

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

HOUSE BILL 1014

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

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

19 TO EXEMPT STATE INSTITUTIONS, POLITICAL  
20 SUBDIVISIONS, AND ANY OTHER APPLICABLE  
21 ENTITY WITH TORT LIABILITY IMMUNITY FROM  
22 THE REQUIREMENT TO OBTAIN GENERAL  
23 LIABILITY INSURANCE COVERAGE WHEN  
24 OBTAINING A CHILD CARE FACILITY LICENSE.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. Arkansas Code § 20-78-227(b), concerning general liability  
31 insurance coverage, is amended to read as follows:

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



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

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

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

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

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

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

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