

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

A Bill

Call Item 8

HOUSE BILL 1004

5 By: Representative Vines
6 By: Senators Standridge, E. Cheatham, J. Dismang, J. Hutchinson, E. Williams
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING CERTAIN
10 ENGROSSMENT ERRORS ARISING FROM THE 2015 REGULAR
11 SESSION OF THE NINETIETH GENERAL ASSEMBLY; TO DECLARE
12 AN EMERGENCY; AND FOR OTHER PURPOSES.
13
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Subtitle

15 TO AMEND ARKANSAS LAW CONCERNING CERTAIN
16 ENGROSSMENT ERRORS ARISING FROM THE 2015
17 REGULAR SESSION OF THE NINETIETH GENERAL
18 ASSEMBLY; AND TO DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 14-55-303(b), as created by Section 2 of
25 Act 1036 of 2015 and concerning the form of an ordinance ballot question, is
26 amended to read as follows:

27 (b) The ballot in an election on a referred measure shall plainly
28 state the title of the referred measure followed by the words:

29 "FOR REFERRED MEASURE (OR ORDINANCE OR AMENDMENT)

30 NO. _____

31 AGAINST REFERRED MEASURE (OR ORDINANCE OR AMENDMENT)

32 NO. _____".
33

34 SECTION 2. Arkansas Code § 20-76-702, as created by Section 1 of Act
35 1205 of 2015, is amended to read as follows:

36 20-76-702. Definitions.



1 As used in this subchapter:

2 (1) "Caretaker relative" means any of the following individuals
3 living with a minor child:

4 (A) A parent or stepparent;

5 (B) A grandparent;

6 (C) A sibling, half-sibling, or stepsibling;

7 (D) An aunt or uncle of any degree;

8 (E) A first cousin, nephew, or niece; and

9 (F) A relative by adoption within the previously named
10 classes;

11 (2) "Chain of custody" means the methodology of tracking
12 specified materials or substances for the purpose of maintaining control and
13 accountability from initial collection to final disposition for all materials
14 or substances, providing accountability at each stage in handling, testing,
15 storing specimens, and reporting test results;

16 (3) "Confirmation test" means a second analytical procedure used
17 to identify the presence of a specific drug or drug metabolite in a specimen,
18 which test may be different in scientific principle from that of the initial
19 test procedure and must be capable of providing requisite specificity,
20 sensitivity, and quantitative accuracy;

21 (4)(A) "Drug" means marijuana, cocaine, methamphetamine,
22 amphetamine, and opiates, including without limitation morphine.

23 (B) The Director of the Department of Workforce Services
24 may add under the definition of subdivision (4)(A) of this section additional
25 drugs by rule;

26 (5) "Drug test" means any chemical, biological, or physical
27 instrumental analysis administered by a drug testing agency authorized to
28 test under this subchapter for the purpose of determining the presence or
29 absence of a drug or its metabolites;

30 (6) "Drug testing agency" means an entity that has the required
31 credentials as established by the Department of Workforce Services to
32 administer drug tests using a person's urine, blood, or DNA that will detect
33 and validate the presence of drugs in a person's body;

34 (7) "Drug treatment program" means a service provider that
35 provides confidential, timely, and expert identification, assessment, and
36 resolution of drug or alcohol abuse problems affecting a person;

1 (8) "Five-panel drug test" means a test for marijuana, cocaine,
 2 methamphetamine, amphetamine, and opiates, including without limitation
 3 morphine;

4 (9) "Protective payee" means a caretaker relative or legal
 5 guardian of a minor child unless the caretaker relative who is an applicant
 6 for Temporary Assistance for Needy Families Program benefits receives a
 7 positive result on a drug test; and

8 (10) "Specimen" means tissue, fluid, or a product of the human
 9 body capable of revealing the presence of drugs or drug metabolites.

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 11 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
 12 General Assembly of the State of Arkansas that this act is essential to the
 13 public interest and operation of the state; that the acts at issue contain
 14 inadvertent engrossment errors; and that this act is necessary to correct the
 15 engrossment errors in order to avoid the potential confusion that may result
 16 if the engrossment errors are not corrected. Therefore, an emergency is
 17 declared to exist, and this act, being necessary for the preservation of the
 18 public peace, health, and safety, shall become effective on July 22, 2015.