



STATE OF ARKANSAS
**BUREAU OF
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July 7, 2023

Senator Terry Rice
Representative Jeff Wardlaw
Co-Chairs
Legislative Council
315 State Capitol
Little Rock, AR

Dear Senator Rice and Representative Wardlaw:

Arkansas Code § 1-2-303(f) requires the Code Revisor to provide a report to the Legislative Council identifying which uncodified acts and uncodified parts of acts are to be cumulatively indexed as local acts, special acts, or temporary acts.

Please find attached to this letter the report mentioned above for the 2023 Regular Session. Thank you, and please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kevin Koon".

Kevin Koon
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Report to Legislative Council on Acts or Parts of Acts from the 2023 Regular Session to be Indexed as Local, Special, or Temporary Acts

1. Act No. 366: One-time Cost-of-living Adjustment for County Elected Officers and Justices of the Peace

This act provides a one-time cost-of-living adjustment to the minimum and maximum salaries and per diems of county elected officers, and a one-time cost-of-living adjustment to the maximum per diem compensation of justices of the peace.

2. Act No. 444, § 7: Training Program for Poll Watchers

Section 7 of this act requires the State Board of Election Commissioners by no later than January 1, 2024, to develop all training materials for poll watchers and develop rules for a poll watcher training program, including the procedure to record completion of the training program, how the training program will be promoted by the board, and an appeal process if a poll watcher is not granted a certification of completion of the training program.

3. Act No. 447: Offices of Sheriff, Tax Collector, and Treasurer in Ouachita County

This act, effective January 1, 2026, and in Ouachita County, separates the offices of sheriff and tax collector into two (2) offices and consolidates the offices of tax collector and treasurer into one (1) office.

4. Act No. 477: Spaceport Feasibility Study

This act requires the Arkansas Economic Development Commission to either conduct or hire a third-party to conduct a feasibility study of developing a spaceport in Arkansas. If funding is available, the feasibility study is required to be completed no later than January 1, 2024, and following completion, the commission is to provide a feasibility report and recommendations to the Governor, the Arkansas Department of Transportation, and the Legislative Council.

5. Act No. 484: Nonemergency Transportation Rideshare Expansion Study Workgroup

This act requires the Department of Human Services to convene a workgroup to be known as the “Nonemergency Transportation Rideshare Expansion Study Workgroup”. The workgroup is to study and report on the: (1) need for expanded rideshare services to healthcare facilities for Medicaid beneficiaries, (2) benefits of using rideshare services versus traditional nonemergency transportation providers, (3) cost, including potential cost savings, of expanded rideshare services as part of the nonemergency transportation program, and (4) use of other operational and nonemergency transportation program flexibilities to expand services and improve cost effectiveness. The department is also required to present a report to the Senate Committee on Public Health, Welfare and Labor and the House Committee on Public Health, Welfare and Labor, no later than December 31, 2023.

6. Act No. 512: Arkansas Legislative Study on Mental and Behavioral Health

This act requires the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor to meet to conduct the Arkansas Legislative Study on Mental and Behavioral Health. The purpose of the study is to assess the strengths and weaknesses of the mental and behavioral health resources and care currently available in the state and to recommend legislation regarding best practices and improvements within these areas for the 2025 Regular Session. As part of the study, the committees are to study the following mental and behavioral health issues: (1) access and availability of care, (2) existing facilities in the state, (3) Medicaid programs and public and

private reimbursements, (4) best practices for services, (5) programs in other states, (6) utilization and financial condition of crisis stabilizations units and the Arkansas State Hospital, (7) transportation of patients in Arkansas, (8) suicide rates of school-age children in Arkansas, (9) mental health screenings and suicide prevention measures for K-12 children, and (10) other matters related to mental and behavioral health services. The committees are to file a final report on their activities, findings, and recommendations with the Legislative Council on or before October 31, 2024.

7. Act No. 537: Traumatic Event Licensed Counseling for Public Safety Employees and Study on Peer Support Access for Volunteer Firefighters

Section 1 of this act is effective January 1, 2024, and requires public employers to provide coverage for licensed counseling for public safety employees who experience a traumatic event in the course of duty. The coverage is for up to twelve (12) visits to a licensed counselor per calendar year. As part of providing the coverage, public employers are required to compile data regarding: (1) participation, (2) average number of visits, (3) average number of months of participation, (4) average number of days of missed work, and (5) workers' compensation claims. This section expires on January 1, 2025.

Section 2 of this act requires the State Fire Prevention Commission [abolished and transferred to the Arkansas Fire Protection Services Board by Act No. 841], in cooperation with participating local governments, to study the availability of peer support access and licensed counseling for volunteer firefighters to evaluate the viability and sustainability of providing coverage for licensed counseling and peer support access for volunteer firefighters. The study is to include evaluating possible funding and developing recommendations for necessary legislation to implement this coverage. A report summarizing the study is to be filed with the Legislative Council no later than July 1, 2024. This section also expires on January 1, 2025.

8. Act No. 659, § 250: Legislative Recidivism Reduction Task Force

Section 250 of this act creates the Legislative Recidivism Reduction Task Force. The task force is created to study and recommend improvements to the criminal justice system outcomes in the state. The task force is to work with the Council of State Governments Justice Center to: (1) conduct a comprehensive data analysis to identify the drivers of Arkansas's high recidivism rates, (2) examine the effectiveness of current supervision practices and responses to technical violations of supervision, (3) identify unnecessary barriers to successful reentry into society, (4) determine gaps in behavioral health treatment, workforce training, and other services for people on supervision and reentering society from incarceration, (5) use data to identify how recidivism contributes to overall crime and incarceration rates, and (6) develop data-driven recommendations for reducing recidivism and improving outcomes for people on supervision and reentering society from incarceration.

The task force is required to submit a preliminary report on or before December 31, 2023, to the Legislative Council, the Governor, and the Chief Justice of the Supreme Court. A final report is required on or before December 1, 2024, and also is to be provided to the Legislative Council, the Governor, and the Chief Justice of the Supreme Court. The preliminary report and final report are to include the task force's activities, findings, and recommendations, including: (1) recommendations for improvements to criminal justice system outcomes, (2) a summary of projected savings to the state to be generated from adoption of the recommendations of the task force, and (3) the projected impact on public safety in the state with adoption of the recommendations of the task force. The task force expires on December 31, 2024.

9. Act No. 670: Naturopathic Physician Study and Reporting

This act requires the Department of Health to conduct a study regarding naturopathic physicians and the practice of naturopathic medicine. The study is to include without limitation: (1) the number of individuals engaging in the practice of naturopathic medicine in this state, (2) the education credentials of the individuals identified as engaging in the practice of naturopathic medicine in this state, (3) the geographic distribution of individuals engaging in the practice of naturopathic medicine in this state, and (4) A survey of other states to determine which states recognize naturopathic physicians or the practice of naturopathic medicine, and for each state that recognizes naturopathic physicians, methods of recognition, entity responsible for regulation, initial and ongoing requirements for recognition, delineations or limitations to services, and laws or regulations on payments for services.

The study is to be completed no later than June 30, 2024. A report on the study is to be made publicly available and submitted to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Committee on Public Health, Welfare, and Labor, the Senate Committee on Public Health, Welfare, and Labor, the Secretary of the Department of Health, and the Arkansas State Medical Board.

10. Act No. 671: Local Option Elections in Defunct Townships That Resulted from Initiated Act 1 of 1942

Section 1 of this act authorizes a wet city that has annexed a portion of a defunct township under Title 14, Chapter 40, of the Arkansas Code, that had previously voted dry, to hold a one-time local option election within the boundaries of the annexed area within the defunct township only to provide the citizens in that annexed area an opportunity to retain the rights and privileges of the inhabitants of the annexing city related to the issuance of permits for the sale of alcoholic beverages for off-premises consumption. The local option election is called by a petition signed by the registered voters in the annexed area in a number equal to thirty-eight percent (38%) of the registered voters in the annexed area. If a majority of qualified voters vote for the issuance of permits for the sale of alcoholic beverages for off-premises consumption, the annexed area within the defunct township shall: (1) have all ties to the defunct township related to local option status for the manufacture or sale of alcoholic beverages severed, and (2) retain the rights and privileges of the inhabitants of the annexing city or annexing incorporated town related to the manufacture or sale of alcoholic beverages. Section 1 expires on December 31, 2024.

Section 2 of this act makes this act apply retroactively to a defunct township areas annexed into a wet city before the effective date of this act [August 1, 2023], but only to the extent necessary to authorize permits for the sale of alcoholic beverages for off-premises consumption after approval at a local option election called under Section 1 of this act. It further specifies that this act applies only to a wet city of the first class with a mayor-council form of government that is contiguous to an active-duty United States Air Force military installation.

11. Act No. 823, § 3: Cost-benefit Study of Construction Manager-General Contractor Procurement versus Traditional Design Build Delivery Procurement

Section 3 of this act requires the Director of the Arkansas Department of Transportation to provide an independent consultant study that compares the benefits and costs for projects using the construction manager-general contractor method of procurement versus the traditional design build delivery method of procurement. The study is to be submitted to Arkansas Legislative Audit for review.