

[ACT 763 \(HB1741\)](#) amends the Higher Education Uniform Classification and Compensation Act, including revising the compensation plan, grades, and titles for higher education employees; revises provisions of law pertaining to salary adjustments, new appointments, compensation differentials, position pools, and merit increase pay systems; and allows for the implementation of information technology labor market rates for recruitment and retention. The act declares an emergency and is effective on and after July 1, 2019.

Juvenile Division of Circuit Court - State Reimbursement

[ACT 941 \(SB647\)](#) amends the law concerning state reimbursements to counties for juvenile officers.

PUBLIC OFFICERS AND EMPLOYEESCOMPENSATION AND BENEFITS***State and Public School Life and Health Insurance Program - Part-time Employees***

[ACT 563 \(HB1223\)](#) provides that certain part-time public school employees are allowed to participate in the State and Public School Life and Health Insurance Program.

Uniform Classification and Compensation

[ACT 981 \(HB1905\)](#) revises the compensation plan under the Uniform Classification and Compensation Act, including amending the classification titles and grades and amending various laws concerning the Office of Personnel Management.

ETHICS AND CONFLICTS OF INTEREST***State Elected Officials - Registration as a Lobbyist***

[ACT 342 \(SB256\)](#) prohibits an elected state official from registering as a lobbyist.

GENERALLY***Transformation and Efficiencies Act of 2019 - Cabinet-Level Department Employees***

[ACT 910 \(HB1763\)](#) provides for a realignment of executive branch state entities; creates fifteen (15) cabinet-level departments and secretaries; transfers various state entities into the cabinet-level departments; and changes the name of multiple state entities. The act declares an emergency and the provisions concerning the transition team and the funding and classification of department-level secretaries are effective on and after April 11, 2019, and the remainder of the act is effective on and after July 1, 2019.

MEMBER OF THE GENERAL ASSEMBLY***Employment of Former Member of the General Assembly***

[ACT 661 \(HB1374\)](#) provides that a former member of the General Assembly elected or reelected on or after November 6, 2018, shall not enter into employment as the director of an educational cooperative or area agency on aging until two (2) years after the expiration of the term of office for which he or she was elected. The act declares an emergency and is effective on and after April 2, 2019.

NOTARIES PUBLIC***Nonresident Military Spouses***

[ACT 215 \(HB1119\)](#) amends the law concerning the appointment and commission of a notary public to allow a nonresident spouse of a United States military service member to be a notary public.

OATH OF OFFICE***Administration***

[ACT 194 \(SB81\)](#) authorizes the city clerk or recorder to administer oaths of office for public officials.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM***Benefits - Annuity Options***

[ACT 625 \(SB219\)](#) amends the law concerning death benefit provisions under the Arkansas Public Employees' Retirement System. The act requires the surviving spouse of a member of the system to have been married to the member for at least six (6) months before the surviving spouse may receive an annuity. The act applies retroactively to January 1, 2017.

Cessation of Participation

[ACT 624 \(SB217\)](#) provides that when a member's participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan ends, the member is required to separate from services unless the separation period would prevent a popularly elected official from taking or holding office. The act is effective on and after April 1, 2019.

PUBLIC OFFICERS AND EMPLOYEES**PUBLIC EMPLOYEES' RETIREMENT SYSTEM*****Credited Service and Purchase of Military Service Credit - General Assembly***

[ACT 826 \(HB1346\)](#) amends the law concerning credited service received by members of the General Assembly under the Arkansas Public Employees' Retirement System. The act also amends the law concerning the purchase of military service credit by members of the General Assembly under the Arkansas Public Employees' Retirement System.

Deferred Retirement Option Plan - Cessation of Participation

[ACT 448 \(SB220\)](#) repeals the law concerning contributory members who are members of the General Assembly, serve as Governor of this state, are elected contributory state constitutional officers, or are state penitentiary employees. The act also repeals the law concerning contributory credited service for General Assembly members and state constitutional officers who die in office and the benefits received by their surviving spouses. Additionally, the act repeals the law concerning reciprocal service credit that is applicable only to the Arkansas Public Employees' Retirement System. The act provides that a member whose participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan ends is eligible for employment if the separation period required for the member to be considered as terminated from employment for retirement purposes would prevent the member from taking or holding office as a popularly elected official. The act declares an emergency and is effective on and after March 13, 2019.

Disability Retirement - Firefighters

[ACT 638 \(HB1345\)](#) defines "disease" to include without limitation cancer that a firefighter or volunteer firefighter is diagnosed with while he or she is in the line of duty and allows a firefighter who is diagnosed with cancer to be eligible for disability retirement.

Funds and Management of Assets

[ACT 448 \(SB220\)](#) provides that if an overpayment of funds from the Arkansas Public Employees' Retirement System to a person is determined at a date later than one (1) year after the date of the last overpayment, the overpayment shall not be recouped by the Board of Trustees of the Arkansas Public Employees' Retirement System unless the overpayment is a result of an error on the part of a member, retirant, or beneficiary. The act is effective on and after March 13, 2019.

Member Contributions

[ACT 526 \(HB1358\)](#) amends the law on the contributions of members under the Arkansas Public Employees' Retirement System. The act requires interest to be paid on accumulated member contributions at the rate of two percent (2%) per annum.

Membership

[ACT 448 \(SB220\)](#) provides that if a member's only service under an Arkansas retirement plan, as determined by the law governing reciprocal service credits for all public employee retirement plans, is service as a member of the General Assembly, then the member must have ten (10) or more years of actual service to be eligible for benefits. The act is effective on and after March 13, 2019.

Membership - Public Water Authority

[ACT 449 \(SB229\)](#) amends the law to allow employees of public water authorities to become members of the Arkansas Public Employees' Retirement System.

SECRETARY OF STATE***Franchise Tax - Transfer of Administration***

[ACT 819 \(SB561\)](#) transfers the administration of the franchise tax to the Department of Finance and Administration and eliminates the franchise tax penalty on closed businesses. The provisions of the act concerning the franchise tax are effective on and after May 1, 2021.

PUBLIC OFFICERS AND EMPLOYEES

TECHNICAL CORRECTIONS - PUBLIC OFFICERS AND EMPLOYEES - TITLE 21

[ACT 390 \(SB369\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 21 of the Arkansas Code.

TERMINATION

Grievances

[ACT 1054 \(HB1842\)](#) streamlines the grievance process and considerations for state employees.

TREASURER OF STATE

Direct Deposit of Funds

[ACT 616 \(HB1836\)](#) allows the Treasurer of State to transfer funds by direct deposit.

PUBLIC PROPERTY

PARKS AND RECREATION AREAS

All-terrain Vehicles

[ACT 671 \(HB1744\)](#) requires the House Agriculture, Forestry, and Economic Development Committee and the Senate Agriculture, Forestry, and Economic Development Committee to meet jointly to conduct a comprehensive study of all-terrain vehicle tourism and to make recommendations to the General Assembly regarding the creation, development, and implementation of a statewide all-terrain vehicle trails system utilizing existing state roads to connect forest roads and all-terrain vehicle trails in national forests to increase tourism and economic development in the state. The act also requires the committees to file a written report with Legislative Council by December 1, 2020.

PUBLIC BUILDINGS, FACILITIES, AND PROPERTY

501 Building

[ACT 1086 \(SB652\)](#) renames the 501 Building the "Winthrop Rockefeller Building", and authorizes the Department of Finance and Administration to make improvements, arrangements, or contracts or authorize construction to display the name of the building on or near the building.

National Motto Display

[ACT 604 \(HB1607\)](#) provides guidance concerning the display of the national motto in schools, institutions of higher education, and other public buildings.

National Statuary Hall Collection - Clarification and Funding

[ACT 1068 \(HB1969\)](#) revises Act 581 of 2019 concerning Arkansas's contributions to the National Statuary Hall Collection; clarifies the duties of the Secretary of State regarding the collection; provides for the review of certain proposed actions concerning the statues in the collection by the Legislative Council or Joint Budget Committee and the Capitol Arts and Grounds Commission; and creates the National Statuary Hall Collection Trust Fund to be used exclusively for the placement and replacement of Arkansas statues in the collection.

National Statuary Hall Collection - Statues

[ACT 581 \(SB75\)](#) allows the Secretary of State and the Capitol Arts and Grounds Commission to replace Arkansas's contributions to the National Statuary Hall Collection with statues of Daisy Lee Gatson Bates and John R. "Johnny" Cash.

State Capitol Grounds - Arkansas Medal of Honor Memorial

[ACT 926 \(HB1936\)](#) creates the Arkansas Medal of Honor Commission to review and approve the names of Medal of Honor recipients submitted for inclusion on the Arkansas Medal of Honor Memorial. The act also authorizes the commission to solicit, receive, and disburse funds necessary to accomplish the commission's duties.

PUBLIC PROPERTY

PUBLIC WORKS

Award Procedure

[ACT 612 \(HB1728\)](#) modifies the award procedure for certain public improvements.

Electronic Notification and Submission of Bids

[ACT 1075 \(SB409\)](#) allows for the electronic notification of an invitation for bids and the electronic submission of bids if certain conditions are met.

Small Capital Improvement Projects

[ACT 658 \(HB1572\)](#) amends the law concerning state agency capital improvement contracts to make the law uniform.

SALE OF PUBLIC PROPERTY

Commissioner of State Lands

[ACT 884 \(SB457\)](#) clarifies the law concerning a state agency's obligation to file real estate documents with the Commissioner of State Lands; requires review by the Governor and the General Assembly or Legislative Council before selling state-owned lands; and provides a process for review and recommendation by the Commissioner of State Lands for the Arkansas Department of Transportation Department, institutions of higher education, Arkansas Public Employee's Retirement System, and Arkansas Teacher Retirement System.

Review

[ACT 972 \(HB1767\)](#) abolishes the State Land Use Committee and requires approval by the Governor and the General Assembly or the Legislative Council before selling public land to private entities.

STATE LAND USE COMMITTEE

[ACT 884 \(SB457\)](#) abolishes the State Land Use Committee.

RETIREMENT

JUDICIAL RETIREMENT SYSTEM

Eligibility for Benefits

[ACT 753 \(HB1219\)](#) amends the law concerning the forfeiture of retirement benefits by a judge or justice who is seventy (70) years of age and a member of Tier I of the Arkansas Judicial Retirement System.

LOCAL OFFICERS AND EMPLOYEES

Mayors

[ACT 948 \(HB1298\)](#) amends the law concerning the payable rate of an annual retirement benefit received by a retired mayor.

LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS

Disclosure of Financial Condition - Future Supplement Funds and Allocations

[ACT 465 \(SB241\)](#) amends the law concerning the Future Supplement Fund-Police and the Future Supplement Fund-Fire. The act also amends the law concerning the allocation of insurance premium tax and additional allocations for certain underfunded plans. The act declares an emergency and is effective on and after May 1, 2019.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

Benefits - Disability Retirement

[ACT 178 \(SB72\)](#) amends the law concerning disability retirement under the Arkansas Local Police and Fire Retirement System. The act requires a proper application for disability retirement to be filed with the Board of Trustees of the Arkansas Local Police and Fire Retirement System no later than thirty (30) calendar days after the termination of active membership and provides that disability annuity is effective on the first day of the calendar month that follows the termination of active membership and the filing of the proper application for disability retirement with the board. The act declares an emergency and is effective on and after March 31, 2019.

RETIREMENT**LOCAL POLICE AND FIRE RETIREMENT SYSTEM*****Benefits - Termination of Covered Employment***

[ACT 178 \(SB72\)](#) amends the law concerning the termination of covered employment under the Arkansas Local Police and Fire Retirement System. The act requires that the pay used for an annuity computation of an annuity with an effective date that is on or after July 1, 2019, be the final average pay at the time of termination from paid service employment with the system. The act declares an emergency and is effective on and after March 31, 2019.

Credited Service - Forfeiture and Restoration

[ACT 988 \(SB240\)](#) amends the law concerning the reemployment of certain retired members of the Arkansas Local Police and Fire Retirement System. The act applies to a member of the system who on or after January 1, 2020, elects to participate in the Local Police and Fire Deferred Retirement Option Plan, retires from the system as a participant in the Local Police and Fire Deferred Retirement Option Plan, or retires from the system. The act is effective on and after January 1, 2020.

Credited Service - Paid and Volunteer Service

[ACT 178 \(SB72\)](#) requires an employer to certify to the Board of Trustees of the Arkansas Local Police and Fire Retirement System the periods of employment to be considered for credit as paid service and for credit as volunteer service for each employee who is a member of the Arkansas Local Police and Fire Retirement System; requires a member of the system who is hired on or after July 1, 2019, to be covered by one (1) employer until the member accrues ten (10) years of actual service credit in the system; and allows a member who is hired on or after July 1, 2019, and accrues ten (10) years of actual service credit in the system to accrue a maximum of five (5) additional years of service credit. The act declares an emergency and is effective on and after March 31, 2019.

Credited Service - Service Credit

[ACT 178 \(SB72\)](#) amends the law concerning service credit under the Arkansas Local Police and Fire Retirement System and provides that on or after April 1, 2019, additional service credit shall not be credited. The act declares an emergency and is effective on and after March 31, 2019.

Disability Retirement

[ACT 638 \(HB1345\)](#) amends the law concerning disability retirement eligibility under the Arkansas Local Police and Fire Retirement System. The act defines “disease” to include without limitation cancer that a member is diagnosed with while he or she is in the line of duty. Additionally, the act allows a member who is diagnosed with cancer to be eligible for disability retirement.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM***Benefits - Annuity Options***

[ACT 625 \(SB219\)](#) amends the law concerning death benefit provisions under the Arkansas Public Employees' Retirement System. The act requires the surviving spouse of a member of the system to have been married to the member for at least six (6) months before the surviving spouse may receive an annuity. The act applies retroactively to January 1, 2017.

Cessation of Participation

[ACT 624 \(SB217\)](#) provides that when a member's participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan ends, the member is required to separate from services unless the separation period would prevent a popularly elected official from taking or holding office. The act is effective on and after April 1, 2019.

RETIREMENT**PUBLIC EMPLOYEES' RETIREMENT SYSTEM*****Credited Service and Purchase of Military Service Credit - General Assembly***

[ACT 826 \(HB1346\)](#) amends the law concerning credited service received by members of the General Assembly under the Arkansas Public Employees' Retirement System. The act also amends the law concerning the purchase of military service credit by members of the General Assembly under the Arkansas Public Employees' Retirement System.

Deferred Retirement Option Plan - Cessation of Participation

[ACT 448 \(SB220\)](#) repeals the law concerning contributory members who are members of the General Assembly, serve as Governor of this state, are elected contributory state constitutional officers, or are state penitentiary employees. The act also repeals the law concerning contributory credited service for General Assembly members and state constitutional officers who die in office and the benefits received by their surviving spouses. Additionally, the act repeals the law concerning reciprocal service credit that is applicable only to the Arkansas Public Employees' Retirement System. The act provides that a member whose participation in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan ends is eligible for employment if the separation period required for the member to be considered as terminated from employment for retirement purposes would prevent the member from taking or holding office as a popularly elected official. The act declares an emergency and is effective on and after March 13, 2019.

Disability Retirement - Firefighters

[ACT 638 \(HB1345\)](#) defines "disease" to include without limitation cancer that a firefighter or volunteer firefighter is diagnosed with while he or she is in the line of duty and allows a firefighter who is diagnosed with cancer to be eligible for disability retirement.

Funds and Management of Assets

[ACT 448 \(SB220\)](#) provides that if an overpayment of funds from the Arkansas Public Employees' Retirement System to a person is determined at a date later than one (1) year after the date of the last overpayment, the overpayment shall not be recouped by the Board of Trustees of the Arkansas Public Employees' Retirement System unless the overpayment is a result of an error on the part of a member, retirant, or beneficiary. The act is effective on and after March 13, 2019.

Member Contributions

[ACT 526 \(HB1358\)](#) amends the law on the contributions of members under the Arkansas Public Employees' Retirement System. The act requires interest to be paid on accumulated member contributions at the rate of two percent (2%) per annum.

Membership

[ACT 448 \(SB220\)](#) provides that if a member's only service under an Arkansas retirement plan, as determined by the law governing reciprocal service credits for all public employee retirement plans, is service as a member of the General Assembly, then the member must have ten (10) or more years of actual service to be eligible for benefits. The act is effective on and after March 13, 2019.

Membership - Public Water Authority

[ACT 449 \(SB229\)](#) amends the law to allow employees of public water authorities to become members of the Arkansas Public Employees' Retirement System.

RETIREMENT SYSTEMS - GENERALLY***Arkansas National Guard***

[ACT 474 \(SB242\)](#) amends the law concerning the retirement and pensions of members of the Arkansas National Guard called into state active duty.

RETIREMENT**STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM*****Eligibility to Receive a Benefit Increase***

[ACT 294 \(SB200\)](#) provides that beginning on July 1, 2019, a redetermination of benefits shall not apply to an additional monthly benefit that is available to a member who is eligible to receive an increase in benefits and provides that a member shall continue to receive any previous increases to an additional monthly benefit that were received by the member through a redetermination of benefits before July 1, 2019. The act also clarifies that the rules regarding a redetermination of benefits apply to all previous increases to an additional monthly benefit received by a member through a redetermination of benefits before July 1, 2019.

Employer Contributions

[ACT 295 \(SB201\)](#) requires the employer contribution to be a set percentage rate of the compensation of the employee and provides that the Board of Trustees of the Arkansas State Highway Employees' Retirement System shall determine the employer contribution percentage rate after receiving recommendations from the actuary of the system. The act prohibits the set percentage rate from being less than twelve and nine-tenths percent (12.9%) of compensation or from being greater than fourteen and nine-tenths percent (14.9%) of compensation. The act declares an emergency and is effective on and after July 1, 2019.

Member Contributions

[ACT 295 \(SB201\)](#) provides that beginning on July 1, 2019, the Board of Trustees of the Arkansas State Highway Employees' Retirement System is required to assess member contribution rates after receiving recommendations from the actuary of the system. The act requires an assessed member contribution rate to be no more than seven percent (7%) of compensation and to be increased by no more than five-tenths of one percent (0.5%) in a single year. The act declares an emergency and is effective on and after July 1, 2019.

STATE POLICE RETIREMENT SYSTEM***Death Benefits***

[ACT 511 \(SB144\)](#) amends the law concerning death benefit provisions under the Tier Two Benefit Plan for the State Police Retirement System. The act requires the surviving spouse of a member of the system to have been married to the member for at least six (6) months before the surviving spouse may receive an annuity. The act applies retroactively to January 1, 2017.

Eligibility for Benefits - Voluntary Retirement

[ACT 950 \(HB1333\)](#) amends the law concerning voluntary retirement and eligibility for benefits under Tier Two of the State Police Retirement System. The act requires credited service to be considered when determining whether a member who voluntarily retires is eligible for benefits.

TEACHER RETIREMENT SYSTEM***Accounts***

[ACT 297 \(SB222\)](#) amends the law concerning retirement fund asset accounts, member deposit accounts, and contributions under the Arkansas Teacher Retirement System. The act declares an emergency and is effective on and after July 1, 2019.

RETIREMENT**TEACHER RETIREMENT SYSTEM*****Benefits - Voluntary and Early Voluntary Retirement***

[ACT 595 \(HB1335\)](#) amends the law concerning benefits received upon voluntary retirement and early voluntary retirement under the Arkansas Teacher Retirement System. The act provides that if a member has accrued a full year of service credit for a fiscal year, the annuity shall not begin earlier than on July 1 after the fiscal year. The act declares an emergency and is effective on and after July 1, 2019.

Benefits and Service Credit

[ACT 427 \(HB1320\)](#) amends the method for determining employer contribution rates and prohibits a benefit enhancement or ad hoc benefit that will cause unfunded actuarial accrued liabilities to exceed an eighteen-year amortization. The act clarifies the law concerning active member trustees who are employed in a position requiring an administrator's license, members who leave covered employment, amounts received in the form of a survivor annuity from the deposit account of a member, and credited service that is received by a member of the General Assembly. The act prohibits paid or unpaid accrued, unused sick leave from being credited as service and amends the law concerning the purchase of service credit for service earned in the National Guard or armed forces reserve. The act also amends the law concerning benefit stipends received by members and the method for determining when an increase in the benefit formula is effective. The act modifies the computation of a final average salary for retirement benefits and amends the law concerning when a participant's Deferred Retirement Option Plan account shall be credited. The act declares an emergency and is effective on and after July 1, 2019.

Correction of Errors

[ACT 85 \(SB210\)](#) amends the law concerning the correction of errors in the records of the Arkansas Teacher Retirement System. The act provides that the system or its designee may cancel contributory service credit for the fiscal year in which a member contribution balance is due to the system if the member who owes the member contribution balance elects to have the system cancel the contributory service. Additionally, the act requires the system to return member contributions without interest for the affected portion of the fiscal year in which a member contribution balance is due if the system cancels contributory service credit in accordance with the election of the member.

Credited Service

[ACT 595 \(HB1335\)](#) amends the law concerning credited service under the Arkansas Teacher Retirement System. The act provides that the final average salary used shall be the that of the reciprocal system that furnishes the highest final average salary at the time of retirement. The act declares an emergency and is effective on and after July 1, 2019.

Disability Retirement

[ACT 209 \(HB1308\)](#) provides that a disability retiree may be employed by a covered employer and also receive a monthly disability retirement if the disability retiree provides the covered employer with less than eighty (80) days of actual service during a fiscal year. The act declares an emergency and is effective on and after July 1, 2019.

RETIREMENT**TEACHER RETIREMENT SYSTEM*****Fund Contributions and Fund Rates***

[ACT 594 \(HB1310\)](#) amends the law concerning fund contributions and fund rates under the Arkansas Teacher Retirement System. The act requires a public school employer to pay employer contribution rates of up to fourteen percent (14%) and additional employer contributions of up to fifteen percent (15%) from additional funds appropriated by the State of Arkansas for the purpose of paying the Arkansas Teacher Retirement System employer contributions. The act declares an emergency and is effective on and after July 1, 2019.

Survivor Annuity Benefits

[ACT 210 \(HB1316\)](#) provides that a person who is the child of a deceased member of the Arkansas Teacher Retirement System is a dependent child and eligible to receive a dependent child annuity at eighteen (18) years of age or older but no older than twenty-three (23), if he or she stays continuously enrolled as a full-time student at an accredited secondary school, college, or university. The act declares an emergency and is effective on and after July 1, 2019.

Teacher Deferred Retirement Option Plan

[ACT 296 \(SB218\)](#) explains the method for calculating a plan deposit in the Teacher Deferred Retirement Option Plan when a member has at least thirty (30) years of credited service, including combined service with a reciprocal system and when the member is an early participant in the Teacher Deferred Retirement Option Plan. Additionally, the act authorizes the Board of Trustees of the Arkansas Teacher Retirement System to authorize early participation in the plan if a plan participant has at least twenty-eight (28) years but fewer than thirty (30) years of credited service, including combined service with a reciprocal system. The act declares an emergency and is effective on and after July 1, 2019.

TECHNICAL CORRECTIONS - RETIREMENT AND PENSIONS - TITLE 24

[ACT 84 \(SB209\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 24 of the Arkansas Code.

STATE AGENCIES, BOARDS, AND COMMISSIONS**ABOLITION*****Arkansas Broadband Council***

[ACT 1091 \(SB683\)](#) abolishes the Arkansas Broadband Council.

Arkansas Youth Suicide Prevention Task Force

[ACT 1091 \(SB683\)](#) abolishes the Arkansas Youth Suicide Prevention Task Force.

Grade "A" Milk Program Advisory Committee

[ACT 1091 \(SB683\)](#) abolishes the Grade "A" Milk Program Advisory Committee.

Prairie Grove Battlefield Commission

[ACT 1091 \(SB683\)](#) abolishes the Prairie Grove Battlefield Commission.

State Land Use Committee

[ACT 884 \(SB457\)](#) abolishes the State Land Use Committee.

ADMINISTRATIVE RULES - GENERALLY***Administrative Procedures Act Exception***

[ACT 893 \(SB641\)](#) allows a limited exemption to the Arkansas Administrative Procedures Act to allow rules to be filed without a public comment period if the only change is the word "regulation" being removed and replaced with the word "rule".

STATE AGENCIES, BOARDS, AND COMMISSIONS**ADMINISTRATIVE RULES - GENERALLY*****Code of Arkansas Rules***

[ACT 662 \(HB1429\)](#) directs the Bureau of Legislative Research to compile, format, and index a codification of the general and permanent administrative rules of state agencies to be known as the "Code of Arkansas Rules". The act requires the codification to be completed by January 1, 2023. The act also requires administrative rules to be written in plain language, revises the information required to be submitted to the Secretary of State and Legislative Council when filing an administrative rule, and amends the law regarding the Arkansas Register.

Occupational Licensing Rules

[ACT 319 \(HB1302\)](#) creates the Red Tape Reduction Collective Rulemaking Act of 2019, which establishes an expedited procedure for occupational licensing entities to collectively submit proposed, amended, or repealed rules responsive to legislation.

Promulgation - Timeline and Authority

[ACT 517 \(HB1431\)](#) provides a timeline for the adoption of administrative rules required by newly enacted laws and provides that the authority of a state agency to promulgate an administrative rule shall be narrowly interpreted by the state agency.

Sermons of a Religious Leader

[ACT 816 \(SB541\)](#) creates a privilege from disclosure to authorities for evidence concerning a sermon, religious instruction, or religious teaching delivered by a religious leader or member of the clergy.

AGRICULTURE***Local Food, Farm, and Jobs Act - Program Coordinator - Duties***

[ACT 796 \(HB1853\)](#) amends the Local Food, Farms, and Jobs Act to require the program coordinator to assist local farm or food product providers in accessing agencies, distribution networks, and food service operators and to work with distributors to ensure availability of local farm or food products. The act requires the Arkansas Agriculture Department to compile and report on information received from entities.

Powers and Duties - Labeling of Products

[ACT 741 \(SB563\)](#) authorizes the Arkansas Agriculture Department to promulgate rules regarding the labeling of agricultural products that are edible by humans, receive and investigate complaints regarding misleading and false labeling, and assess a civil penalty for violations.

ASSESSMENT COORDINATION***Statewide Guidelines for Property Tax Assessment***

[ACT 819 \(SB561\)](#) requires the Assessment Coordination Department to establish statewide guidelines for property tax assessment and oversee the county assessors for purposes of monitoring compliance with the guidelines. The act is effective on and after May 1, 2021.

ATHLETICS***State Athletic Commission - Professional Wrestling***

[ACT 923 \(HB1907\)](#) exempts professional wrestling from regulation by the State Athletic Commission.

BOARD OF EXAMINERS IN COUNSELING***Licensing Requirements***

[ACT 370 \(SB164\)](#) amends the licensing requirements for licensed professional counselors and marriage and family therapists and amends the examination, reciprocity, suspension, and revocation procedures.

STATE AGENCIES, BOARDS, AND COMMISSIONSCAPITOL ARTS AND GROUNDS***Monuments - Little Rock Nine Memorial***

[ACT 776 \(SB601\)](#) requires the Secretary of State to correct a typographical error within the "TESTAMENT" on the Little Rock Nine memorial on the Capitol grounds.

National Statuary Hall Collection - Clarification and Funding

[ACT 1068 \(HB1969\)](#) revises Act 581 of 2019 concerning Arkansas's contributions to the National Statuary Hall Collection; clarifies the duties of the Secretary of State regarding the collection; provides for the review of certain proposed actions concerning the statues in the collection by the Legislative Council or Joint Budget Committee and the Capitol Arts and Grounds Commission; and creates the National Statuary Hall Collection Trust Fund to be used exclusively for the placement and replacement of Arkansas statues in the collection.

National Statuary Hall Collection - Statues

[ACT 581 \(SB75\)](#) allows the Secretary of State and the Capitol Arts and Grounds Commission to replace Arkansas's contributions to the National Statuary Hall Collection with statues of Daisy Lee Gatson Bates and John R. "Johnny" Cash.

CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION***Child Welfare Ombudsman***

[ACT 945 \(SB662\)](#) creates the Child Welfare Ombudsman Division within the Arkansas Child Abuse/Rape/Domestic Violence Commission and provides the qualifications, powers, and duties of the Child Welfare Ombudsman. The act allows a Child Welfare Ombudsman to attend open and closed adoption hearings and hearings held under the Arkansas Juvenile Code of 1989 and prohibits a Child Welfare Ombudsman from disclosing information that he or she obtains through attendance at a hearing unless the disclosure is otherwise permitted by law. The act also provides that records maintained by the division that pertain to a court case or investigation of a juvenile who is the subject of work performed by the division is confidential and not subject to disclosure unless otherwise permitted by law. The act declares an emergency and is effective on and after July 1, 2019.

CLAIMS AGAINST THE STATE***Procedural Rules***

[ACT 785 \(HB1661\)](#) provides a comprehensive amendment of the jurisdiction, composition, and procedural rules of the Arkansas State Claims Commission, where certain claims against the state are heard.

COALITION FOR JUVENILE JUSTICE***Repeal***

[ACT 938 \(SB617\)](#) repeals the law concerning the Arkansas Coalition for Juvenile Justice.

CODE REVISION COMMISSION***Revision of Acts Amending the Arkansas Constitution***

[ACT 694 \(SB376\)](#) allows the Arkansas Code Revision Commission to make certain revisions to acts of the General Assembly that amend the Arkansas Constitution in a manner similar to the commission's authority to revise acts of the General Assembly amending the Arkansas Code. The act also clarifies how to address conflicting acts of the General Assembly amending the Arkansas Constitution. The act declares an emergency and is effective on and after April 4, 2019.

COLLECTION AGENCIES***Membership of Board***

[ACT 542 \(HB1682\)](#) amends the membership of the State Board of Collection Agencies to remove obsolete references to check-cashing industries and replace the references with banking industries.

STATE AGENCIES, BOARDS, AND COMMISSIONS

CONTRACTORS LICENSING

Licensing and Registration Requirements

[ACT 805 \(SB342\)](#) amends the licensing requirements of contractors and subcontractors; requires subcontractor registration; allows for a bond in lieu of a financial statement; and allows the emergency suspension of a license. The act is effective on and after July 1, 2020.

CORRECTIONS

Inmates - Punitive Isolation or Solitary Confinement of Minors

[ACT 971 \(HB1755\)](#) prohibits placing a juvenile who is in a juvenile detention facility or a minor who is an inmate in a state correctional facility in punitive isolation or solitary confinement as a disciplinary measure for more than twenty-four (24) hours unless the placement is due to certain circumstances.

Programs for Minors

[ACT 821 \(SB573\)](#) requires minors who are inmates of a state correctional facility to be provided with the opportunity to participate in an educational, training, or rehabilitative program that is available to other inmates in the general population of the correctional facility in which the minor is housed.

DEPARTMENT OF PARKS AND TOURISM

All-terrain Vehicles

[ACT 1048 \(HB1811\)](#) provides that an employee of the Department of Parks and Tourism may operate a department-owned all-terrain vehicle on a public street or highway to access contiguous areas of a state park in order to perform his or her duties.

ECONOMIC DEVELOPMENT COMMISSION (AEDC)

Changes to Enabling Legislation

[ACT 202 \(SB225\)](#) amends the laws concerning the Arkansas Economic Development Council and the Arkansas Economic Development Commission.

Cyber Security

[ACT 1085 \(SB632\)](#) permits the Arkansas Economic Development Commission to work with universities, colleges, government agencies, and the private business sector to establish a cyber alliance to be known as the Arkansas Cyber Initiative.

EDUCATION - PUBLIC

Determination of Weighted Credit

[ACT 632 \(SB478\)](#) amends the law concerning weighted credit to allow certain courses to receive weighted credit under certain circumstances determined by the Department of Education.

Election Kits

[ACT 757 \(HB1573\)](#) repeals the requirement that the Department of Education provide election kits for school district elections.

Human Trafficking - Training and Education

[ACT 937 \(SB593\)](#) requires the Department of Education and the Department of Human Services to collaborate on providing awareness and training materials to local school districts on human trafficking that include without limitation strategies for the prevention of child trafficking. The act also provides specific requirements for the content of the training materials on human trafficking.

STATE AGENCIES, BOARDS, AND COMMISSIONSEDUCATION - PUBLIC***Purchase or Lease of Computer Equipment***

[ACT 757 \(HB1573\)](#) requires the Department of Education to obtain approval of the Joint Oversight Subcommittee on Educational Reform regarding the purchasing or leasing of computer equipment for the Arkansas Public School Computer Network.

ELECTION COMMISSIONERS***Duties Concerning Ballot Title and Popular Name of Initiative or Referendum***

[ACT 376 \(SB346\)](#) revises the procedures for petitions and referred constitutional amendments, including revising the process for the submission of ballot titles and popular names of petitions before circulation and requiring the State Board of Election Commissioners to determine whether to certify the ballot title and popular name after a statewide initiative petition or statewide referendum petition is submitted to the Secretary of State for determination of the sufficiency of the signatures. The act also revises the law regarding the penalty for petition fraud, the signing and form of petitions, the counting of signatures, challenges to constitutional amendments proposed by the General Assembly, and the hiring and training of paid canvassers. The act declares an emergency and is effective on and after March 8, 2019.

ELECTRONIC TRANSACTIONS***Blockchain Technology***

[ACT 1061 \(HB1944\)](#) concerns signatures and records secured through blockchain technology. The act provides that a signature, record, or contract that is secured through blockchain technology shall be considered as being in electronic form and an electronic signature. The act also provides that a record or a contract that is secured through blockchain technology is an electronic record and that a smart contract is a commercial contract. Finally, the act provides that a contract that has smart contract terms and relates to a transaction is valid, enforceable, and has legal effect.

EMPLOYEES - GENERALLY***Position of Public Trust - Sex Offenders***

[ACT 987 \(SB183\)](#) prohibits a person who is required to register as a sex offender and who has been assessed as a Level 2, Level 3, or Level 4 sex offender from holding a position of public trust, which includes positions in public agencies that provide public safety services.

Uniform Classification and Compensation

[ACT 981 \(HB1905\)](#) revises the compensation plan under the Uniform Classification and Compensation Act, including amending the classification titles and grades and amending various laws concerning the Office of Personnel Management.

ENERGY***Managing Agencies' Energy Usage***

[ACT 674 \(HB1776\)](#) amends the law concerning the Sustainable Energy-Efficient Building Program; amends the standards for major facilities and major renovations; amends the duties and responsibilities of the Arkansas Energy Office of the Arkansas Department of Environmental Quality that relate to managing a public agency's energy usage and suggesting energy conservation measures that are used in public buildings; and amends provisions of law that exempt the board of trustees of certain institutions of higher education from complying with the Sustainable Energy-Efficient Building Act.

ENVIRONMENTAL QUALITY (ADEQ)***Administrative Inspection Warrants - Penalties***

[ACT 807 \(SB374\)](#) amends the law concerning penalties related to administrative inspection warrants executed by the Arkansas Department of Environmental Quality.

STATE AGENCIES, BOARDS, AND COMMISSIONSENVIRONMENTAL QUALITY (ADEQ)***Arkansas Energy Office - Reporting***

[ACT 790 \(HB1777\)](#) requires the Arkansas Energy Office to report on the Weatherization Assistance Program when applying for funding as described in the state plan, at midyear, and at the end of the year.

Powers and Duties

[ACT 177 \(HB1362\)](#) amends the duties of the Compliance Advisory Panel and the Arkansas Department of Environmental Quality related to the collection and recycling or disposal of extra-large tires and transfers moneys from the Marketing Recyclables Program Fund into the Used Tire Recycling Fund.

ETHICS***Commission - Jurisdiction***

[ACT 240 \(SB205\)](#) makes the caps on contributions to candidates per election applicable to all persons; amends the dates and conditions for filing certain campaign contribution and expenditure reports; and clarifies that the Arkansas Ethics Commission does not have enforcement jurisdiction over municipal, county, or township ethics violations.

FINANCE AND ADMINISTRATION (DFA)***Administration of Franchise Tax***

[ACT 819 \(SB561\)](#) transfers the administration of the franchise tax to the Department of Finance and Administration and eliminates the franchise tax penalty on closed businesses. The provisions of the act concerning the franchise tax are effective on and after May 1, 2021.

Biennial Report on Tax Incentives

[ACT 819 \(SB561\)](#) requires the Department of Finance and Administration to submit a biennial report on the effect of exemptions, discounts, credits, and deductions relating to income tax and sales and use tax. This provision of the act is effective on and after May 1, 2021.

Income Tax Forms

[ACT 774 \(SB584\)](#) requires the Department of Finance and Administration to provide space on individual income tax forms for a taxpayer to designate more than one (1) account for the direct deposit of the taxpayer's refund beginning with returns filed for tax year January 1, 2020.

Renaming of Public Building

[ACT 1086 \(SB652\)](#) renames the 501 Building the "Winthrop Rockefeller Building", and authorizes the Department of Finance and Administration to make improvements, arrangements, or contracts or authorize construction to display the name of the building on or near the building.

Sales Tax Administration

[ACT 165 \(HB1005\)](#) clarifies the application of the sales and use tax to candy and soft drinks by requiring the Director of the Department of Finance and Administration to either publish a list of the items that meet the definition of "candy" or "soft drinks" under the sales and use tax laws or not subject sellers to penalties under the sales and use tax laws if the sellers made a good faith effort to comply with the sales and use tax laws applicable to candy and soft drinks.

Supplemental Nutrition Assistance Program - Child Support - Cooperation

[ACT 1043 \(HB1731\)](#) requires the Department of Human Services to require a parent to cooperate with the Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration as a condition of eligibility for the Supplemental Nutrition Assistance Program.

STATE AGENCIES, BOARDS, AND COMMISSIONS**FIRE PREVENTION AND PROTECTION*****Arkansas Firefighter Cancer Relief Network Trust Fund***

[ACT 823 \(SB585\)](#) creates the Arkansas Firefighter Cancer Relief Network Trust Fund to be administered by the State Insurance Department through donations. The act provides that the trust fund will be used to fund relief for firefighters who are diagnosed with cancer and who are participating in a firefighter cancer relief network created and governed by the Arkansas Association of Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association Inc.

FORESTRY AND FORESTERS***Arkansas State Board of Registration for Foresters - Qualifications of a Forester***

[ACT 257 \(HB1423\)](#) amends the qualifications to be registered as a Forester to allow a two-year associate's degree from any institution and to allow a candidate who fails an examination to apply for another examination with no time constraint.

GAME AND FISH***Fee - Trout Permit and State Duck Stamp***

[ACT 886 \(SB486\)](#) authorizes an increase for the special annual fee for a trout special permit, a lifetime trout stamp, and a lifetime combination trout and state duck stamp.

Lifetime Hunting and Fishing Licenses for Disabled Veterans

[ACT 729 \(SB397\)](#) amends the definition of a disabled veteran for purposes of obtaining a lifetime hunting and fishing license and provides that a disabled veteran may obtain a lifetime combination hunting and fishing license that includes a lifetime trout stamp and lifetime duck stamp for a set fee.

Online Licenses - Anatomical Gift Option

[ACT 793 \(HB1829\)](#) authorizes the Arkansas State Game and Fish Commission to establish an anatomical gift option for residents obtaining a hunting or fishing license through the commission's online sales system.

GENERALLY***Criminal Background Checks***

[ACT 318 \(HB1277\)](#) requires criminal background checks on contractors of state agencies for performance of services in designated positions or designated financial or information technology positions.

Expedited Temporary and Provisional Licensure

[ACT 426 \(HB1301\)](#) creates the Red Tape Reduction Expedited Temporary and Provisional Licensure Act and authorizes occupational licensing entities to grant expedited temporary and provisional licensing for certain individuals.

Legislative Review of Occupational Licensing

[ACT 600 \(HB1527\)](#) creates the Red Tape Reduction Sunrise and Sunset Act of 2019 and requires legislative review of occupational authorizations and occupational entities.

Prohibition on State Agencies Consenting or Approving Abortion

[ACT 1057 \(HB1856\)](#) prohibits state agencies from consenting or approving the termination of pregnancy for an individual in the custody or guardianship of the state and from expending state funds for the purpose of terminating a pregnancy.

Replacement of Term "Regulation" with "Rule"

[ACT 315 \(HB1430\)](#) eliminates unnecessary references to the terms "regulation" and "regulations" and provides for consistent references to the terms "rule" or "rules" throughout the Arkansas Code. The act changes the name of an Arkansas Legislative Council Subcommittee to the Administrative Rules Subcommittee.

STATE AGENCIES, BOARDS, AND COMMISSIONSGENERALLY***Transformation and Efficiencies Act of 2019***

[ACT 910 \(HB1763\)](#) provides for a realignment of executive branch state entities; creates fifteen (15) cabinet-level departments and secretaries; transfers various state entities into the cabinet-level departments; and changes the name of multiple state entities. The act declares an emergency and the provisions concerning the transition team and the funding and classification of department-level secretaries are effective on and after April 11, 2019, and the remainder of the act is effective on and after July 1, 2019.

Transformation and Efficiencies Act of 2019 - Reports

[ACT 565 \(HB1505\)](#) requires all cabinet-level department secretaries to submit reports, including savings reports, to the Senate Committee on State Agencies and Governmental Affairs and the House Committee on State Agencies and Governmental Affairs. The act is effective on and after July 1, 2019.

GEOGRAPHIC INFORMATION SYSTEMS***School District Boundary Maps***

[ACT 757 \(HB1573\)](#) requires Arkansas Geographic Information Systems to make changes to school district boundary maps.

HEALTH***Fees Associated with Public Water System Services***

[ACT 788 \(HB1737\)](#) increases certain fees associated with the Public Water System Service Act.

Life Choices Lifeline Program

[ACT 1036 \(HB1664\)](#) authorizes the Department of Health to establish the Life Choices Lifeline Program as a statewide care program to provide direct services, support, social services case management, and referrals to biological parents of unborn children and biological or adoptive parents of children under two (2) years of age.

Maternal Mortality Review Committee

[ACT 829 \(HB1440\)](#) establishes the Maternal Mortality Review Committee within the Department of Health to review maternal deaths and to develop strategies for the prevention of maternal deaths.

Pediatric Cancer

[ACT 1045 \(HB1803\)](#) creates the Arkansas Blue Ribbon Panel on Pediatric Cancer Research to advance pediatric cancer research and treatment, improve childhood cancer surveillance, and support resources for pediatric cancer patients and survivors of childhood cancers.

Personal Care, Private Care Agency, and Home Healthcare

[ACT 811 \(SB468\)](#) amends the requirements for a personal care service provider, private care agency, and home healthcare services agency regarding visits to a patient's home and the distance of an office from the patient's home. The act also creates an Advisory Private Care Agency and Home Healthcare Services Agency Rule Working Group within the Department of Health to review the rules related to these organizations and make recommendations for changes.

Prescription Drug Monitoring Program - Federal Programs

[ACT 605 \(HB1627\)](#) amends the law regarding information exchange with other prescription drug monitoring programs to authorize information exchange with federal prescription drug monitoring programs.

STATE AGENCIES, BOARDS, AND COMMISSIONSHEALTH SERVICES PERMIT COMMISSION***Membership***

[ACT 957 \(HB1545\)](#) amends the membership of the Health Services Permit Commission to include a retired or practicing physician and to specify that a designee of a representative of the Department of Human Services can be a member of the commission.

HISTORY COMMISSION***Prairie Grove Battlefield Commission***

[ACT 1091 \(SB683\)](#) abolishes the Prairie Grove Battlefield Commission.

HUMAN SERVICES***Child Maltreatment - Investigations***

[ACT 881 \(SB288\)](#) amends the law concerning the initiation of an investigation under the Child Maltreatment Act and amends the requirements for a child maltreatment investigation that involves an alleged offender who is neither a family member nor a fictive kin and not living in the home with the alleged victim.

Child Maltreatment - Reports, Investigation, and Placement of Name on Registry

[ACT 802 \(SB287\)](#) prohibits certain reports of child maltreatment from being accepted by the Child Abuse Hotline and requires the Department of Human Services and Department of Arkansas State Police to establish procedures for the Child Abuse Hotline. The act also requires a report of child maltreatment that is accepted by the Child Abuse Hotline to be investigated in accordance with procedures established by the Department of Human Services. The act establishes procedures for the administrative closure of an investigation of child maltreatment and for the adjudication of allegations of child maltreatment and offender-risk determinations made by the Department of Human Services. Finally, the act repeals the law concerning no merit investigations.

Child Maltreatment Investigation - Notice and Disclosure

[ACT 531 \(HB1470\)](#) amends the law concerning the confidentiality and disclosure of a true report of child maltreatment under the Child Maltreatment Act and the notices that must be provided under the Child Maltreatment Act when a juvenile is taken into protective custody, when there is an investigative determination, when the Department of Human Services releases custody of a child, and when custody of a child is invoked by any person.

Children and Family Services - Placement of Juveniles

[ACT 541 \(HB1643\)](#) amends the law concerning the length of time for which a juvenile who is in the custody of the Department of Human Services may be placed in a trial home placement with a parent of the juvenile or a person from whom custody of the juvenile was removed. The act also addresses when a trial home placement with a parent who did not have custody of a juvenile at the time of the removal of the juvenile may occur.

Costs of a Mental Health Examination of a Criminal Defendant

[ACT 567 \(HB1548\)](#) allows a person that provides treatment or services to a defendant to impose a charge for the cost of the mental health services, examination, and treatment of the defendant and requires the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services to promulgate rules establishing reasonable charges for costs for such treatment and services.

Eligibility for Services - Adult Protective Services Unit

[ACT 956 \(HB1543\)](#) clarifies the law on eligibility for services provided by the Adult Protective Services Unit of the Department of Human Services.

STATE AGENCIES, BOARDS, AND COMMISSIONS**HUMAN SERVICES*****Human Trafficking - Training and Education***

[ACT 937 \(SB593\)](#) requires the Department of Education and the Department of Human Services to collaborate on providing awareness and training materials to local school districts on human trafficking that include without limitation strategies for the prevention of child trafficking. The act also provides specific requirements for the content of the training materials on human trafficking.

Investigations into Alleged Adult Maltreatment

[ACT 967 \(HB1707\)](#) amends the law concerning required investigations of alleged unlawful conduct under the Adult and Long-Term Care Facility Resident Maltreatment Act. The act declares an emergency and is effective on and after April 12, 2019.

Records

[ACT 955 \(HB1542\)](#) allows the Department of Human Services to obtain certain records without charge under the Adult and Long-Term Care Facility Resident Maltreatment Act and allows the department to obtain certain records that relate to a ward who is under the guardianship of a Public Guardian for Adults without charge.

Supplemental Nutrition Assistance Program - Child Support - Cooperation

[ACT 1043 \(HB1731\)](#) requires the Department of Human Services to require a parent to cooperate with the Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration as a condition of eligibility for the Supplemental Nutrition Assistance Program.

Supplemental Nutrition Assistance Program - Employment and Training Requirements

[ACT 974 \(HB1775\)](#) creates the Employment for Able-Bodied Adults Act of 2019 that requires able-bodied adults under sixty (60) years of age who receive Supplemental Nutrition Assistance Program benefits and who have no dependents or dependents between the ages of six (6) and eighteen (18) years of age to participate in an employment and training program. The act requires the Department of Human Services to report on the program.

INFORMATION SYSTEMS***Data and Transparency Panel - Membership and Duties***

[ACT 936 \(SB589\)](#) amends the membership and duties of the Data and Transparency Panel.

Information Network of Arkansas

[ACT 1069 \(HB1970\)](#) requires the Information Network of Arkansas to procure a network manager after developing, in consultation with the Department of Information Systems, criteria and specifications for the network manager and his or her duties. The act declares an emergency and is effective on and after April 16, 2019.

State Broadband Manager

[ACT 792 \(HB1826\)](#) amends the law concerning the State Broadband Manager and requires the Governor to designate the State Broadband Manager.

INSURANCE***Arkansas Firefighter Cancer Relief Network Trust Fund***

[ACT 823 \(SB585\)](#) creates the Arkansas Firefighter Cancer Relief Network Trust Fund to be administered by the State Insurance Department through donations. The act provides that the trust fund will be used to fund relief for firefighters who are diagnosed with cancer and who are participating in a firefighter cancer relief network created and governed by the Arkansas Association of Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association Inc.

STATE AGENCIES, BOARDS, AND COMMISSIONS

INSURANCE

Transfer of Arkansas Health Insurance Marketplace

[ACT 107 \(SB113\)](#) abolishes the Board of Directors of the Arkansas Health Insurance Marketplace and transfers the Arkansas Health Insurance Marketplace to the State Insurance Department. The act declares an emergency and is effective on and after March 15, 2019.

MEDAL OF HONOR COMMISSION

Medal of Honor Memorial

[ACT 926 \(HB1936\)](#) creates the Arkansas Medal of Honor Commission to review and approve the names of Medal of Honor recipients submitted for inclusion on the Arkansas Medal of Honor Memorial. The act also authorizes the commission to solicit, receive, and disburse funds necessary to accomplish the commission's duties.

MEDICAID INSPECTOR GENERAL

Access to Prescription Drug Monitoring Program

[ACT 141 \(HB1317\)](#) amends the Prescription Drug Monitoring Program Act to allow access to the program by the Office of Medicaid Inspector General for review and investigation within the Arkansas Medicaid prescription drug program.

MEDICAL BOARD

Educational Licenses

[ACT 701 \(SB456\)](#) amends the educational licenses issued by the Arkansas State Medical Board and updates the name of the license as an "academic license".

Genetic Counselor Licensure

[ACT 686 \(SB190\)](#) creates the Arkansas Genetic Counselor Licensure Act, which establishes a license for genetic counselors that is issued by the Arkansas State Medical Board.

Maintenance of Certification

[ACT 804 \(SB339\)](#) prohibits the requirement of, barring of, and discrimination against a physician for his or her decision not to participate in maintenance of certification for licensure, physician hospital staff, admitting privileges, or reimbursement.

Out-of-state Physicians

[ACT 688 \(SB275\)](#) clarifies the law regarding out-of-state physicians who practice patient care services initiated in this state through the use of any medium.

Telemedicine Credentialing

[ACT 921 \(HB1883\)](#) improves the efficiency of telemedicine credentialing of physicians by specifying the telemedicine credentialing process for a physician.

NURSING BOARD

Criminal Background Checks

[ACT 626 \(SB301\)](#) amends the laws concerning criminal background checks for nursing licensure to authorize the Arkansas State Nursing Board to participate at the state and federal level in programs that provide notification of an arrest subsequent to an initial criminal background check.

DACA Recipients Licensure

[ACT 837 \(HB1552\)](#) authorizes the Arkansas State Board of Nursing to license recipients of the Deferred Action for Childhood Arrivals (DACA) policy.

PHARMACY BOARD

Advisory Committee for Hospital Pharmacies - Abolition

[ACT 175 \(HB1287\)](#) abolishes the Advisory Committee for Hospital Pharmacies, which advised on rules regarding hospital pharmacies.

STATE AGENCIES, BOARDS, AND COMMISSIONS

PHARMACY BOARD

Advisory Committee to the Arkansas State Board of Pharmacy

[ACT 174 \(HB1286\)](#) repeals the Advisory Committee to the Arkansas State Board of Pharmacy, which reviewed and made recommendations on the merit of all rules dealing with medical equipment, legend devices, and medical gases.

Staggering of Terms for a Member

[ACT 173 \(HB1285\)](#) removes obsolete language regarding the staggering of terms for a member of the Arkansas State Board of Pharmacy.

PLANT BOARD

State Petroleum Products Division - Aviation Fuel

[ACT 606 \(HB1654\)](#) clarifies that aviation fuel does not fall under the definition of "engine fuels" that are required to be tested by the State Plant Board.

PODIATRIC MEDICINE

Limitations on Schedule II Narcotics

[ACT 112 \(HB1013\)](#) requires the Arkansas Board of Podiatric Medicine to adopt rules regarding limitations on Schedule II narcotics.

PROCUREMENT

Contracting Requirements - Attorney Review - Performance-based Contracts

[ACT 418 \(HB1162\)](#) requires that certain contracts be reviewed by an attorney before being executed; allows multiyear contracts to be entered into for up to four (4) years; and requires performance-based standards for certain contracts.

Delegation of Authority - Protests

[ACT 420 \(HB1179\)](#) provides grounds for filing a protest of a solicitation or an award of a contract; provides a private cause of action for a person who is aggrieved by a meritless protest of a solicitation or an award of a contract; and requires that delegation orders for procurement purposes have an expiration date and be written, publicly posted, and narrowly tailored.

Design Services Contracts

[ACT 422 \(HB1181\)](#) allows the Building Authority Division of the Department of Finance and Administration to award statewide contracts for design services for state agencies to use in an emergency; prohibits a firm that has a contract with a state agency that has a material issue from bidding on additional state contracts; and requires the division to state in the invitation for bids if the division will consider minimum experience in evaluating the bidder's responsiveness.

Information Technology Access

[ACT 218 \(HB1229\)](#) amends the law concerning procurement requirements relating to information technology access for the blind.

Mandatory State Contracts - Cooperative Purchasing Agreements

[ACT 421 \(HB1180\)](#) provides the State Procurement Director with the authority to award additional mandatory state contracts; allows the director to grant an exemption from a mandatory state contract in certain circumstances; limits the use of cooperative purchasing agreements; and provides an approval process for state agencies requesting to use a cooperative purchasing agreement.

STATE AGENCIES, BOARDS, AND COMMISSIONSPROCUREMENT***Methods of Procurement - Training of Procurement Officials - Rules Review***

[ACT 419 \(HB1178\)](#) provides for solicitation conferences to be held before the issuance of an invitation for bids, request for proposals, or request for qualifications; allows state agencies to make requests for best and final offers and negotiate competitive sealed bids and competitive sealed proposals; allows for the use of private evaluators in evaluating responses to certain requests for proposals; requires the Office of State Procurement to submit all procurement rules to the Review Subcommittee of Legislative Council for review; requires the training and certification of procurement officials; requires cost to be weighted at least thirty percent (30%) for a request for proposals; allows state agencies to issue requests for information; and requires vendor training and polling.

Review and Reporting Requirements

[ACT 417 \(HB1161\)](#) consolidates the legislative review and reporting requirements for technical and general services contracts and professional and consulting services contracts; allows for the reporting (rather than review) of contracts that do not have a material change upon the renewal or extension of the contract; requires the tracking of protests, negotiations, and expiring contracts; provides for legislative review (rather than approval) of vehicle leases by state agencies; and repeals the reporting requirement for recycled paper products.

Vendor Performance

[ACT 418 \(HB1162\)](#) requires a state agency to report vendors that do not comply with performance-based standards; allows a state agency to report an issue with a vendor's performance under any contract; and requires contractors to ensure compliance with state procurement laws concerning the content and review of their contract with the state.

PUBLIC SERVICE COMMISSION***Certificate of Public Convenience and Necessity***

[ACT 543 \(HB1738\)](#) provides that a person or corporation that primarily transmits electricity after a hearing may obtain a certificate of public convenience and necessity from the Arkansas Public Service Commission under certain conditions.

STATE HOLIDAYS***Arkansas Music Appreciation Day***

[ACT 546 \(HB1030\)](#) establishes Arkansas Music Appreciation Day as a memorial day on September 1 of each year.

John H. Johnson Memorial Day

[ACT 1062 \(HB1950\)](#) establishes November 1 of each year as a memorial day honoring John H. Johnson.

STATE LAND USE COMMITTEE***Abolition***

[ACT 972 \(HB1767\)](#) abolishes the State Land Use Committee and requires approval by the Governor and the General Assembly or the Legislative Council before selling public land to private entities.

STATE SYMBOLS***State Firearm***

[ACT 685 \(SB6\)](#) designates the shotgun as the official state firearm.

State Knife

[ACT 510 \(SB5\)](#) designates the Bowie knife as the official state knife.

State Primitive Fish

[ACT 576 \(HB1640\)](#) designates the alligator gar as the official primitive fish of the State of Arkansas.

STATE AGENCIES, BOARDS, AND COMMISSIONS

TAXATION

Property Tax Exemption - Government Vehicle Leases

[ACT 610 \(HB1713\)](#) exempts from property tax certain heavy equipment and motor vehicle leases by the state or a county and certain motor vehicle leases by a city or town.

TECHNICAL CORRECTIONS - STATE GOVERNMENT - TITLE 25

[ACT 392 \(SB371\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 25 of the Arkansas Code.

TOBACCO

Tobacco Control Board - Powers and Duties - Regulation and Enforcement

[ACT 1071 \(HB1980\)](#) amends the Unfair Cigarette Sales Act and the Arkansas Tobacco Products Tax Act of 1977 concerning the powers and duties of the Arkansas Tobacco Control and the regulation of tobacco products, vapor products, alternative nicotine products, e-liquid products, and cigarette papers.

TOWING AND RECOVERY

Heavy-duty Motor Vehicles

[ACT 1063 \(HB1956\)](#) provides that a tow facility may tow heavy-duty motor vehicles as part of a law enforcement program if the tow facility is licensed by the Arkansas Towing and Recovery Board, passes safety inspections, and complies with state and federal laws. The act also provides that a tow company, an emergency medical services provider, or local law enforcement is not responsible for any damage or claims that may result from the removal of an unattended vehicle if acting in good faith and using reasonable care. Section 1 of the act concerning the nonconsent towing rotation for heavy-duty vehicles is effective on and after January 1, 2020.

VETERINARY MEDICINE

Equine Massage

[ACT 286 \(HB1146\)](#) exempts equine massage therapy or animal massage therapy from licensure by the Veterinary Medical Examining Board.

Exemption to Licensure - Chiropractic upon Animals

[ACT 139 \(HB1264\)](#) amends the exemption to licensure by the Veterinary Medical Examining Board to remove the supervision requirement for chiropractors performing chiropractic upon animals.

Veterinary Technologist and Veterinary Technician Specialist Certification

[ACT 169 \(HB1124\)](#) amends the laws concerning veterinary medicine and establishes a veterinary technologist certification and a veterinary technician specialist certification.

WIRELESS INFORMATION NETWORK

Transfer to the Division of Emergency Management

[ACT 702 \(SB458\)](#) transfers the Arkansas Wireless Information Network to the Division of Emergency Management. The act declares an emergency and is effective on and after July 1, 2019.

WORKFORCE SERVICES

Criminal Background Check - Policy

[ACT 373 \(SB296\)](#) establishes a criminal background check policy for the Department of Workforce Services. The act declares an emergency and is effective on and after March 8, 2019.

STATE AGENCIES, BOARDS, AND COMMISSIONSWORKFORCE SERVICES***Special Fund***

[ACT 374 \(SB297\)](#) clarifies which laws, acts, and programs the Department of Workforce Services Special Fund may be used to administer as determined by the Director of the Department of Workforce Services. The act provides that the Department of Workforce Services Special Fund may be used to administer the Department of Workforce Services Law, the Arkansas Workforce Innovation and Opportunity Act, the Temporary Assistance for Needy Families Program, the Arkansas Works Act of 2016, and any other programs transferred under the direction and supervision of the Department of Workforce Services.

Stabilization Tax

[ACT 454 \(SB300\)](#) allows that the Department of Workforce Services to retain and use the proceeds of the stabilization tax for worker training and efficient administration of Department of Workforce Services Law. The act declares an emergency and is effective on and after March 13, 2019.

YOUTH JUSTICE REFORM BOARD***Creation and Membership***

[ACT 931 \(SB506\)](#) amends the membership of the Youth Justice Reform Board and provides that the Youth Justice Reform Board shall cease operation by June 30, 2021.

TAXESADMINISTRATION OF LOCAL TAXES***Appeals - Payment of Property Taxes Pending Appeal***

[ACT 657 \(HB1562\)](#) modifies and expands the procedure and options for the payment of real or personal property taxes pending an assessment appeal.

Assessment Appeals - Commercial and Industrial Property - Value

[ACT 737 \(SB530\)](#) amends the law concerning the appeal of an assessment of certain commercial and industrial property and the use of evidence of a sale or lease transaction as evidence of the value of the property. The act declares an emergency and is effective on and after July 1, 2019.

County Equalization Boards - Jurisdiction - Mineral Rights

[ACT 509 \(HB1659\)](#) amends the jurisdiction of county equalization boards with respect to producing mineral rights. The act is effective for assessment years beginning on and after January 1, 2019.

ADMINISTRATION OF STATE TAXES***Administrative Hearings - Electronic Means***

[ACT 850 \(HB1724\)](#) amends the Arkansas Tax Procedure Act concerning the holding of administrative hearings by electronic means. The act is effective on and after January 1, 2020.

Amended Return - Statute of Limitations

[ACT 863 \(HB1908\)](#) clarifies the statute of limitations for a taxpayer to file an amended tax return and clarifies the circumstances under which a taxpayer may file an amended tax return. The act is effective for tax years beginning on and after January 1, 2019.

Business Closure Order - Effect on Contracts with State

[ACT 866 \(HB1931\)](#) prohibits a business that is subject to a business closure order by the Department of Finance and Administration from contracting or doing business with the state. The act is effective on and after January 1, 2020.

TAXESADMINISTRATION OF STATE TAXES***Collection and Enforcement - Effect of Bankruptcy***

[ACT 760 \(HB1722\)](#) tolls the statute of limitations for tax collection in the event of a bankruptcy filing and provides that certificates of indebtedness relate back to the date of a tax assessment and may be reissued in the event of a bankruptcy filing. The act is effective for tax years beginning on and after January 1, 2020.

Interest on Estate Tax Deficiencies and Overpayments

[ACT 670 \(HB1725\)](#) repeals an unused provision of the law concerning the interest that is collected on estate tax deficiencies and paid on estate tax overpayments.

COLLECTION AND ENFORCEMENT***Certificates of Indebtedness - Online Publication***

[ACT 864 \(HB1910\)](#) provides for certificates of indebtedness under the Arkansas Tax Procedure Act to be published on the official website maintained by the Director of the Department of Finance and Administration.

Effect of Bankruptcy

[ACT 760 \(HB1722\)](#) tolls the statute of limitations for tax collection in the event of a bankruptcy filing and provides that certificates of indebtedness relate back to the date of a tax assessment and may be reissued in the event of a bankruptcy filing. The act is effective for tax years beginning on and after January 1, 2020.

Redemption Deeds - Process

[ACT 918 \(HB1768\)](#) updates the procedures for redemption deeds and allows the Commissioner of State Lands to set fees to recoup the office's costs accrued in the process of issuing redemption deeds.

Redemption of Tax-delinquent Land

[ACT 762 \(HB1739\)](#) expands the forms of payment the Commissioner of State Lands may accept concerning redemption of tax-delinquent lands and establishes which evidence serves as sufficient of proof of payment.

FRANCHISE TAX***Transfer of Administration to DFA***

[ACT 819 \(SB561\)](#) transfers the administration of the franchise tax to the Department of Finance and Administration and eliminates the franchise tax penalty on closed businesses. The provisions of the act concerning the franchise tax are effective on and after May 1, 2021.

INCOME TAX***Adoption of Federal Changes***

[ACT 870 \(HB1953\)](#) adopts changes to the federal income tax laws. The act is effective for tax years beginning on and after January 1, 2019.

Biennial Report on Tax Incentives

[ACT 819 \(SB561\)](#) requires the Department of Finance and Administration to submit a biennial report on the effect of exemptions, discounts, credits, and deductions relating to income tax and sales and use tax. This provision of the act is effective on and after May 1, 2021.

Consolidated Incentive Act

[ACT 327 \(HB1490\)](#) provides an additional tax credit under the Advantage Arkansas program if a certain hourly wage threshold is met; creates tiered investment thresholds for the Tax Back program; and allows the Arkansas Economic Development Commission to offer lower thresholds and additional payroll rebates for businesses located in certain counties.

TAXES**INCOME TAX*****Corporate - Rate Reduction - Single Sales Factor - Net Operating Loss Extension***

[ACT 822 \(SB576\)](#) apportions corporate income using a single sales factor apportionment formula; phases in a reduction of the top corporate income tax rate to five and nine-tenths percent (5.9%) in 2022; and phases in an extension of the net operating loss carry-forward period to ten (10) years. The provision of the act concerning the net operating loss carry-forward period is effective for tax years beginning on and after January 1, 2020. The provisions of the act concerning the single sales factor apportionment formula and the corporate rate reduction are effective for tax years beginning on and after January 1, 2021.

Credit - Apprenticeship Programs

[ACT 213 \(SB112\)](#) makes technical changes to the law concerning the income tax credit for apprenticeship programs by removing "youth" from the term "youth apprentice".

Credit - Art Projects Along Designated Music Highways

[ACT 1066 \(HB1965\)](#) requires signage along designated music highways in the state and provides tax incentives for art projects along designated music highways in the state to recognize the state's musical heritage and promote tourism.

Credit - Donations and Sales to Certain Educational Institutions

[ACT 203 \(SB226\)](#) allows an income tax credit for cash donations to certain educational institutions for the purchase of machinery and equipment and creates an application process for being granted an income tax credit for donations or sales to certain educational institutions.

Credit - Major Historic Rehabilitation

[ACT 855 \(HB1800\)](#) creates a temporary income tax credit for major historic rehabilitation projects.

Credit - Water Resource Conservation and Development - Transfer

[ACT 1073 \(HB1985\)](#) allows for the transfer of income tax credits related to water resource conservation and development. The act is effective for tax years beginning on and after January 1, 2020.

Deduction - Contributions to ABLE Accounts

[ACT 825 \(HB1075\)](#) provides for an income tax deduction for contributions to disability savings accounts. The act is effective for tax years beginning on and after January 1, 2019.

Direct Deposit of Refunds to Multiple Accounts

[ACT 774 \(SB584\)](#) requires the Department of Finance and Administration to provide space on individual income tax forms for a taxpayer to designate more than one (1) account for the direct deposit of the taxpayer's refund beginning with returns filed for tax year January 1, 2020.

Exemption - Active Duty Service Pay

[ACT 669 \(HB1721\)](#) clarifies who is eligible for the income tax exemption allowed for service pay received by an active duty member of the armed forces. The act is effective for tax years beginning on and after January 1, 2020.

Historic Rehabilitation Credit - Threshold for Qualifying

[ACT 470 \(HB1493\)](#) reduces the investment threshold necessary to qualify for the Arkansas historic rehabilitation income tax credit. The act is effective for tax years beginning on and after January 1, 2019.

TAXES**INCOME TAX*****Individual Income Tax Reduction***

[ACT 182 \(SB211\)](#) reduces the top income tax rate to five and nine-tenths percent (5.9%) in 2020 for middle-income individuals and provides fewer brackets and rates for high-income individuals, including a top rate of six and six-tenths percent (6.6%) in 2020 and five and nine-tenths percent (5.9%) in 2021. The act also repeals language providing for a reduction in a specific income tax bracket based on certain sales tax collections. The section of act concerning the individual income tax reduction is effective for tax years beginning on and after January 1, 2020. The act declares an emergency and is effective on and after February 19, 2019.

Offset - Driver's License Reinstatement Fees

[ACT 803 \(SB315\)](#) requires outstanding driver's license reinstatement fees to be set off against the taxpayer's state income tax refund and paid to the Office of Driver Services.

Opportunity Zones

[ACT 201 \(SB196\)](#) provides state tax incentives for investments in federally established opportunity zones in the state. The act is effective for tax years beginning on and after January 1, 2018.

Owner of a Portion of a Trust

[ACT 1027 \(HB1911\)](#) adopts federal law concerning who shall be treated as the owner of a portion of a trust for income tax purposes. The act is effective for tax years beginning on and after January 1, 2020.

Repeal of Credit for Cigarette Receptacles

[ACT 670 \(HB1725\)](#) repeals an unused provision of the law concerning the income tax credit allowed for the purchase of a cigarette receptacle.

Sale of Equity Investment Incentive Credits

[ACT 537 \(HB1546\)](#) clarifies the time period during which a tax credit under the Equity Investment Incentive Act of 2007 may be sold.

LOCAL SALES AND USE TAXES***Advertising and Promotion Tax - Admission to State Park***

[ACT 560 \(SB203\)](#) allows a municipality to levy advertising and promotion tax on the admission price to a state park located within the municipal boundary of the city or town. The act declares an emergency and is effective on and after April 1, 2019.

NET CASINO GAMING RECEIPTS TAX***Designation of Revenues for Highway Funding***

[ACT 416 \(SB336\)](#) levies a wholesale sales tax on motor fuel and distillate special fuel; imposes an additional vehicle registration fee on hybrid and electric motor vehicles; and designates a portion of the revenues from the net casino gaming receipts tax to be used for highways. The provisions of the act concerning the wholesale sales taxes and the additional registration fee are effective on and after October 1, 2019.

PRIVILEGE TAXES***Medical Marijuana - Extend Sunset Date***

[ACT 592 \(HB1212\)](#) extends the sunset date for the Arkansas Medical Marijuana Special Privilege Tax Act of 2017. The act declares an emergency and is effective on and after March 29, 2019.

TAXES**PRIVILEGE TAXES*****Premium Tax - Limitations on Salary Credit***

[ACT 457 \(SB345\)](#) phases in a reduction of the percentage of the credit available to offset the accident and health insurance premium tax and provides for a per-taxpayer cap on the credit available to offset the accident and health insurance premium tax.

Tobacco - Additional Tax on Cigarette Papers - Repeal of Border Zones

[ACT 580 \(HB1565\)](#) increases the minimum markup by a retailer on cigarettes; phases in an increase in the age a person must be to purchase tobacco products, cigarette papers, alternative nicotine products, vapor products, or e-liquid products to twenty-one (21); creates an additional tax on cigarette papers; repeals the border zone tax rates for cigarettes; prohibits local regulation of tobacco products that is more restrictive than state law; and dedicates general revenue to be used for the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund. All of the provisions of the act, except for the increase in the minimum markup, are effective on and after September 1, 2019.

Tobacco - Permits, Regulation, and Enforcement

[ACT 1071 \(HB1980\)](#) amends the Unfair Cigarette Sales Act and the Arkansas Tobacco Products Tax Act of 1977 concerning the powers and duties of the Arkansas Tobacco Control and the regulation of tobacco products, vapor products, alternative nicotine products, e-liquid products, and cigarette papers.

PROPERTY TAX***Assessment Appeals - Commercial and Industrial Property - Value***

[ACT 737 \(SB530\)](#) amends the law concerning the appeal of an assessment of certain commercial and industrial property and the use of evidence of a sale or lease transaction as evidence of the value of the property. The act declares an emergency and is effective on and after July 1, 2019.

County Equalization Boards - Jurisdiction - Mineral Rights

[ACT 509 \(HB1659\)](#) amends the jurisdiction of county equalization boards with respect to producing mineral rights. The act is effective for assessment years beginning on and after January 1, 2019.

Definition of "Homestead" - Irrevocable Trust Property

[ACT 831 \(HB1449\)](#) amends the definition of "homestead" for property tax purposes to include the dwelling of a beneficiary of an irrevocable trust. The act is effective for assessment years beginning on and after January 1, 2019.

Exemption - Government Vehicle Leases

[ACT 610 \(HB1713\)](#) exempts from property tax certain heavy equipment and motor vehicle leases by the state or a county and certain motor vehicle leases by a city or town.

Homestead Credit - Use of Property Tax Relief Funds

[ACT 808 \(SB447\)](#) increases the homestead property tax credit to three hundred seventy-five dollars (\$375); transfers a portion of the Property Tax Relief Trust Fund to pay for voting machines; and transfers the remaining excess funds in the Property Tax Relief Trust Fund to the Long Term Reserve Fund. The increased homestead property tax credit amount is effective for assessment years beginning on and after January 1, 2019. The act declares an emergency and is effective on and after April 9, 2019.

TAXES**PROPERTY TAX*****Mineral Interests - Division Orders and Declarations of Interest***

[ACT 538 \(HB1559\)](#) requires the submission of a division order or declaration of interest to the county assessor if mineral rights are subject to a division order or declaration of interest and provides penalties for not submitting a required division order or declaration of interest. The act is effective for assessment years beginning on and after January 1, 2020.

Payment in Lieu of Tax Agreements

[ACT 289 \(HB1386\)](#) provides that notice shall be given to several designated county officials before approval of a payment in lieu of tax agreement.

Statewide Guidelines for Assessment

[ACT 819 \(SB561\)](#) requires the Assessment Coordination Department to establish statewide guidelines for property tax assessment and oversee the county assessors for purposes of monitoring compliance with the guidelines. The act is effective on and after May 1, 2021.

Water Transportation Companies - Use of Tax Revenue

[ACT 561 \(SB453\)](#) creates the Arkansas River Navigation System Fund and dedicates a portion of the ad valorem tax on water transportation companies to the Arkansas Waterways Commission and the Arkansas River Navigation System Fund to provide funding for the development, improvement, and expansion of river transportation resources within the McClellan-Kerr Arkansas River Navigation System.

SPECIAL EXCISE TAXES***Tourism Tax - Accommodations Intermediaries***

[ACT 822 \(SB576\)](#) requires an accommodations intermediary to collect and remit the sales tax and tourism tax due on arrangements the accommodations intermediary makes for the sale or use of an accommodation. This provision of the act is effective on and after October 1, 2019.

STATE SALES AND USE TAXES***Biennial Report on Incentives - All-terrain Vehicles for Farm Use***

[ACT 819 \(SB561\)](#) requires the Department of Finance and Administration to submit a biennial report on the effect of exemptions, discounts, credits, and deductions relating to income tax and sales and use tax and requires the collection of certain information when a person claims a sales tax exemption for an all-terrain vehicle that will be used exclusively for farm purposes. The provisions of the act concerning the biennial report are effective on and after May 1, 2021. The provisions of the act concerning all-terrain vehicles are effective on and after October 1, 2019.

Candy and Soft Drinks

[ACT 165 \(HB1005\)](#) clarifies the application of the sales and use tax to candy and soft drinks by requiring the Director of the Department of Finance and Administration to either publish a list of the items that meet the definition of “candy” or “soft drinks” under the sales and use tax laws or not subject sellers to penalties under the sales and use tax laws if the sellers made a good faith effort to comply with the sales and use tax laws applicable to candy and soft drinks.

Exemption - Medical Devices Prescribed by a Podiatrist

[ACT 172 \(HB1245\)](#) includes a podiatrist within the definition of “physician” for purposes of the sales tax exemption for durable medical equipment, mobility enhancing equipment, prosthetic devices, and disposable medical supplies prescribed by a physician. The act is effective on and after October 1, 2019.

TAXES**STATE SALES AND USE TAXES*****Exemption - Washer-Extractors Used by Fire Department***

[ACT 840 \(HB1618\)](#) creates a sales and use tax exemption for washer-extractors used by a fire department. The act is effective on and after October 1, 2019.

Exemption - Withdrawal from Stock - Donated Items

[ACT 583 \(SB146\)](#) exempts from sales and use tax any items withdrawn from a seller's stock and donated to a nonprofit organization, a public educational institution, a nonprofit church, or a private individual who suffered damage or loss as the result of a natural disaster. The act is effective on and after October 1, 2019.

Exemption - Youth Sports Concessions

[ACT 634 \(SB581\)](#) exempts from sales tax the sales at a concession stand by a nonprofit youth athletic organization. The act is effective on and after October 1, 2019.

Refund - Manufacturing Machinery and Equipment - Dies and Molds

[ACT 772 \(SB582\)](#) provides a sales and use tax refund for machinery and equipment used to modify, replace, or repair molds and dies used in manufacturing. The act is effective on and after October 1, 2019.

Remote Sellers - Car Washes

[ACT 822 \(SB576\)](#) requires certain remote sellers, marketplace facilitators, and accommodations intermediaries to collect and remit Arkansas sales and use taxes; exempts car wash services from sales tax; and levies a water usage fee on car washes in lieu of the sales tax. The provisions of the act concerning car washes are effective on and after October 1, 2019. The act declares an emergency, and the remote seller and marketplace facilitator provisions are effective on July 1, 2019.

Wholesale Sales Tax on Motor and Diesel Fuel

[ACT 416 \(SB336\)](#) levies a wholesale sales tax on motor fuel and distillate special fuel; imposes an additional vehicle registration fee on hybrid and electric motor vehicles; and designates a portion of the revenues from the net casino gaming receipts tax to be used for highways. The provisions of the act concerning the wholesale sales taxes and the additional registration fee are effective on and after October 1, 2019.

TECHNICAL CORRECTIONS - TAXATION - TITLE 26

[ACT 393 \(SB372\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 26 of the Arkansas Code.

UNEMPLOYMENT INSURANCE TAX***Stabilization Tax***

[ACT 454 \(SB300\)](#) allows that the Department of Workforce Services to retain and use the proceeds of the stabilization tax for worker training and efficient administration of Department of Workforce Services Law. The act declares an emergency and is effective on and after March 13, 2019.

Taxable Wage Base

[ACT 512 \(SB298\)](#) reduces the taxable wage base to lessen the financial burden on employers and slow the growth of the unemployment insurance trust fund.

TECHNOLOGY**BROADBAND/CONNECTIVITY*****Arkansas Broadband Council***

[ACT 1091 \(SB683\)](#) abolishes the Arkansas Broadband Council.

TECHNOLOGYBROADBAND/CONNECTIVITY***Increase Access***

[ACT 198 \(SB150\)](#) amends the Telecommunications Regulatory Reform Act of 2013 to provide additional access to Federal Communications Commission-defined broadband service. The act declares an emergency and is effective on and after February 26, 2019.

State Broadband Manager

[ACT 792 \(HB1826\)](#) amends the law concerning the State Broadband Manager and requires the Governor to designate the State Broadband Manager.

COMPUTERS AND SOFTWARE***Blockchain Technology***

[ACT 1061 \(HB1944\)](#) concerns signatures and records secured through blockchain technology. The act provides that a signature, record, or contract that is secured through blockchain technology shall be considered as being in electronic form and an electronic signature. The act also provides that a record or a contract that is secured through blockchain technology is an electronic record and that a smart contract is a commercial contract. Finally, the act provides that a contract that has smart contract terms and relates to a transaction is valid, enforceable, and has legal effect.

CYBER SECURITY***Cyber Security Alliance***

[ACT 1085 \(SB632\)](#) permits the Arkansas Economic Development Commission to work with universities, colleges, government agencies, and the private business sector to establish a cyber alliance to be known as the Arkansas Cyber Initiative.

HEALTH CARE***Microchip Implantation***

[ACT 516 \(HB1177\)](#) protects employees from being forced to undergo human microchip implantation at the request of employers.

INFORMATION SYSTEMS***Data and Transparency Panel - Membership***

[ACT 147 \(HB1017\)](#) modifies the membership of the Data and Transparency Panel to add the Chief Justice of the Supreme Court or his or her designee.

Data and Transparency Panel - Membership and Duties

[ACT 936 \(SB589\)](#) amends the membership and duties of the Data and Transparency Panel.

Information Network of Arkansas

[ACT 1069 \(HB1970\)](#) requires the Information Network of Arkansas to procure a network manager after developing, in consultation with the Department of Information Systems, criteria and specifications for the network manager and his or her duties. The act declares an emergency and is effective on and after April 16, 2019.

STATE GOVERNMENT***Data Sharing***

[ACT 943 \(SB656\)](#) creates the Data-Sharing and Data-Driven Decision-Making Task Force to study data maintained by state agencies in a manner that encourages a shared services model for state-wide data sharing. The act declares an emergency and is effective on and after April 12, 2019.

Procurement Requirements - Accessibility

[ACT 218 \(HB1229\)](#) amends the law concerning procurement requirements relating to information technology access for the blind.

TOBACCOREGULATION***Clean Indoor Air Act - Casinos***

[ACT 947 \(SB667\)](#) amends an exception to the Arkansas Clean Indoor Air Act of 2006 to specify a casino licensee of the Arkansas Racing Commission may designate smoking areas on the gaming floor.

Medications Approved for Tobacco Cessation

[ACT 959 \(HB1555\)](#) increases coverage for medications approved by the United States Food and Drug Administration for tobacco cessation in the Arkansas Medicaid Program without a prior authorization.

Minimum Markup - Minimum Age Increase - Preemption of Local Regulations

[ACT 580 \(HB1565\)](#) increases the minimum markup by a retailer on cigarettes; phases in an increase in the age a person must be to purchase tobacco products, cigarette papers, alternative nicotine products, vapor products, or e-liquid products to twenty-one (21); creates an additional tax on cigarette papers; repeals the border zone tax rates for cigarettes; prohibits local regulation of tobacco products that is more restrictive than state law; and dedicates general revenue to be used for the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund. All of the provisions of the act, except for the increase in the minimum markup, are effective on and after September 1, 2019.

Permits

[ACT 1071 \(HB1980\)](#) amends the Unfair Cigarette Sales Act and the Arkansas Tobacco Products Tax Act of 1977 concerning the powers and duties of the Arkansas Tobacco Control and the regulation of tobacco products, vapor products, alternative nicotine products, e-liquid products, and cigarette papers.

TAXES***Additional Tax on Cigarette Papers - Repeal of Border Zones***

[ACT 580 \(HB1565\)](#) increases the minimum markup by a retailer on cigarettes; phases in an increase in the age a person must be to purchase tobacco products, cigarette papers, alternative nicotine products, vapor products, or e-liquid products to twenty-one (21); creates an additional tax on cigarette papers; repeals the border zone tax rates for cigarettes; prohibits local regulation of tobacco products that is more restrictive than state law; and dedicates general revenue to be used for the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund. All of the provisions of the act, except for the increase in the minimum markup, are effective on and after September 1, 2019.

TOURISMCULTURAL RESOURCES, MUSEUMS, AND LIBRARIES***Arkansas Heritage Sites***

[ACT 818 \(SB557\)](#) provides for the creation of Arkansas Heritage Sites and designates Washington, Arkansas, as the birthplace of the Bowie Knife, Arkansas Heritage Site.

Monuments - Little Rock Nine Memorial

[ACT 776 \(SB601\)](#) requires the Secretary of State to correct a typographical error within the "TESTAMENT" on the Little Rock Nine memorial on the Capitol grounds.

Sultana Disaster

[ACT 791 \(HB1780\)](#) provides for the creation of the Sultana Disaster Remembrance Day.

TOURISM**PROMOTION AND DEVELOPMENT*****Establishment of Entertainment Districts***

[ACT 812 \(SB492\)](#) permits the establishment of permanent or temporary designated entertainment districts in a city or town that highlight restaurant, entertainment, and hospitality options. The act also allows a city or town that creates a designated entertainment district to set reasonable standards for the regulation of alcohol possession within the designated entertainment district.

Incentives for Art Projects Along Designated Music Highways

[ACT 1066 \(HB1965\)](#) requires signage along designated music highways in the state and provides tax incentives for art projects along designated music highways in the state to recognize the state's musical heritage and promote tourism.

National Day of the Cowboy

[ACT 601 \(HB1553\)](#) provides that the fourth Saturday in July is the National Day of the Cowboy in Arkansas to commemorate Arkansas's cowboy heritage.

Special Event Security

[ACT 397 \(HB1415\)](#) creates the Arkansas Public Events Committee to develop a suggested standard security protocol of best practices for admission procedures for public events held at arenas, stadiums, auditoriums, and other facilities designed to hold a large number of people.

TRAILS AND HIGHWAYS***All-terrain Vehicles***

[ACT 671 \(HB1744\)](#) requires the House Agriculture, Forestry, and Economic Development Committee and the Senate Agriculture, Forestry, and Economic Development Committee to meet jointly to conduct a comprehensive study of all-terrain vehicle tourism and to make recommendations to the General Assembly regarding the creation, development, and implementation of a statewide all-terrain vehicle trails system utilizing existing state roads to connect forest roads and all-terrain vehicle trails in national forests to increase tourism and economic development in the state. The act also requires the committees to file a written report with Legislative Council by December 1, 2020.

Signage Along Designated Music Highways

[ACT 1066 \(HB1965\)](#) requires signage along designated music highways in the state and provides tax incentives for art projects along designated music highways in the state to recognize the state's musical heritage and promote tourism.

UTILITIES**ELECTRIC*****Certificate of Convenience and Necessity - New Construction or Expansion***

[ACT 765 \(HB1818\)](#) provides for an exemption from the requirements of obtaining a certificate of public convenience and necessity for new construction or to extend a public service for an electric public utility.

Commission Authority

[ACT 464 \(SB145\)](#) adds new definitions and amends existing definitions that are applicable to the Arkansas Renewable Energy Development Act. The act also amends the law concerning the authority of the Arkansas Public Service Commission and creates a new section that addresses the authority of a municipal utility with regard to net-metering facilities.

PUBLIC SERVICE COMMISSION***Certificate of Public Convenience and Necessity***

[ACT 543 \(HB1738\)](#) provides that a person or corporation that primarily transmits electricity after a hearing may obtain a certificate of public convenience and necessity from the Arkansas Public Service Commission under certain conditions.

UTILITIES

PUBLIC SERVICE COMMISSION

Electric Public Utility - Certificate of Convenience and Necessity

[ACT 765 \(HB1818\)](#) provides for an exemption from the requirements of obtaining a certificate of public convenience and necessity for new construction or to extend a public service for an electric public utility.

RATES AND CHARGES

Franchise Fees

[ACT 241 \(SB289\)](#) amends the law concerning local jurisdiction over certain utilities and the charging of franchise fees.

TECHNICAL CORRECTIONS - PUBLIC UTILITIES AND REGULATED INDUSTRIES - TITLE 23

[ACT 391 \(SB370\)](#) makes technical corrections recommended by the Arkansas Code Revision Commission to Title 23 of the Arkansas Code.

TELECOMMUNICATIONS

Annual Certification - Spoofing and Illegal Robocalls

[ACT 677 \(SB514\)](#) prohibits the display of fictitious or misleading names or telephone numbers, or "spoofing", and illegal robocalls from telemarketers; prohibits a person from causing a caller identification service to transmit inaccurate or misleading information about the identities and locations of callers; encourages telecommunications providers to implement technology that allows them to identify and stop illegal calling practices; allows telecommunications providers to seek an annual certification from the Arkansas Public Service Commission that they have implemented technology to identify and block telecommunications that violate the law; and imposes criminal penalties for violations of the law concerning automated telephone solicitations.

Prepaid Mobile Device Protection Act

[ACT 1053 \(HB1839\)](#) establishes the Prepaid Mobile Device Protection Act and prohibits a person who is not a biological parent, grandparent, adoptive parent, stepparent, fictive kin, legal guardian, temporary guardian, or other legal custodian of a minor from purchasing a prepaid mobile device for a minor, refilling a prepaid mobile device for a minor, or providing funds to a minor for the purpose of purchasing a prepaid mobile device or refilling a prepaid mobile device. The act also imposes a penalty for a violation of the law.

Small Wireless Facility Deployment Act

[ACT 797 \(HB1874\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 999 of 2019. The act is effective on and after September 1, 2019.

Small Wireless Facility Deployment Act

[ACT 999 \(SB602\)](#) establishes the Small Wireless Facility Deployment Act for the deployment of small wireless facilities and other next-generation wireless and broadband network facilities and regulates the distribution antenna systems to be deployed in public right-of-ways. The act is identical to Act 797 of 2019. The act is effective on and after September 1, 2019.

UTILITIESTELECOMMUNICATIONS***Spoofing Providers - Telecommunications Service Providers***

[ACT 1074 \(HB1986\)](#) amends Act 677 of 2019 to clarify the act's applicability to legitimate business purposes of telecommunications providers and to provide that, beginning July 1, 2019, telecommunications providers are required to submit to the Arkansas Public Service Commission an annual certification stating that they have implemented technology to identify and block telecommunications that violate the law. The act declares an emergency and is effective on and after April 16, 2019.

TRANSPORTATION***Employment Status***

[ACT 782 \(HB1448\)](#) provides that the deployment, implementation, or use of a motor carrier safety improvement does not change the worker status of a driver.

WATER***Consolidated Waterworks Systems***

[ACT 613 \(HB1729\)](#) amends the laws governing consolidated waterworks systems.

WELFARE AND GOVERNMENTAL ASSISTANCEASSISTANCE PROGRAMS***Supplemental Nutrition Assistance Program - Child Support - Cooperation***

[ACT 1043 \(HB1731\)](#) requires the Department of Human Services to require a parent to cooperate with the Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration as a condition of eligibility for the Supplemental Nutrition Assistance Program.

Supplemental Nutrition Assistance Program - Employment and Training Requirements

[ACT 974 \(HB1775\)](#) creates the Employment for Able-Bodied Adults Act of 2019 that requires able-bodied adults under sixty (60) years of age who receive Supplemental Nutrition Assistance Program benefits and who have no dependents or dependents between the ages of six (6) and eighteen (18) years of age to participate in an employment and training program. The act requires the Department of Human Services to report on the program.

INDIVIDUALS WITH DISABILITIES***Mental Health - Individuals Who Are Deaf or Hard of Hearing***

[ACT 644 \(HB1471\)](#) creates the Mental Health for Individuals who are Deaf or Hard of Hearing Bill of Rights Act; establishes standards of care for mental health services for individuals who are deaf or hard of hearing; and provides culturally affirmative and linguistically appropriate mental health services to individuals who are deaf or hard of hearing.

Respectful Language

[ACT 1035 \(HB1651\)](#) amends and updates the laws regarding treatment for individuals with intellectual and developmental disabilities to ensure that respectful language is used within the Arkansas Code regarding individuals with intellectual and developmental disabilities.

Waiting List for Alternative Community Services Waiver Program

[ACT 1033 \(HB1491\)](#) requires the Department of Human Services to eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver", or successor program as soon as possible but no later than three (3) years after July 24, 2019.

WELFARE AND GOVERNMENTAL ASSISTANCE**MEDICAID*****Additional Albuterol Inhaler***

[ACT 856 \(HB1801\)](#) requires the Arkansas Medicaid Program to cover the cost of an additional albuterol inhaler for a Medicaid beneficiary who has been prescribed an albuterol inhaler and who is under eighteen (18) years of age.

Eligibility for Services - Adult Protective Services Unit

[ACT 956 \(HB1543\)](#) clarifies the law on eligibility for services provided by the Adult Protective Services Unit of the Department of Human Services.

Medicaid Fraud and Adult Maltreatment Updates

[ACT 916 \(HB1719\)](#) updates the Medicaid Fraud Act and the Medicaid Fraud False Claims Act to address flaws identified in recent investigations and changes related to the implementation of managed care and updates the adult maltreatment penalties. The act also modifies the sentencing scheme for Medicaid fraud by implementing appropriate sanctions in certain situations and prohibits false statements in a Medicaid provider application or agreement. The act prohibits persons who have been suspended or excluded from the Arkansas Medicaid Program from participating directly or indirectly in the Arkansas Medicaid Program and clarifies when rewards may be paid and from what funds.

Medications Approved for Tobacco Cessation

[ACT 959 \(HB1555\)](#) increases coverage for medications approved by the United States Food and Drug Administration for tobacco cessation in the Arkansas Medicaid Program without a prior authorization.

Ridesharing Applications

[ACT 952 \(HB1435\)](#) authorizes the Arkansas Medicaid Program to reimburse for ridesharing applications.

WILLS, ESTATES, AND FIDUCIARY RELATIONSHIPS**FIDUCIARY DUTY*****Arkansas Trust Institutions Act - Foundation***

[ACT 836 \(HB1516\)](#) provides that a foundation may serve as a fiduciary and as an executor of an estate under certain conditions.

Uniform Directed Trust Act

[ACT 1021 \(HB1765\)](#) establishes the Uniform Directed Trust Act and modifies the Arkansas Trust Act by altering the settler's powers and changing the construction of a trust and the definition of "terms of a trust" to be subject to the Uniform Directed Trust Act. The act establishes the process for governing directed trusts and clarifies the applicability, principal place of administration, excluded powers, limitations, defenses, and duties and liability of trust directors and directed trustees. The act is effective on and after January 1, 2020.

GUARDIANS AND GUARDIANSHIP***Duties and Responsibilities of Custodians***

[ACT 326 \(HB1466\)](#) repeals the provision that provides that a hearing is not required under the Adult Maltreatment Custody Act if counsel for both parties agree to waive the hearing or if an emergency exists for entry of an order; provides that unless a procedure is necessary in a situation that threatens the life of a maltreated adult who is in the custody of the Department of Human Services, the express approval of a court is required before the department may provide consent to the amputation of a body part of the maltreated adult; and establishes the procedures to be used for the consideration of issues requiring court approval.

WILLS, ESTATES, AND FIDUCIARY RELATIONSHIPS

GUARDIANS AND GUARDIANSHIP

Powers and Duties - Investments

[ACT 591 \(SB501\)](#) provides that a guardian of the estate and a guardian under the Uniform Veterans' Guardianship Act may make certain investments without a prior order from the court.

Public Guardian for Adults

[ACT 529 \(HB1424\)](#) authorizes the purchase of burial services by the Public Guardian for Adults and clarifies the responsibilities of the Public Guardian for Adults after the death of a ward.

Public Guardian for Adults - Records

[ACT 955 \(HB1542\)](#) allows the Department of Human Services to obtain certain records without charge under the Adult and Long-Term Care Facility Resident Maltreatment Act and allows the department to obtain certain records that relate to a ward who is under the guardianship of a Public Guardian for Adults without charge.

Qualifications of Guardians

[ACT 833 \(HB1762\)](#) amends the law to allow certain convicted and unparoled felons to be appointed as a guardian of the person.

TAXATION

Irrevocable Trust Property Treated as Homestead

[ACT 831 \(HB1449\)](#) amends the definition of "homestead" for property tax purposes to include the dwelling of a beneficiary of an irrevocable trust. The act is effective for assessment years beginning on and after January 1, 2019.

Owner of a Portion of a Trust

[ACT 1027 \(HB1911\)](#) adopts federal law concerning who shall be treated as the owner of a portion of a trust for income tax purposes. The act is effective for tax years beginning on and after January 1, 2020.

TRUSTS

Qualified Spousal Trusts

[ACT 1047 \(HB1810\)](#) provides for qualified spousal trusts in Arkansas and provides that two (2) settlors who are married to each other may create a qualified spousal trust.

UNIFORM DIRECTED TRUST ACT

[ACT 1021 \(HB1765\)](#) establishes the Uniform Directed Trust Act and modifies the Arkansas Trust Act by altering the settler's powers and changing the construction of a trust and the definition of "terms of a trust" to be subject to the Uniform Directed Trust Act. The act establishes the process for governing directed trusts and clarifies the applicability, principal place of administration, excluded powers, limitations, defenses, and duties and liability of trust directors and directed trustees. The act is effective on and after January 1, 2020.

PROPOSED CONSTITUTIONAL AMENDMENTS

HJR 1018 - AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CONTINUE A LEVY OF A ONE-HALF PERCENT SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES; COUNTY ROADS, BRIDGES, AND OTHER SURFACE TRANSPORTATION; AND CITY STREETS, BRIDGES, AND OTHER SURFACE TRANSPORTATION AFTER THE RETIREMENT OF THE BONDS AUTHORIZED IN ARKANSAS CONSTITUTION, AMENDMENT 91, AS SPECIAL REVENUE TO BE DISTRIBUTED UNDER THE ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW.

If approved by voters at the 2020 general election, the amendment would provide for the continuation of a one-half percent (1/2%) sales and use tax for state highways and bridges; county roads, bridges, and other surface transportation; and city streets, bridges, and other surface transportation after the retirement of the bonds authorized in Arkansas Constitution, Amendment 91, as special revenue to be distributed under the Arkansas Highway Revenue Distribution Law.

SJR 15 - A CONSTITUTIONAL AMENDMENT TO BE KNOWN AS THE "ARKANSAS TERM LIMITS AMENDMENT"; AND AMENDING THE TERM LIMITS APPLICABLE TO MEMBERS OF THE GENERAL ASSEMBLY.

If approved by voters at the 2020 general election, the amendment would limit a person first elected to the General Assembly before January 1, 2021, to sixteen (16) years of service in the General Assembly unless certain conditions apply; prohibit a person first elected to the General Assembly before January 1, 2021, who has served sixteen (16) or more years from subsequent service in the General Assembly until four (4) years after the expiration of his or her last term of office in the General Assembly; limit a person first elected to the General Assembly on or after January 1, 2021, to twelve (12) consecutive years of service in the General Assembly unless certain conditions apply; and prohibit a person first elected to the General Assembly on or after January 1, 2021, who has served twelve (12) or more consecutive years from subsequent service in the General Assembly until four (4) years after the expiration of his or her last term of office in the General Assembly.

HJR 1008 - AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO AMEND THE PROCESS FOR THE SUBMISSION, CHALLENGE, AND APPROVAL OF PROPOSED INITIATED ACTS, CONSTITUTIONAL AMENDMENTS, AND REFERENDA.

If approved by voters at the 2020 general election, the amendment would require that initiative petitions for state-wide measures be filed with the Secretary of State no later than January 15 of the year of the election at which they are to be voted upon; require that upon all initiative or referendum petitions, it shall be necessary to file from at least three-fifths (3/5) of the counties petitions bearing the signature of not less than one-half (1/2) of the designated percentage of the signatures of the county; require that a challenge to the sufficiency of a state-wide initiative petition be filed no later than April 15 of the year of the general election at which it shall be voted upon; repeal the provision allowing for the correction or amendment of insufficient petitions; and require a three-fifths (3/5) vote of the members elected to each house of the General Assembly to refer a proposed constitutional amendment to the voters of the state.

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. 2019-034, with the exception of Act 1092, which will become effective on July 30, 2019, the effective date for acts of the 92nd General Assembly that do not contain an emergency clause or a specified effective date is July 24, 2019.

GENERAL ASSEMBLY MEETING DATES
AND EFFECTIVE DATES SINCE 1969

General Assembly	Year	Dates in Session	Effective date without emergency clause/AG Opin. No.
67 th	1969	January 13 – May 8	8/7/69 *
67 th – FES	1970	March 2 – March 7	6/6/70 *
68 th	1971	January 11 – April 19	7/19/71 *
68 th – FES	1972	February 7 – February 16	5/17/72 *
69 th	1973	January 8 – January 14, 1974	7/24/73: #73-120
69 th – FES	1974	June 24 – August 1	10/31/74 *
70 th	1975	January 13 – April 9	7/9/75 **
70 th – Exten	1976	January 12 – January 28	4/28/76: #76-50
70 th – FES	1976	September 8 – September 10	NA
71 st	1977	January 10 – August 14	7/6/77: #77-57
71 st – FES	1977	August 2 – August 5	11/4/77 **
72 nd	1979	January 8 – April 20	7/20/79: #79-88
72 nd – EXT.	1980	January 7 – January 17	(No legislation passed)
72 nd – FES	1980	January 17 – January 24	4/24/80: #80-42
72 nd – SES	1980	April 15 – April 18	NA
73 rd	1981	January 12 – March 18	6/17/81: #81-76
73 rd – FES	1981	November 16 – November 25	2/24/82 **
74 th	1983	January 10 – April 4	7/4/83: #83-74
74 th – FES	1983	October 4 – November 10	2/9/84: #83-228
75 th	1985	January 14 – March 29	6/28/85: #85-108
75 th – FES	1985	June 17 – June 21	9/20/85 **
75 th – 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 th	1987	January 12 – April 20	7/20/87: #87-156
76 th – FES	1987	June 2 – June 5	9/4/87 **
76 th – SES	1987	October 6 – October 9	1/8/88 **
76 th – TES	1988	January 26 – February 5	5/6/88 **
76 th – 4 th ES	1988	July 11 – July 14	10/13/88 **
77 th	1989	January 9 – April 3	7/3/89: #89-078
77 th – FES	1989	June 20 – June 23	9/22/89 **
77 th – SES	1989	July 25 – July 27	10/26/89 **
77 th – TES	1989	October 23 – November 3	2/2/90 **
78 th	1991	January 14 – April 15	7/15/91: #91-119
78 th – FES	1992	February 24 – March 4	6/3/92: #92-114A & #93-025A
78 th – SES	1992	December 14 – December 18	3/19/93: #93-025A
79 th	1993	January 11 – May 14	8/13/93: #93-149A
79 th – FES	1994	February 28 – March 2	6/1/94: #94-076
79 th – SES	1994	August 15 – August 24	11/23/94: #94-273
80 th	1995	January 9 – April 28	7/28/95: #95-119
80 th – FES	1995	October 17 – October 20	1/19/96 *
81 st	1997	January 13 – May 2	8/1/97: #97-144
82 nd	1999	January 11 – April 30	7/30/99: #99-120
82 nd – FES	2000	April 3 – April 7	NA
82 nd – SES	2000	December 13 – 15	NA
83 rd	2001	January 8 – May 14	8/13/01: #2001-138
83 rd – FES	2002	June 10 – June 12	NA
84 th	2003	January 13 – April 16	7/16/03: #2003-119
84 th – FES	2003	May 5 – May 9	NA
84 th – 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 th	2005	January 10 – May 13	8/12/05: #2005-110
85 th – FES	2006	April 3 – April 21	7/21/06: #2006-080
86 th	2007	January 8 – May 1	7/31/07: #2007-164
86 th – FES	2008	March 31 – April 2	NA
87 th	2009	January 12 – May 1	7/31/09: #2009-090
87 th – Fiscal	2010	February 8 – March 4	6/3/10: #2010-031
88 th	2011	January 10 – April 27	7/27/11: #2011-056
88 th – Fiscal	2012	February 13 – March 9	6/8/12 *
89 th	2013	January 14 – May 17	8/16/13: #2013-049
89 th – FES	2013	October 17 – October 19	1/18/14*
89 th – Fiscal	2014	February 10 – March 19	6/18/14*
89 th – SES	2014	June 30 – July 2	10/1/14: #2014-078
90 th	2015	January 12 – April 22	7/22/15: #2015-044
90 th – FES	2015	May 26 – May 28	8/27/15: #2015-094
90 th – SES	2016	April 6 – April 8	7/8/16*
90 th – Fiscal	2016	April 13 – May 9	8/8/16*
90 th – TES	2016	May 19 – May 23	8/22/16*
91 st	2017	January 9 – May 1	8/1/17: #2017-052
91 st – FES	2017	May 1 – May 3	8/2/17: #2017-061
91 st – Fiscal	2018	February 12 – March 12	6/12/18: #2018-073
91 st – SES	2018	March 13 – March 15	6/14/18: #2018-074
92 nd	2019	January 14 – April 24	7/24/19: #2019-034 7/30/19 (Act 1092)

* Bureau Calculation

** Bureau Calculation, confirmed by Secretary of State

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