

Exhibit E1

E1. Contingent Code Sections – Contingency other than a Date.

Contingent Code Sections - Contingency other than a Date

Section	Description	Contingency	NCV	CV	LAC?
3-5-1001 et seq.	Native Wines - Subsidies (entirely contingent)	§ 3-5-1002	N/A	BV*	Yes
5-64-308	Prescriptions - Mandatory Electronic Prescribing	Acts 2019, No. 447, § 2	BV	Supp	Yes
11-10-803	Withdrawals (from federal Unemployment Trust Fund)	Acts 2021, No. 283, § 3	Supp	Supp	Yes
16-56-106	Recovery of charges for medical services	Acts 2021, No. 1032, § 2	Supp	Supp	Yes
19-6-831	Arkansas Tobacco Control Revenue Fund	Acts 2023, No. 629, § 17	Supp	Supp	Yes
20-16-2405	Agencies (providing services to pregnant woman seeking an abortion) (entirely contingent)	Acts 2023, No. 703, § 10	N/A	Supp	Yes
20-56-401 et seq.	Hemp-Derived Products (entirely contingent)	Acts 2023, No. 629, § 17	N/A	Supp	Yes
26-51-905	Withholding of tax (state income tax)	Acts 2021, No. 283, § 3	Supp	Supp	Yes
26-51-2401 et seq.	Arkansas Central Business Imp. Dist. Rehabilitation and Development Investment Tax Credit Act**	§ 26-51-2412	N/A	Supp	Yes
26-57-247	Seizure, forfeiture, and disposition of tobacco products and other property	Acts 2023, No. 629, § 17	BV	Supp	Yes
26-57-249	Destruction of products upon conviction — Procedure (tobacco products)	Acts 2023, No. 629, § 17	BV	Supp	Yes
26-57-255	Arkansas Tobacco Control Board — Creation — Definition	Acts 2023, No. 629, § 17	BV	Supp	Yes
26-57-256	Arkansas Tobacco Control — Powers	Acts 2023, No. 629, § 17	BV	Supp	Yes

* Two sections of the subchapter are in the supplement due to technical amendments

** Entirely contingent

Abbreviations	Description
BV	Bound Volume
CV	Contingent Version of Section (placement)
LAC	Lexis Advance Correct (online version of section)
NCV	Noncontingent Version of Section (placement)
Supp	Supplement

CONTINGENT CODE SECTIONS – CONTINGENCY OTHER THAN A DATE

1. § 3-5-1001 et seq. – Native Wine Subsidies.

CONTINGENCY: 3-5-1002. Implementation dependent on federal legislation.

(a) The provisions of this subchapter shall be effective, and shall be implemented, only in the event the Congress of the United States enacts legislation obviating the Native Wine Law of this state and prohibits the State of Arkansas from granting to native wineries the incentives to purchase Arkansas-produced grapes, berries, fruits, or vegetables used in the production of native wine in this state.

(b) In the event of the enactment of federal legislation, the provisions of this subchapter shall become effective on the effective date of the federal legislation.

STATUS: This contingency does not appear to have been met. Staff has not found any federal legislation meeting the requirements of this section.

2. § 5-64-308 - Prescriptions – Mandatory Electronic Prescribing.

CONTINGENCY: Acts 2019, No. 447, § 2: This act is effective on and after the later of:

(1) January 1, 2021; or (2) The certification by the Attorney General that the United States Department of Health and Human Services requires mandatory electronic prescribing.

STATUS: Staff has contacted the Attorney General's office concerning this contingency.

3. §§ 11-10-803 – Withdrawals (from federal Unemployment Trust Fund) and 26-51-905 – Withholding of tax (state income tax).

CONTINGENCY: Acts 2021, No. 283, § 3(1): The withholding allowed under this act shall not occur until: (1)(A) The Director of the Division of Workforce Services notifies the Secretary of the Department of Finance and Administration that the Division of Workforce Services' computer technology and information management systems are prepared to carry out withholding under this act; and (B) The withholding program created by this act is approved by the United States Secretary of Labor or the United States Secretary of Labor determines approval is not necessary.

STATUS: According to the Division of Workforce Services, this contingency has not been met.

4. § 16-56-106 – Recovery of charges for medical services.

CONTINGENCY: Acts 2021, No. 1032, § 2: (a) Section 1 of this act becomes effective only if the Consumer Protection for Medical Debt Collections Practices Act, H.R. 5330, 116th Cong. becomes law on or before January 1, 2026. (b) This act shall not be effective if the Consumer Protection for Medical Debt Collections Practices Act, H.R. 5330, 116th Cong. (2019), does not become law on or before January 1, 2026.

STATUS: This contingency has not been met. The Consumer Protection for Medical Debt Collections Practices Act, H.R. 5330, 116th Cong., has not been enacted into law.

5. § 20-16-2405 – Agencies (providing services to pregnant woman seeking an abortion).

CONTINGENCY: Acts 2023, No. 703, § 10: Section 5 of this act and § 20-16-2405 shall become effective on and after the certification of the Attorney General that: (1) The United States Supreme Court or the Arkansas Supreme Court issues a final decision that restricts, in whole or in part, the authority of the State of Arkansas to prohibit abortions other than those necessary to save the life of a pregnant woman in a medical emergency; or (2) An amendment to the United States Constitution or Arkansas Constitution is adopted that restricts, in whole or in part, the authority of the State of Arkansas to prohibit abortions other than those necessary to save the life of a pregnant woman in a medical emergency.

STATUS: Staff has contacted the Attorney General's office concerning this contingency.

6. § 26-51-2401 et seq. – Arkansas Central Business Improvement District Rehabilitation and Development Investment Tax Credit Act.

CONTINGENCY: 26-51-2412. Effective date.

(a)(1) This subchapter takes effect only if the Chief Fiscal Officer of the State certifies that sufficient funding for this subchapter is available in the General Improvement Fund or its successor fund or fund accounts, including the Development and Enhancement Fund.

(2) If the Chief Fiscal Officer of the State certifies that sufficient funding for this subchapter is available in the fund, this subchapter is effective for tax years beginning on and after January 1 of the year following the certification and continues for a period of two (2) years.

(3) If the Chief Fiscal Officer of the State certifies that sufficient funding for this subchapter is available in the fund, he or she shall notify the Arkansas Code Revision Commission of the effective date of this subchapter.

(b) An unused investment tax credit under this subchapter that is earned before the end of the period stated in subsection (a) of this section may be carried forward on an income tax return for up to five (5) years after the year in which the investment tax credit was first earned or until exhausted, whichever event occurs first.

STATUS: Staff has contacted the Department of Finance and Administration concerning this contingency.

7. §§ 19-6-831 – Arkansas Tobacco Control Revenue Fund, 20-56-401 et seq. – Hemp-Derived Products, 26-57-247 – Seizure, forfeiture, and disposition of tobacco products and other property, 26-57-249 – Destruction of products upon conviction – Procedure (tobacco products), 26-57-255 – Arkansas Tobacco Control Board – Creation – Definition, and 26-57-256 – Arkansas Tobacco Control – Powers.

CONTINGENCY: Acts 2023, No. 629, § 17: Sections 6-14 [8-16] of this act shall become effective only upon the certification of the Arkansas Attorney General that the State of Arkansas is currently enjoined from enforcing Sections 2-5 [2-7] of this act relating to delta-8 tetrahydrocannabinol and delta-10 tetrahydrocannabinol, but no earlier than August 1, 2023.

STATUS: Staff has contacted the Attorney General's office concerning this contingency.