

SUMMARY OF GENERAL LEGISLATION

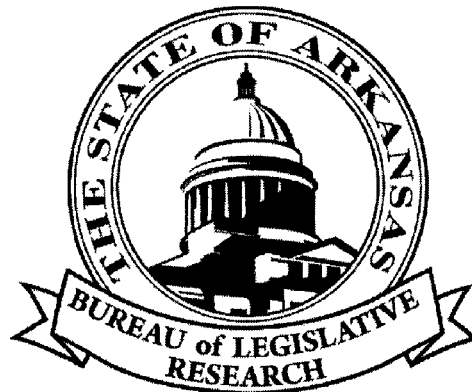
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88TH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS

2011

January 10, 2011 - April 27, 2011

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Bureau of Legislative Research
May 2011

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REGULAR SESSION ACTS

AGRICULTURE

ARKANSAS VETERINARY MEDICAL PRACTICE ACT - HORSES

ACT 1031 (HB1763) - The act exempts horseshoeing, training, selling medicines for the prevention or treatment of animal diseases, performing nonsurgical artificial insemination, and collecting, preparing, or freezing semen from the Arkansas Veterinary Medical Practice Act. The act also prohibits the Veterinary Medical Examining Board from enforcing board policy regarding equine teeth floating and equine massage therapy until July 1, 2013.

COUNTY AND DISTRICT SHOWS OR FAIRS

North Central Arkansas District Fair And Livestock Show

ACT 131 (SB96) - The act moves Independence County to the North Central Arkansas District Fair and Livestock Show in Izard County. The act declares an emergency and became effective on February 24, 2011.

Northeast Arkansas District Fair

ACT 116 (HB1303) - The act provides that the Northeast Arkansas District Fair shall be located in Craighead County, reduces the number of members on the board, and creates an executive board that is responsible for the day-to-day operations of the Northeast Arkansas District Fair. The act declares an emergency and became effective on February 23, 2011.

LIVESTOCK - RELEASE OF HOGS

ACT 567 (HB1440) - The act regulates the release of hogs into the wild and increases the fine for releasing a hog into the wild to one thousand dollars (\$1,000) for each hog released.

SUSTAINABLE AGRICULTURE

ACT 1196 (HB2157) - The act defines "sustainable" with respect to agriculture and requires the Arkansas Agriculture Department and the State Plant Board to interpret any administrative rule or regulation promulgated by a state or federal agency that establishes standards for harvesting or producing agricultural crops in accordance with the definition and guidelines provided in the act.

TECHNICAL CORRECTIONS - AGRICULTURE - TITLE 2

ACT 776 (SB242) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 2 of the Arkansas Code.

ALCOHOLIC BEVERAGES

ALCOHOL AND DRUG ABUSE - INVOLUNTARY COMMITMENTS

ACT 1140 (SB707) - The act provides that a person named in a petition for involuntary commitment who is placed in immediate detention pending a hearing may undergo a screening and assessment within twenty-four (24) hours of the immediate detention. The screening and assessment may be conducted by a contractor with the Office of Alcohol and Drug Abuse Prevention or a qualified professional of the person's choosing. The prosecuting attorney may provide a copy of the screening and assessment to the court, and the court may consider the contents of the screening and assessment as part of its determination regarding whether the standards for involuntary commitment apply to the person.

BEER KEGS - SALES AND USE TAX EXEMPTION

ACT 1226 (HB2046) - The act exempts a wholesale manufacturer of beer from paying sales and use tax on kegs used to sell beer wholesale.

DISTILLERS

ACT 827 (HB1849) - The act allows a distiller or manufacturer to sell for off-premises consumption spirituous liquors that the distiller or manufacturer manufactures on any day of the week.

ALCOHOLIC BEVERAGES

PERMITS

Application Of Permit

ACT 70 (HB1282) - The act clarifies that a liquor permit applies to one (1) location, and a person, firm, or corporation shall not be permitted to receive any direct or indirect financial benefit from the sale of liquor at any location other than the permitted location. The act declares an emergency and became effective on February 18, 2011.

Hotel Or Large-Event Facility Private Club Permit

ACT 1194 (HB2135) - The act creates a hotel or large-event facility private club permit that may be issued in a county or territory of a county that does not allow the public retail sale of intoxicating liquors. To qualify as a hotel or large-event facility, the hotel or large-event facility must have at least eighty (80) lodging rooms and five thousand (5,000) square feet of public meeting, banquet, or restaurant space or ten thousand (10,000) square feet of interior or exterior public meeting, banquet, exhibit hall, or restaurant space.

POSSESSION BY A MINOR

ACT 1152 (SB811) - The act provides that with respect to the unlawful possession of alcoholic beverages by a minor, the presence of intoxicating liquor, wine, or beer in the body of a minor is deemed to be in the minor's possession.

TECHNICAL CORRECTIONS - ALCOHOLIC BEVERAGES - TITLE 3

ACT 982 (SB248) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 3 of the Arkansas Code.

TOURISM - ARKANSAS WINE COUNTRY TRAIL

ACT 1052 (HB2122) - The act creates the Arkansas Wine Country Trail and includes provisions that provide for directional signage on highways, roads, and streets to wineries in Arkansas that offer tours, describe what the sign will look like, and outline the language that will be included on the sign.

ANIMALS

AGRITOURISM ACTIVITIES

ACT 1024 (HB1424) - The act establishes liability protection for agritourism activities and requires a warning notice to be posted for agritourism participants.

HOUSEHOLD PETS AND DOMESTIC ABUSE ORDERS

ACT 1049 (HB2001) - The act provides that the court may direct the care, custody, or control of any pet owned, possessed, leased, kept, or held by either party residing in a household governed by a domestic abuse order.

RELEASE OF HOGS - PENALTY

ACT 567 (HB1440) - The act regulates the release of hogs into the wild and increases the fine for releasing a hog into the wild to one thousand dollars (\$1,000) for each hog released.

BOARDS AND COMMISSIONS

ARTS COUNCIL - ARTS AND CULTURAL DISTRICTS

ACT 1030 (HB1760) - The act creates the Arkansas Arts and Cultural Districts Act, which authorizes the creation of arts and cultural districts subject to the approval of the Arkansas Arts Council.

BURIAL ASSOCIATION BOARD

ACT 875 (HB1486) - The act amends Arkansas law concerning burial associations; repeals a requirement for the Executive Secretary of the Burial Association Board to furnish a bond to the board; requires an application fee and proof of a deposit to the burial association's mortuary fund when submitting an application for a certificate of authority; amends the time the Burial Association Board may collect the annual license fee; and amends the provisions governing the semiannual report filed by a burial association with the board and the process for revoking a certificate of authority, charter, or other authority by the board.

BOARDS AND COMMISSIONS

CAPITOL ARTS AND GROUNDS COMMISSION - MONUMENT AND MEMORIAL PRESERVATION FUND

ACT 860 (SB403) - The act amends the Arkansas Capitol Grounds Monument and Memorial Preservation Fund by defining the terms "memorial area" and "monument" and clarifying the funding necessary to begin construction, improvement, or placement of a monument in a memorial area on the State Capitol grounds. The act declares an emergency and became effective on May 1, 2011.

CEMETERY BOARD - PERPETUALLY MAINTAINED CEMETERIES

ACT 590 (SB598) - The act makes technical corrections to and amends the definitions used in the Cemetery Act for Perpetually Maintained Cemeteries. The act authorizes the Arkansas Cemetery Board to seek temporary or permanent injunctions and issue cease-and-desist orders to persons suspected of violating the Cemetery Act for Perpetually Maintained Cemeteries. The act requires the use of instruments that have been approved by the board for the conveyance of a burial lot or plot and requires cemetery companies to maintain records of its interments. The act also authorizes cemetery companies to maintain infant interment gardens.

CIVIL SERVICE COMMISSIONERS BOARD - TEMPORARY APPOINTMENTS

ACT 1029 (HB1739) - The act amends Arkansas law concerning temporary appointments by a board of civil service commissioners, including amending the time frame for examinations to establish a list of eligible persons on an as-needed basis to address certain vacancies; providing that a temporary promotion or appointment for a vacancy created by death, termination, resignation, demotion, retirement, or promotion shall not last longer than sixty (60) days unless an appeal is pending; providing that vacancies created by vacation, bereavement leave, medical leave, military leave, or suspension may be filled by a temporary promotion on a day-to-day basis; allowing an increase in salary beyond the limit fixed for the employee's grade when temporarily promoted to work in a position outside of his or her grade; and requiring that promotions be made within sixty (60) days of a vacancy created by death, termination, resignation, demotion, retirement, or promotion unless the position will be eliminated.

CLAIMS COMMISSION - RESTRICTION ON AWARDS

ACT 320 (SB621) - The appropriation act amends the Arkansas Code concerning restrictions on awards made by the Arkansas State Claims Commission by raising the limit to twelve thousand five hundred dollars (\$12,500). The act declares an emergency and became effective on March 17, 2011.

COLLECTION AGENCIES BOARD - USE OF RESIDUAL FEES

ACT 764 (SB37) - The appropriation act amends the Arkansas Code concerning the use of residual State Board of Collection Agencies fees and allowing an amount not to exceed \$100,000 to be remitted to Henderson State University. The act declares an emergency and is effective on and after July 1, 2011.

CONTRACTORS LICENSING BOARD

Application Requirements

ACT 4 (HB1089) - The act requires each person and entity licensed by the Contractors Licensing Board to attach to the person's or entity's original or renewal application a financial statement reviewed by a certified public accountant or registered public accountant according to American Institute of Certified Public Accountants' Professional Standards.

BOARDS AND COMMISSIONS

CONTRACTORS LICENSING BOARD

Residential Contractors Committee

ACT 1208 (HB1991) - The act changes the name of the Residential Building Contractors Committee to the Residential Contractors Committee, defines the term "home improvement contractor", and provides that a person shall not act as a home improvement contractor after January 1, 2012, unless licensed by the Residential Contractors Committee or exempt from licensure under the act. The act contains additional provisions applicable to persons licensed by the Residential Contractors Committee.

COUNTY BOARD OF ELECTION COMMISSIONERS

Disclosure

ACT 1216 (HB1783) - The act provides that a member of a county board of election commissioners shall report to the Secretary of State any goods or services sold during the previous calendar year by himself or herself, his or her spouse, or any business in which the member or his or her spouse is an officer, director, or stockholder owning more than ten percent (10%) of the stock having a total annual value in excess of one thousand dollars (\$1,000) to an office, department, commission, council, board, bureau, committee, legislative body, agency, or other establishment of the State of Arkansas, a county, a municipality, and a school district.

Terms

ACT 1056 (HB2154) - The act provides that the three (3) members of the county board of election commissioners shall be elected by their respective county committees in January of each odd-numbered year following the election of county committee officers. The act repeals three-year terms for members of a county board and states that members of the county board serve at the pleasure of their respective county committees and may be removed by a majority vote of the county committee. Vacancies on the county board shall be filled by the election of a new member by the county committee within forty-five (45) days of the vacancy; if a vacancy is not filled in that time, then a new member shall be appointed by the state chair of the appropriate party. A member of a county board serving as of the effective date of the act shall continue to serve until his or her successor is selected by his or her respective county committee.

DRUG COURT ADVISORY COMMITTEE

ACT 5 (HB1020) - The act adds the Chair of the Parole Board or his or her designee as a member of the Drug Court Advisory Committee. The act declares an emergency and became effective on January 31, 2011.

ECONOMIC DEVELOPMENT COMMISSION

Equity Investment Incentive Act Of 2007 - Administration

ACT 829 (HB1899) - The act provides that administration of the Equity Investment Incentive Act of 2007 shall be by the Arkansas Development Finance Authority, the Arkansas Economic Development Commission, and the Arkansas Science and Technology Authority. The act also clarifies when an equity investment incentive tax credit may be taken.

Regional Economic Development Partnerships

ACT 895 (HB1988) - The act creates the Regional Economic Development Partnership Act, which authorizes local governments to create regional economic development partnerships that are eligible to receive state funding if a two-to-one ratio of nonstate dollars to state dollars is maintained.

BOARDS AND COMMISSIONS

EDUCATION - HEALTH AND SAFETY

ACT 176 (HB1301) - The act repeals the sunset provision for the Arkansas Commission on Eye and Vision Care of School Age Children and authorizes the codification of Act 755 of 2003 as amended by Act 1438 of 2005 and Act 138 of 2007. As a result, the Arkansas Commission on Eye and Vision Care of School Age Children is permanent. The act declares an emergency and became effective on March 4, 2011.

EMBALMERS AND FUNERAL DIRECTORS BOARD

ACT 874 (HB1485) - The act amends Arkansas law concerning embalmers, funeral directors, and funeral establishments, including amending the dates for submitting an application for a funeral establishment license and renewing a license issued by the State Board of Embalmers and Funeral Directors, providing for the issuance of a new license if there is a change in the name of a funeral establishment after a change of ownership, authorizing a delinquency fee for persons in arrears for the renewal of a license for more than three (3) years, amending the grounds for disciplinary action when refusing to properly release a dead human body, and providing that a public officer or employee or a person having a professional relationship with a decedent shall not send or cause to be sent to a licensee the remains of a deceased person without first inquiring as to the desires of the authorizing agent.

FEES AND PENALTIES

ACT 1159 (SB882) - The act provides that a state agency shall not assess a fee or penalty without specific statutory authority to assess a certain type and amount of fee or penalty or impose a fee or penalty in general. A fee or penalty established in a state agency's rules before the effective date of the act that is not based on specific statutory authority may remain in effect until July 1, 2013, but shall not be increased above the amount established as of the effective date of the act.

FIRE PROTECTION LICENSING BOARD

ACT 838 (HB2139) - The act amends Arkansas law concerning fire extinguishers, fixed fire protection systems, and fire protection sprinkler systems; amends applicable definitions; clarifies the powers and duties of the Arkansas Fire Protection Licensing Board; amends the activities for which a license, permit, or certificate from the board is required; and clarifies the qualifications for a license to sell, install, or service certain items related to fire protection.

GAME AND FISH COMMISSION - LIFETIME HUNTING AND FISHING LICENSES FOR MILITARY RETIREES

ACT 302 (HB1477) - The act requires the Arkansas Game and Fish Commission to provide for the issuance of a lifetime hunting and fishing license to a resident of Arkansas who is sixty (60) years of age or older and is a regular or non-regular retiree of the armed services of the United States for a one-time fee of thirty-five dollars and fifty cents (\$35.50).

GEOGRAPHIC INFORMATION SYSTEMS BOARD - PARCEL MAPPING GRANT PROGRAM

ACT 559 (SB311) - The act authorizes the Arkansas Geographic Information Systems Board to administer a statewide parcel mapping grant program under the direction of the Arkansas Geographic Information Office. The purpose of the grant program is to provide funding support to counties in the completion of statewide parcel mapping. The act declares an emergency and is effective on and after July 1, 2011.

BOARDS AND COMMISSIONS

HEALTH BOARD - RADIATION CONTROL PROGRAMS

ACT 596 (SB803) - The act authorizes the State Board of Health to promulgate rules to establish fees to sustain the program operations and standards mandated by the State Radiation Control Agency. The act also provides that the fees shall not conflict with federal program schedules or exceed twenty-five percent (25%) of the fees that would be levied by the United States Nuclear Regulatory Commission if the commission were to regulate the programs.

KIDNEY DISEASE COMMISSION - HONORS FOR LIVING KIDNEY DONATORS

ACT 268 (SB77) - The act authorizes the State Kidney Disease Commission to honor persons who have provided living kidney donations to Arkansans in need of kidney transplantation.

LANDLORD-TENANT LAWS, NON-LEGISLATIVE COMMISSION STUDY

ACT 1198 (HB2171) - The act creates the Non-Legislative Commission on the Study of Landlord-Tenant Laws to study, review, and report on the landlord-tenant laws in Arkansas and other states. The act requires the commission to report by December 31, 2012, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives the results of its findings and its activities and recommendations.

LAW ENFORCEMENT TRAINING COMMISSION - MUNICIPAL POLICE

ACT 283 (HB1313) - The act authorizes the President of the Arkansas Municipal Police Association to designate a representative to the Arkansas Commission on Law Enforcement Standards and Training.

MANUFACTURED HOME COMMISSION

ACT 346 (HB1443) - The act provides that the Arkansas Manufactured Home Commission shall by rule set the requirements for and require licensing, training, and certification of any installer engaged in the installation of modular homes in Arkansas.

MEDICAL BOARD

Collection Of Practice Data

ACT 1010 (SB814) - The act authorizes the State Medical Board to collect practice data from licensees.

Physician Assistant Committee

ACT 1207 (HB1985) - The act creates a Physician Assistant Committee to consult with the Arkansas State Medical Board regarding the licensure and scope of practice for physician assistants.

Quarterly Credentialing Reports

ACT 999 (SB716) - The act repeals the requirement that the Arkansas State Medical Board make quarterly reports to the Public Health Committees regarding information provided to credentialing organizations.

MOLD INVESTIGATION ADVISORY BOARD

ACT 341 (SB531) - The act creates the Mold Investigation Advisory Board to study laws and rules regarding mold inspections and mold remediation.

NATURAL RESOURCES COMMISSION

Appointment Of Receiver

ACT 703 (HB1943) - The act provides that upon application of the Arkansas Natural Resources Commission, a court may appoint a receiver to take charge of a public water system or public sewer system if the system fails to comply with public health laws or fails to adequately operate the system. The Arkansas Natural Resources Commission may be appointed as the receiver.

BOARDS AND COMMISSIONS

NATURAL RESOURCES COMMISSION

Incentive For Sale Of Premium Biosolid

ACT 333 (SB47) - The act creates the Premium Biosolid Marketing Incentive Act, which authorizes the Arkansas Natural Resources Commission to provide a cost-share incentive for the sale and purchase within the state of eligible premium biosolids not to exceed fifteen dollars (\$15.00) per ton of the eligible premium biosolid.

NURSING BOARD - ADMINISTRATION OF GLUCAGON

ACT 1204 (HB1447) - The act allows certain school personnel to be trained in the administration of Glucagon to a student with Type I diabetes, with parental consent. The act also requires the State Board of Nursing and the State Board of Education to promulgate appropriate rules.

PARKS, RECREATION, AND TRAVEL COMMISSION

Membership

ACT 637 (HB1942) - The act amends the membership of the State Parks, Recreation, and Travel Commission to include a historian having knowledge of Arkansas's historic background. The act declares an emergency and became effective on March 23, 2011.

Penalties

ACT 745 (HB1693) - The act increases the penalty for violating a rule of the State Parks, Recreation, and Travel Commission to a minimum fine of one hundred dollars (\$100) and a maximum fine of five hundred dollars (\$500).

PHARMACY BOARD

Adverse Licensure Actions

ACT 597 (SB902) - The act requires that all licenses and certifications for pharmacists and pharmacies be renewed on the same date and allows the Arkansas State Board of Pharmacy to treat all adverse licensure actions in the same manner.

Member Stipends

ACT 808 (SB903) - The act increases the meeting attendance stipend for members of the Arkansas State Board of Pharmacy to one hundred ten dollars (\$110) per meeting.

Membership

ACT 839 (HB2186) - The act requires that at least five (5) members of the Arkansas State Board of Pharmacy be actively engaged in the practice of pharmacy.

Reciprocity Of Licensure

ACT 1019 (SB973) - The act authorizes the Arkansas State Board of Pharmacy to adopt rules for interstate reciprocity for licensure of pharmacists and pharmacies.

PLANT BOARD - INTERPRETATION OF "SUSTAINABLE" AGRICULTURE

ACT 1196 (HB2157) - The act defines "sustainable" with respect to agriculture and requires the Arkansas Agriculture Department and the State Plant Board to interpret any administrative rule or regulation promulgated by a state or federal agency that establishes standards for harvesting or producing agricultural crops in accordance with the definition and guidelines provided in the act.

PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD

Bail Bondsmen Education

ACT 36 (SB56) - The act provides that the Arkansas Professional Bail Bond Association shall annually solicit proposals from education provider applicants and shall then submit the providers to the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board for final approval. The act also allows the association to establish a schedule of fees for educational training subject to approval by the board.

BOARDS AND COMMISSIONS

PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD

Hearing Procedures

ACT 218 (SB179) - The act amends the procedures of a hearing in front of the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board.

Notice Upon Licensure

ACT 95 (SB176) - The act removes the requirement that the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board notify the circuit clerk of each county upon the issuance of a bail bond license. The act also removes the requirement that the notice given to the sheriff of each county be in writing and the requirement that the board provide notification of a revocation or suspension of a license.

Notification Of Forfeiture Of Judgment

ACT 96 (SB177) - The act establishes that there is an initial \$100,000 limit on active unpaid bond forfeiture judgments for each bail bonding company. The act outlines the procedures regarding notification of a forfeiture judgment to the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board as well as the forfeiture dollar limit at which the company's license is suspended. The act also outlines the terms and procedures governing the suspension of a license.

Remedies For Violations

ACT 97 (SB178) - The act establishes penalties and other remedies available to the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board if a licensee commits certain acts or violations enumerated in § 17-19-210(b).

PROFESSIONAL LICENSURE STANDARDS BOARD

ACT 1045 (HB1952) - The act amends the powers and duties of the Professional Licensure Standards Board.

PUBLIC SERVICE COMMISSION

Major Utility Facilities

ACT 910 (HB1895) - The act amends the Utility Facility Environmental and Economic Protection Act and clarifies the requirements for major utility facilities. The act authorizes the Arkansas Public Service Commission to determine the need for additional energy supply and transmission resources by public utilities in energy resource declaration-of-need proceedings, which may be used to help determine the basis of the need for a major utility facility. The act declares an emergency and became effective on April 1, 2011.

Support Under Arkansas High Cost Fund

ACT 290 (HB1525) - The act provides that if state or federal regulatory or legislative actions eliminate the publicly available elements used to calculate loop support or local switching support for an eligible telecommunications carrier, the Public Service Commission shall open a rulemaking docket to replace the eliminated elements and shall use the previous elements until the replacement elements are adopted. The act also clarifies support under the Arkansas High Cost Fund for eligible telecommunications carriers with certain numbers of lines or customers on or after December 31, 2010.

Surcharges Upon Commercial Mobile Radio Service Providers

ACT 173 (HB1062) - The act authorizes the Arkansas Public Service Commission to impose a monthly surcharge upon working subject telephone numbers to be collected by commercial mobile radio service providers from their customers. The proceeds shall fund the equipment distribution program established under § 20-79-401 et seq. The act declares an emergency and is effective on and after July 1, 2011.

BOARDS AND COMMISSIONS

REGISTRATION FOR FORESTERS BOARD

ACT 177 (HB1307) - The act amends the makeup of the members of the Arkansas State Board of Registration for Foresters and makes changes to the qualifications for an applicant to be registered as a forester.

SANITARIANS BOARD - GROUNDS FOR SUSPENSION, REVOCATION, OR REFUSAL OF REGISTRATION

ACT 295 (HB1078) - The appropriation act amends the Arkansas Code concerning the grounds for suspension, revocation, or refusal to renew a certificate of registration issued by the Arkansas State Board of Sanitarians. The act declares an emergency and is effective on and after July 1, 2011.

STATE CRIME LABORATORY BOARD

Fees

ACT 775 (SB208) - The act provides that the Executive Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and that the executive director may remove the examiner only for cause with the approval of the board. The act also increases the maximum fees that may be charged by the State Crime Laboratory for consultations, scientific or medical research, depositions, expert witness testimony, travel to and from courts, and autopsies requested by non-law enforcement officials.

Membership

ACT 219 (SB263) - The act removes the Dean of the University of Arkansas for Medical Sciences from the State Crime Laboratory Board and replaces the Dean with a physician engaged in the active practice of private or academic medicine.

State Medical Examiner

ACT 775 (SB208) - The act provides that the Executive Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and that the executive director may remove the examiner only for cause with the approval of the board. The act also increases the maximum fees that may be charged by the State Crime Laboratory for consultations, scientific or medical research, depositions, expert witness testimony, travel to and from courts, and autopsies requested by non-law enforcement officials.

TRANSFERS - TYPE 4

ACT 603 (HB1437) - The act repeals language requiring the Governor to issue written approval to continue the rules and standards issued by a board, commission, or other governing body after a type 4 transfer.

UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT - COMMISSION

ACT 1157 (SB862) - The act increases the number of members of the Electronic Recording Commission to eleven (11) and assigns staff from the Bureau of Legislative Research to assist the commission with meetings and general support.

WORKFORCE INVESTMENT BOARD EXECUTIVE COMMITTEE

ACT 818 (HB1594) - The act amends the meeting provision for the Arkansas Workforce Investment Board Executive Committee and amends the membership of local workforce investment boards. The act also decreases the amount that a local workforce investment board may contract for some or all of its administrative services from fifteen percent (15%) to ten percent (10%) of the total cost of the program.

CHILDREN

ABUSE AND NEGLECT

School District Policy Updates

ACT 985 (SB323) - The act requires school districts to update school policies after a law regarding child abuse is amended or is added to the Arkansas Code.

CHILDREN

ABUSE AND NEGLECT

Child Maltreatment Act

ACT 1143 (SB733) - The act makes various changes to the Child Maltreatment Act for clarity and consistency.

ABUSED CHILDREN

Forensic Examinations

ACT 783 (SB319) - The act limits forensic examinations of allegedly abused children to examinations performed only at child safety centers.

Hotline

ACT 784 (SB326) - The act requires the Child Abuse Hotline to accept reports of injury to a child's intellectual, emotional, or psychological development from a guidance counselor licensed as a teacher.

BACKGROUND CHECKS FOR SHORT-TERM CHILD CARE PROVIDERS

ACT 1181 (HB1975) - The act provides that a private business that provides certain short-term child care for its patrons shall perform a criminal history check with the Department of Arkansas State Police and a Child Maltreatment Central Registry check with the Department of Human Services for every employee that is employed in a capacity that directly or indirectly relates to providing care or supervision of any child.

CHILD ADVOCACY CENTERS - DISCLOSURE UNLAWFUL

ACT 1126 (SB318) - The act creates criminal penalties for the unlawful disclosure of records of a child advocacy center.

DEPENDENCY-NEGLECT ACTIONS - STAY OF PROCEEDINGS

ACT 1170 (HB1544) - The act makes the Military Code of Arkansas consistent with federal law concerning stays of proceedings for active duty military personnel who are a party to dependency-neglect actions.

INSURANCE

ARKids First

ACT 771 (SB65) - The act provides for improvements to the ARKids First A and B programs to increase enrollment, improve retention of coverage, and minimize barriers in the application process. The act's provisions will be implemented only if and to the extent the necessary federal waivers are obtained and required state general revenue is available.

Child-Only Insurance

ACT 269 (HB1428) - The act requires insurers to establish an open enrollment period of October 1 through October 31, and to issue individual health insurance coverage for child-only individual health insurance policies until January 1, 2014. The act provides that a refusal prior to October 1, 2011, by an insurer to issue individual health insurance coverage to a child under nineteen (19) years of age allows the child to be eligible for the Arkansas Comprehensive Health Insurance Pool until September 30, 2011, and provides that after September 30, 2011, the Board of Directors of the Arkansas Comprehensive Health Insurance Pool shall determine the eligibility of a child under nineteen (19) years of age under the Comprehensive Health Insurance Pool Act. The act declares an emergency and became effective on March 14, 2011.

JUVENILE LAW

Defacing Property

ACT 888 (HB1817) - The act provides that a parent or legal guardian of a minor who willfully destroys, damages, or defaces property shall be liable for up to \$5,000 in damages. The act does not apply to a minor in the custody of the Department of Human Services or if the minor defaces property with graffiti and is younger than thirteen (13) years of age.

CHILDREN

JUVENILE LAW

Juvenile Code And Juvenile Court Procedures

ACT 1175 (HB1812) - The act amends certain provisions of the Juvenile Code and certain statutes governing juvenile court proceedings.

Minors Possessing Tobacco Products

ACT 868 (SB917) - The act provides that a minor who is found by a court to be in possession of tobacco products may be ordered to perform up to three (3) hours of community service and to enroll in a tobacco education program. The act further provides that a conviction under this statute is a violation and is not a criminal conviction.

NONPARENTAL RELATIVE ASSISTANCE - IDENTIFICATION CARDS

ACT 193 (HB1420) - The act amends the law to allow a grandparent or a sibling over eighteen (18) years of age to accompany a minor to obtain an identification card, in addition to the persons already authorized by law.

NOTIFICATION OF MISSING CHILDREN

ACT 598 (HB1298) - The act requires local law enforcement or the Attorney General to provide a missing child notification to the school administrator of the school where a missing child is enrolled. The act also provides that missing children information is entered into the Missing Persons Information Clearinghouse within the Arkansas Crime Information Center after local law enforcement has received notification that the child is missing.

OPERATION OF MOTORIZED BICYCLES - MINIMUM AGE REQUIREMENT

ACT 1221 (HB1925) - The act raises the age requirement for a person to obtain a motorized bicycle certificate to fourteen (14) years of age.

SMOKING PROHIBITION - MOTOR VEHICLES

ACT 811 (SB1004) - The act prohibits smoking in a motor vehicle with a child passenger less than fourteen (14) years of age.

SPORTS - SOCCER GOAL SAFETY

ACT 772 (HB1810) - The act requires soccer goals in a public recreation area to be anchored according to the Guidelines for Movable Soccer Goal Safety promulgated by the United States Consumer Product Safety Commission or the guidelines adopted by the Department of Health. "Public recreation area" includes privately owned or publicly owned parks, sports fields, auditoriums, school playgrounds, or other school facilities.

TECHNICAL CORRECTIONS - PUBLIC HEALTH AND WELFARE - TITLE 20

ACT 1121 (SB249) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 20 of the Arkansas Code.

TEMPORARY GUARDIANSHIPS

ACT 9 (HB1059) - The act allows a court, after a hearing on the merits, to extend the duration of a temporary guardianship of a minor for a period not to exceed ninety (90) days if the court makes a finding of imminent danger to the life or health of the minor if the temporary guardianship is not extended.

CITIES AND COUNTIES

AIRPORTS - AUTHORITY

ACT 334 (SB207) - The act modifies the authority of certain regional and municipal airports. The act declares an emergency and became effective on March 18, 2011.

ARKANSAS GREAT PLACES PROGRAM

ACT 896 (HB2002) - The act creates the Arkansas Great Places Program, which shall be administered and established by the Department of Arkansas Heritage and shall provide planning and financial assistance to a county, municipality, incorporated town, or nonprofit organization for community development.

CITIES AND COUNTIES

AUDITS

Public Entities Providing Water Services

ACT 605 (HB1441) - The act amends the requirements for audits and audit procedures for certain public entities that provide water services.

Public Or Nonprofit Entities - Water Or Sewage Services

ACT 615 (HB1582) - The act modifies the law concerning the audits and procedures of certain public or nonprofit entities that provide water or sewage services.

Reports

ACT 349 (HB1579) - The act modifies the law concerning audit procedures and reports of cities and counties. It also amends the law concerning public inspection of audits of cities and counties.

BURNING DISASTER DEBRIS - DEADLINE EXTENSION

ACT 10 (SB26) - The act authorizes extensions of the deadline for the burning of storm debris after a county is declared a disaster area.

CAPITAL IMPROVEMENT BONDS - SALES AND USE TAXES

ACT 276 (SB400) - The act permits a local sales and use tax levied by a county to be used for the sole purpose of retiring capital improvement bonds if all collections derived from the local sales and use tax are pledged by the county to pay the principal and interest of the capital improvement bonds.

CITIES OF THE FIRST CLASS - MAYORAL ROLE

ACT 110 (HB1115) - The act states the mayor may designate the city clerk or other city elected official to serve in the mayor's stead during a disability or absence of the mayor.

CITY MANAGER FORM OF GOVERNMENT

Mayoral Powers

ACT 608 (HB1478) - The act allows the mayor to designate the city manager to serve in the mayor's stead on any board or commission. The act declares an emergency and became effective on March 23, 2011.

Volunteers

ACT 801 (SB815) - The act modifies the law concerning prohibited actions of volunteers serving certain municipal entities in a city manager form of government. The act declares an emergency and became effective on March 30, 2011.

CIVIL SERVICE FOR POLICE AND FIRE DEPARTMENTS - TEMPORARY

APPOINTMENTS

ACT 1029 (HB1739) - The act amends Arkansas law concerning temporary appointments by a board of civil service commissioners, including amending the time frame for examinations to establish a list of eligible persons on an as-needed basis to address certain vacancies; providing that a temporary promotion or appointment for a vacancy created by death, termination, resignation, demotion, retirement, or promotion shall not last longer than sixty (60) days unless an appeal is pending; providing that vacancies created by vacation, bereavement leave, medical leave, military leave, or suspension may be filled by a temporary promotion on a day-to-day basis; allowing an increase in salary beyond the limit fixed for the employee's grade when temporarily promoted to work in a position outside of his or her grade; and requiring that promotions be made within sixty (60) days of a vacancy created by death, termination, resignation, demotion, retirement, or promotion unless the position is determined to be eliminated.

CONSTABLES

ACT 561 (SB701) - The act changes various provisions of the current law to provide counties the discretion to pay expenses, compensation, and salaries related to constables. The act also provides that townships are not included in the definition of county government.

CITIES AND COUNTIES

COUNTIES - PURCHASING PROCEDURES

ACT 1044 (HB1933) - The act provides that the county is not required to solicit bids for the purchase of goods or services if the quorum court has by resolution approved the purchase of goods or services through competitive bidding or procurement procedures used by the federal government, another state, or an association of governments or governmental agencies.

COUNTY CLERKS - UNIFORM RATE OF TAX REPORTING

ACT 633 (HB1829) - The act amends provisions of the tax code that require county clerks to report revenues from the uniform rate of tax to the Arkansas Coordination Division, and creates instead an annual summary report by county clerks to be filed with the Secretary of State concerning the revenues from the uniform rate of tax. The act also allows the Department of Education to make adjustments in the calculation of state funding for public schools upon receiving evidence of overlapping reporting or irregular distributions of revenues from the uniform rate of tax.

COUNTY COLLECTORS

ACT 617 (HB1584) - The act modifies the law concerning county collector procedures for delinquent assessments and delinquent lands. The act also concerns the time for certain county officials to transfer county and state funds.

COUNTY ELECTED OFFICES - DREW COUNTY

ACT 92 (SB82) - The act separates the offices of sheriff and tax collector in Drew County, Arkansas, effective on and after January 2, 2013.

COUNTY EMERGENCY MANAGEMENT PERSONNEL - SALARY

ACT 345 (HB1413) - The act modifies the statute concerning the salary of county emergency management personnel.

COUNTY FAIRS - NORTHEAST ARKANSAS DISTRICT FAIR

ACT 116 (HB1303) - The act provides that the Northeast Arkansas District Fair shall be located in Craighead County, reduces the number of members on the board, and creates an executive board that is responsible for the day-to-day operations of the Northeast Arkansas District Fair. The act declares an emergency and became effective on February 23, 2011.

COUNTY JUROR REIMBURSEMENT FUND

ACT 923 (SB151) - The appropriation act creates the County Juror Reimbursement Fund. The act declares an emergency and is effective on and after July 1, 2011.

COUNTY PROCEDURES

ACT 837 (HB2039) - The act modifies the law concerning county library boards, county audit reports, county quorum court meetings, and county judge powers.

COUNTY PROPERTY - FINANCIAL PROCEDURES

ACT 614 (HB1581) - The act amends various statutes concerning county property and county financial procedures.

COUNTY UNCLAIMED PROPERTY

ACT 616 (HB1583) - The act clarifies the procedures for the use and disposition of county unclaimed property.

ECONOMIC DEVELOPMENT

Public Corporations For Economic Development Act

ACT 282 (HB1306) - The act clarifies the powers included in the Public Corporations for Economic Development Act and also states that the powers are subject to the government authority under which the corporation was created.

Regional Economic Development Partnership Act

ACT 895 (HB1988) - The act creates the Regional Economic Development Partnership Act, which authorizes local governments to create regional economic development partnerships that are eligible to receive state funding if a two-to-one ratio of nonstate dollars to state dollars is maintained.

CITIES AND COUNTIES
ELECTED OFFICIALS

County Clerks

ACT 1043 (HB1928) - The act amends Arkansas law concerning the receipt of absentee ballots by designated bearers, adding several requirements to current law and stating that possession of an absentee ballot with the intent to defraud a voter or an election official is a felony.

Suspension Of Salaries Of Elected Officials

ACT 199 (SB160) - The act provides that the salary of an elected official of a city of the first class, city of the second class, or an incorporated town shall be withheld if the elected official is required to hold a professional license or registration as a qualification of his or her position and that professional license or registration is suspended.

FINANCE - INVESTMENT OF PUBLIC FUNDS

ACT 629 (HB1762) - The act outlines requirements for the investment of public funds by counties and municipalities, describes the permitted investments, and grants additional investment authority to certain cities.

FIRE DEPARTMENTS - PREMIUM TAX MONEYS

ACT 880 (HB1738) - The act prohibits the distribution of insurance premium tax moneys to inactive fire departments in certain circumstances.

IMPROVEMENT DISTRICTS

Collection Of Assessments

ACT 210 (HB1185) - The act creates a new subchapter for improvement district and protection district procedures when the county collector is used for the collection of assessments.

Fire Protection Districts

ACT 264 (HB1403) - The act modifies the time for payment of annual assessments in fire protection districts.

Levee Improvement Districts

ACT 187 (HB1367) - The act increases the amount a director and an assessor of a levee improvement district receive in compensation from five dollars (\$5.00) to fifty dollars (\$50.00) a day.

INCINERATOR ASH

ACT 342 (HB1098) - The act exempts incinerator ash derived from yard waste or other natural vegetative debris from the monofill or separate waste cell requirement.

LAW ENFORCEMENT - VEHICLES

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

MUNICIPAL ACCOUNTING

ACT 621 (HB1589) - The law amends the Arkansas Municipal Accounting Law.

MUNICIPAL ANNEXATION

ACT 740 (HB1474) - The act extends the time in which certain lands may be detached after an annexation proceeding from three (3) to eight (8) years.

MUNICIPAL AUDITS

ACT 623 (HB1591) - The act allows the annual audit of certain cities to be conducted by the Division of Legislative Audit of the State of Arkansas or by an independent certified public accountant.

CITIES AND COUNTIES

MUNICIPAL COMMISSIONS - PLANNING COMMISSIONS AND BOARDS OF ADJUSTMENT

ACT 280 (HB1286) - The act modifies the law concerning municipal planning commission and board of adjustment procedures. The act also modifies the law concerning the territorial jurisdiction of municipalities.

MUNICIPAL DEPOSITORY BOARDS AND AGREEMENTS

ACT 619 (HB1586) - The act amends the law concerning the makeup of a municipal depository board. The act also modifies the law concerning depository agreements.

MUNICIPAL ELECTIONS

Nominating Petitions

ACT 519 (HB1287) - The act amends the law concerning nominating petitions in certain municipal elections to create consistency.

Runoff Requirements

ACT 1211 (HB1295) - The act modifies the amount of votes required to be elected to a municipal position without a runoff in certain circumstances.

Vacancies

ACT 134 (HB1113) - The act clarifies that a vacancy in a municipal office shall be filled at the first general election that occurs after the vacancy.

MUNICIPAL FARMERS' MARKETS

ACT 568 (HB1455) - The act modifies the law concerning municipal regulation of farmers' markets and clarifies that the Department of Health regulates food safety.

MUNICIPAL FINANCIAL PROCEDURES

ACT 622 (HB1590) - The act amends various statutes dealing with municipal financial procedures.

MUNICIPAL HOME RULE

ACT 1187 (HB2068) - The law extends certain powers granted to cities of the first class to all municipalities including without limitation the grant of home rule authority to all municipalities

MUNICIPAL IMPROVEMENT DISTRICTS

ACT 1225 (HB2045) - The act modifies the procedures for financial filings and the boards of commissioners for certain municipal improvement districts.

MUNICIPAL OFFICERS

ACT 1028 (HB1705) - The act amends the law and procedures concerning the removal of certain elected municipal officials.

MUNICIPAL OFFICIAL TRAINING

ACT 611 (HB1501) - The act allows the Legislative Joint Auditing Committee to require training of municipal officials for deficiencies in the performance of official duties.

MUNICIPAL PORT AUTHORITIES

ACT 833 (HB1929) - The act amends the membership of a municipal port authority. The act declares an emergency and became effective on March 30, 2011.

MUNICIPAL PROCEDURES - REACTIVATION OF CITY OR TOWN

ACT 135 (HB1114) - The act repeals the statute that sets out the process for reactivation of an inactive city or incorporated town.

MUNICIPAL WATER AND SEWER ACCOUNTING

ACT 620 (HB1588) - The act amends the Arkansas Municipal Water and Sewer Department Accounting Law.

MUNICIPAL WATER SERVICE - PURCHASE OF PROPERTIES AND FACILITIES

ACT 1053 (HB2128) - The act amends the law concerning the purchase of water service properties and facilities and expands the circumstances under which the law may be used.

CITIES AND COUNTIES

MUNICIPALITIES - ANNEXATION OF SURROUNDED LAND

ACT 1051 (HB2070) - The act provides that an ordinance for an annexation of surrounded land shall not be enacted within fifty-one (51) days of a scheduled election to consider the annexation of all or part of the area in question.

PERSONAL PROPERTY TAX

ACT 821 (HB1703) - The act provides an additional penalty for failure to satisfy a personal property tax lien following certain purchases. The act also authorizes a county collector to levy and collect taxes with costs by distress and sale if the delinquent taxes are not satisfied in certain circumstances. The act permits a county collector to authorize the county's taxpayers other than a utility or carrier to pay current real property taxes and personal property taxes in installments in any amount between the first business day in March and October 15 inclusive. The act also provides an additional penalty of ten percent (10%) if a taxpayer's delinquent personal property taxes are not satisfied or paid in full by October 15 following certain purchases.

PROBATE CLERKS - SMALL ESTATES

ACT 289 (HB1449) - The act increases the fee from three dollars (\$3.00) to five dollars (\$5.00) for a certified copy of the affidavit required for the collection of small estates by a distributee.

PROPERTY TAX - PAYMENT DEADLINE

ACT 175 (HB1255) - The act changes the deadline for paying personal property taxes to October 15 and makes technical corrections to the statutes regarding the payment of personal property taxes.

PUBLIC BUILDINGS - LOWERING OF STATE FLAG

ACT 1182 (HB1998) - The act clarifies the law regarding the lowering of state flags on public buildings when a member of the armed services is killed in action.

PUBLIC TRANSPORTATION - TURNBACK FUNDS

ACT 752 (HB1774) - The act defines "public transportation" related to city and county turnback funds under the Arkansas Highway Revenue Distribution Law.

PUBLIC WATER SYSTEM - DELINQUENT PAYMENTS

ACT 284 (HB1351) - The act authorizes a public water system that is not otherwise regulated by a municipality or municipal improvement district to terminate water service for delinquent water, wastewater, or sewer service payment.

REGIONAL SOLID WASTE MANAGEMENT BOARDS

ACT 884 (HB1796) - The act modifies the law concerning the membership of a regional solid waste management board.

RESEARCH PARK AUTHORITIES

ACT 628 (HB1702) - The act amends various statutes in the Research Park Authority Act.

RETIREMENT CONTRIBUTIONS - HEALTH CARE FACILITIES

ACT 737 (HB1206) - The act clarifies that health care facilities owned but not operated by counties shall have equal treatment as hospitals under the Arkansas Public Employees' Retirement System law. The act declares an emergency and became effective on March 25, 2011.

SALE OF COUNTY PROPERTY

ACT 1014 (SB852) - The act amends the procedures for the sale of county property in certain circumstances.

CITIES AND COUNTIES

SALES AND USE TAX - LOCAL SALES AND USE TAX ECONOMIC DEVELOPMENT PROJECT FUNDING ACT

ACT 828 (HB1898) - The act creates the Local Sales and Use Tax Economic Development Project Funding Act, which authorizes cities and counties to levy local sales and use taxes to fund economic development projects. The act permits the abolition of the local sales and use tax and requires that an ordinance levying a local sales and use tax under the act be approved by the voters. The act is effective on and after October 1, 2011.

SEWAGE DISPOSAL SYSTEMS - APPEALS

ACT 822 (HB1776) - The act allows appeals regarding individual sewage disposal systems to be heard by the individual sewage disposal systems advisory committee.

SOLID WASTE MANAGEMENT - FEES AND SERVICE CHARGES

ACT 174 (HB1091) - The act allows a county solid waste management system to assess an additional annual fee for invoicing and collecting delinquent fees and charges from a tenant of a property rather than the owner of the property if the tenant has been registered as an occupant of the property. The act declares an emergency and became effective on March 4, 2011.

SOLID WASTE RECYCLING - LOCAL RECYCLING PROGRAMS

ACT 819 (HB1627) - The act amends the Solid Waste Management and Recycling Fund Act to provide local recycling programs greater flexibility in the processes and purposes of recycling programs and materials.

STATEWIDE PARCEL MAPPING

ACT 559 (SB311) - The act authorizes the Arkansas Geographic Information Systems Board to administer a statewide parcel mapping grant program under the direction of the Arkansas Geographic Information Office. The purpose of the grant program is to provide funding support to counties in the completion of statewide parcel mapping. The act declares an emergency and is effective on and after July 1, 2011.

STREETS AND ROADS - STATE AID STREET FUNDING

ACT 1032 (HB1779) - The act amends the state aid streets funding law concerning the administration of the State Aid Streets Program by the Arkansas Highway and Transportation Department and the distribution of highway revenues to municipalities. The act declares an emergency and is effective on and after July 1, 2011.

TECHNICAL CORRECTIONS - LOCAL GOVERNMENT - TITLE 14

ACT 778 (SB253) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 14 of the Arkansas Code.

UNSANITARY CONDITIONS

ACT 903 (HB2141) - The act amends the definition of "unsafe and vacant structure" to include abandoned homes or residential property. The act also provides that an owner of an abandoned home or residential property that is located in a designated neighborhood revitalization or stabilization area may voluntarily participate in a housing program by the United States Department of Housing and Urban Development if federal funds are available. The act declares an emergency and became effective on March 31, 2011.

WASTEWATER TREATMENT FACILITIES - WATER DEVELOPMENT PROJECTS

ACT 26 (HB1088) - The act adds wastewater treatment facilities and other related entities to the definition of water development projects.

WATERWORKS COMMISSIONS - RESIDENCE REQUIREMENTS

ACT 525 (HB1897) - The act modifies the residence requirements for members of waterworks commissions in cities of the second class.

CIVIL LAW AND PROCEDURE

ADMINISTRATIVE PROCEDURE ACT - SERVICE OF SUBPOENA

ACT 717 (SB166) - The act clarifies the procedures used when a subpoena is to be served under the Arkansas Administrative Procedure Act.

ALCOHOL AND DRUG ABUSE - INVOLUNTARY COMMITMENTS

ACT 1140 (SB707) - The act provides that a person named in a petition for involuntary commitment who is placed in immediate detention pending a hearing may undergo a screening and assessment within twenty-four (24) hours of the immediate detention. The screening and assessment may be conducted by a contractor with the Office of Alcohol and Drug Abuse Prevention or a qualified professional of the person's choosing. The prosecuting attorney may provide a copy of the screening and assessment to the court, and the court may consider the contents of the screening and assessment as part of its determination regarding whether the standards for involuntary commitment apply to the person.

ARBITRATION ACT

ACT 695 (HB1438) - The act creates the Arkansas Arbitration Act, which governs an agreement to arbitrate civil actions, outlines the procedures for arbitration, and provides remedies and an appeals procedure.

ARKANSAS OPEN-CUT LAND RECLAMATION ACT

ACT 609 (HB1482) - The act amends the Arkansas Open-Cut Land Reclamation Act to allow for the assessment of civil penalties based on pecuniary gain.

DRUG COURTS - DRUG COURT ADVISORY COMMITTEE

ACT 5 (HB1020) - The act adds the Chair of the Parole Board or his or her designee as a member of the Drug Court Advisory Committee. The act declares an emergency and became effective on January 31, 2011.

JUDGMENTS - SCIRE FACIAS

ACT 227 (HB1305) - The act provides that a judgment or a recorded judgment lien may not be revived in a county other than the county in which the action is filed unless specific notice of the revivor is recorded in the real property records of the other county before the expiration of the judgment.

OPEN ACCOUNTS - AFFIDAVIT OF ACCOUNT

ACT 992 (SB410) - The act amends the criteria required for an affidavit of the correctness of an account filed by a plaintiff in a suit on an open account, including credit card or other revolving credit accounts.

VENUE - ORGANIZATIONS REGULATING INTERSCHOLASTIC ACTIVITIES

ACT 600 (HB1348) - The act provides that all civil actions brought against an organization that regulates extracurricular interscholastic activities in grades seven through twelve (7-12) in both public and private schools must be brought in Pulaski County if the organization's main administrative office is located in Pulaski County.

COMMERCIAL LAW

AMENDMENT 62 BONDS - REMOVAL OF INTEREST RATE LIMIT

ACT 287 (HB1416) - The act removes the interest rate limitation for bonds issued under the authority of Amendment No. 62 to the Arkansas Constitution. The act declares an emergency and became effective on March 15, 2011.

CHECKS - SERVICE CHARGE FOR HOT CHECKS

ACT 1012 (SB834) - The act increases the service charge for collecting a hot check to thirty dollars (\$30.00).

COMMERCIAL LAW

FAIR MORTGAGE LENDING ACT - LICENSE REGULATION UPDATES

ACT 894 (HB1981) - The act makes technical changes to the Fair Mortgage Lending Act and allows the Securities Commissioner to issue a limited license for a loan officer, mortgage banker, mortgage broker, or mortgage servicer; requires certified copies of an applicant's organizational documents, including a certificate of authority from the Secretary of State if the applicant is a foreign entity; adds additional requirements for the change of control of a licensee; requires the principal place of business or branch office of a licensee to be a physical address; makes it a violation of the Fair Mortgage Lending Act to service a mortgage loan in violation of federal or state law; allows the Securities Commissioner to cancel an application or license if the applicant or licensee cannot be located or is no longer in existence; requires a mortgage banker, mortgage broker, or mortgage servicer to file quarterly reports of mortgage activity; and repeals § 23-39-517 concerning the transition of license expiration dates.

MORTGAGES AND LIENS - STATUTORY FORECLOSURES

ACT 885 (HB1811) - The act requires a beneficiary or mortgagee to have knowledge of certain information and to provide certain information to the grantor, mortgagor, or obligor before initiating a statutory foreclosure. The act requires a beneficiary or mortgagee to certify before the foreclosure sale that each forbearance and loan modification applicant has been notified at least ten (10) days before the sale that the applicant does not qualify for the assistance requested.

NEW HOME CONSTRUCTION - CARBON MONOXIDE DETECTORS

ACT 146 (HB1385) - The act requires that a low voltage carbon monoxide detector be installed on each floor of a new home constructed after January 1, 2012.

OPEN ACCOUNTS - AFFIDAVIT OF ACCOUNT

ACT 992 (SB410) - The act amends the criteria required for an affidavit of the correctness of an account filed by a plaintiff in a suit on an open account, including credit card or other revolving credit accounts.

REAL ESTATE - BROKER'S PRICE OPINIONS

ACT 762 (SB720) - The act defines a "broker's price opinion" under the Real Estate License Law and authorizes a real estate licensee to prepare, provide, and collect a fee for issuing a broker's price opinion.

SECURITIES

Broker-Dealers And Investment Advisors

ACT 338 (SB362) - The act amends the definition of "broker-dealer" under the Arkansas Securities Act and requires broker-dealers and investment advisors to establish, maintain, and enforce a system to supervise the activities of their agents and employees.

Securities Department

ACT 339 (SB363) - The act updates and makes technical corrections to the Arkansas Securities Act, § 23-42-101 et seq.

SELF-STORAGE PROPERTY - NOTICE OF SALE

ACT 189 (HB1384) - The act requires the information regarding a notice of sale of property upon default under a self-storage contract to be delivered by first class mail with certificate of mailing.

TECHNICAL CORRECTIONS - BUSINESS AND COMMERCIAL LAW - TITLE 4

ACT 719 (SB243) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 4 of the Arkansas Code.

COMMERCIAL LAW

UNEMPLOYMENT - TRUST FUND FINANCING ACT OF 2011

ACT 1125 (SB305) - The act establishes the Arkansas Unemployment Trust Fund Financing Act of 2011, which authorizes the Arkansas Development Finance Authority, subject to statewide voter approval at an election called by the Governor, to issue bonds not to exceed five hundred million dollars (\$500,000,000) to repay the debt to the federal government for unemployment funds paid to citizens of Arkansas. The bonds would be paid by revenues raised from an unemployment obligation assessment. The act declares an emergency and became effective on April 4, 2011.

UNIFORM MONEY SERVICES ACT

ACT 733 (SB785) - The act amends the Uniform Money Services Act by removing the automatic approval of money transmission activity if the applicant is licensed in another state; increases the maximum amount of the required surety bond to three hundred thousand dollars (\$300,000); establishes December 1 as the renewal date of a money services license; requires a licensee to file audited financial statements with the Securities Commissioner annually; requires a report of specific events that may impact the money services license to be filed with the commissioner; and provides for the transition to new expiration dates of money services licenses.

UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT

ACT 1157 (SB862) - The act increases the number of members of the Electronic Recording Commission to eleven (11) and assigns staff from the Bureau of Legislative Research to assist the commission with meetings and general support.

UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION

ACT 202 (SB302) - The act repeals the Uniform Unincorporated Nonprofit Association Act and enacts the Revised Uniform Unincorporated Nonprofit Association Act. The act is effective on and after January 1, 2012.

CONSTITUTIONAL OFFICERS

CENTRAL SERVICES FUND

ACT 1136 (SB677) - The act provides that during the biennial period ending June 30, 2011, the Chief Fiscal Officer of the State may enforce budget reductions in each agency that receives funding from the State Central Services Fund. The amount of funding is reduced in proportion to each agency's share of total estimated expenditures. The act is temporary and only in effect until June 30, 2011. The act declares an emergency and became effective on April 4, 2011.

COMMISSIONER OF STATE LANDS - NOTICE OF SALE OF TAX-DELINQUENT PROPERTY

ACT 863 (SB595) - The act clarifies the notice requirements and remedies for defective notice regarding the sale of tax-delinquent property. The act states that the Commissioner of State Lands is not required to notify any person whose interest in or title to the tax-delinquent property is expired or barred or was released or otherwise terminated before the date of the sale of the tax-delinquent land regardless of whether a bona fide recorded instrument reflects the termination of the title or interest.

SECRETARY OF STATE - ARKANSAS CAPITOL GROUNDS MONUMENT AND MEMORIAL PRESERVATION FUND

ACT 860 (SB403) - The act amends the Arkansas Capitol Grounds Monument and Memorial Preservation Fund by defining the terms "memorial area" and "monument" and clarifying the funding necessary to begin construction, improvement, or placement of a monument in a memorial area on the State Capitol grounds. The act declares an emergency and became effective on May 1, 2011

CONSTITUTIONAL OFFICERS

USE OF STATE-OWNED MOTOR VEHICLES

ACT 1021 (SB993) - The act amends Arkansas law concerning the use of state-owned motor vehicles by state employees, including constitutional officers. Revisions include providing that a state employee using a state-owned motor vehicle to travel from his or her residence to his or her work station shall reimburse the fund from which the operating expenses of the state-owned motor vehicle are paid at the same rate authorized for reimbursements for private automobile usage, defining the term "state-owned motor vehicle", and providing that the term "state employee" includes a constitutional officer or an employee of a constitutional officer, state agency, board, commission, department, or state-supported institution of higher education

CONSUMER PROTECTION

AGRITOURISM ACTIVITIES

ACT 1024 (HB1424) - The act establishes liability protection for agritourism activities and requires a warning notice to be posted for agritourism participants.

CARBON MONOXIDE DETECTORS - NEW HOME CONSTRUCTION

ACT 146 (HB1385) - The act requires that a low voltage carbon monoxide detector be installed on each floor of a new home constructed after January 1, 2012.

MOLD INVESTIGATION

ACT 518 (HB1171) - The act repeals the Arkansas Mold Investigator Licensing Act.

MOLD INVESTIGATION ADVISORY BOARD

ACT 341 (SB531) - The act creates the Mold Investigation Advisory Board to study laws and rules regarding mold inspections and remediation.

PORTABLE ELECTRONICS - INSURANCE

ACT 1018 (SB938) - The act regulates the sale of insurance for portable electronics.

CORRECTIONS

CONTRACT WITH POLITICAL SUBDIVISIONS OF ANOTHER STATE

ACT 184 (HB1353) - The act allows the Department of Correction to contract with political subdivisions of another state.

HOUSING OF INMATES IN REHABILITATIVE PROGRAMS

ACT 183 (HB1321) - The act provides that inmates in rehabilitative programs may be housed at the Arkansas Health Center. The act also eliminates the maximum number of inmates allowed and states that the maximum number of housed inmates shall not exceed a number appropriate to maintain the security and good order of the center. However, the act allows the Board of Corrections to establish a maximum number allowed to be housed.

MERITORIOUS GOOD TIME

ACT 748 (HB1851) - The act increases the number of days of meritorious good time the Director of the Department of Correction may award an inmate for the completion of certain programs from two hundred seventy (270) days to three hundred sixty (360) days.

PAROLE RELEASE DATE

ACT 180 (HB1318) - The act provides that an inmate who has a parole eligibility release date that falls on a weekend or holiday may be released on the last business day before his or her release eligibility date. However, the act was effectively repealed by Act 570 of 2011.

CORRECTIONS

PUBLIC SAFETY IMPROVEMENT ACT OF 2011

ACT 570 (SB750) - The act is a broad piece of legislation intended to curb the cost of correction, reduce recidivism, and hold criminal offenders accountable for their actions. Among many things, the act raises the criminal liability value thresholds for various theft offenses; creates a comprehensive new set of drug statutes; reorganizes and streamlines the probation and parole sections in the Arkansas Code; creates new sentencing and early discharge provisions; revises current probation and parole statutes to incorporate programs designed to rehabilitate rather than incarcerate; amends the procedures and parameters for the granting of medical parole; revises provisions for home detention through electronic monitoring; revises the drug court statutes to make them more efficient and effective; creates performance incentive funding for jurisdictions designed to reduce commitments to the Department of Correction; provides for new record-keeping measures designed to gauge the effectiveness of the act; and makes technical corrections throughout the Arkansas Code that resulted from redefining, relocating, amending, and creating certain statutes.

COURTS

ALCOHOL AND DRUG ABUSE - INVOLUNTARY COMMITMENTS

ACT 1140 (SB707) - The act provides that a person named in a petition for involuntary commitment who is placed in immediate detention pending a hearing may undergo a screening and assessment within twenty-four (24) hours of the immediate detention. The screening and assessment may be conducted by a contractor with the Office of Alcohol and Drug Abuse Prevention or a qualified professional of the person's choosing. The prosecuting attorney may provide a copy of the screening and assessment to the court, and the court may consider the contents of the screening and assessment as part of its determination regarding whether the standards for involuntary commitment apply to the person.

APPLICATIONS FOR PARDON OR COMMUTATION OF SENTENCE

ACT 1169 (HB1419) - The act provides that a person who was convicted of capital murder and who is serving a sentence of life without parole for that conviction must wait eight (8) years from the date of a previous denial of an application in order to file a subsequent petition.

CIVIL ACTION BY A CRIME VICTIM

ACT 223 (SB496) - The act eliminates the duplication of statutes regarding the Adult Maltreatment Act and the Medicaid Fraud Act, which allows a crime victim to bring a civil action.

CIVIL PROCEDURE - AMOUNT IN CONTROVERSY

ACT 336 (SB333) - The act allows a plaintiff who files a complaint in a civil matter to state an amount in controversy for the purpose of establishing subject-matter jurisdiction. The act further provides that a declaration made under the statute is binding on the plaintiff unless the plaintiff subsequently amends his or her complaint. The act declares an emergency and became effective on March 18, 2011.

COUNTY JUROR REIMBURSEMENT FUND

ACT 923 (SB151) - The appropriation act creates the County Juror Reimbursement Fund. The act declares an emergency and is effective on and after July 1, 2011.

COURT COSTS - CONVICTIONS FOR POSSESSING SCHEDULE VI CONTROLLED SUBSTANCES

ACT 730 (SB736) - The act provides for increased court costs of three hundred dollars (\$300) for convictions of possession of a Schedule VI controlled substance. The act also provides that one hundred fifty dollars (\$150) of the assessed court costs shall be for the benefit of drug courts or other substance abuse and prevention activities.

COURTS

CRIME VICTIMS REPARATIONS BOARD - ATTORNEY GENERAL STAFFING

ACT 11 (SB73) - The act allows the Attorney General to use support staff and secretarial services assigned to the Crime Victims Reparations Board for additional purposes, including legal work that does not involve crime victims reparations. The act declares an emergency and became effective on February 7, 2011.

DELINQUENCY PROCEEDINGS

ACT 873 (HB1456) - The act states that when a juvenile has been taken into custody, a petition for delinquency shall be filed within ninety-six (96) hours or, if the ninety-six (96) hours end on a Saturday, Sunday, or a holiday, by the close of the next business day.

DISTRICT COURTS

Arkansas District Courts Accounting Law

ACT 1174 (HB1701) - The act amends the Arkansas District Courts Accounting Law by regulating electronic citations and prenumbered manual receipts, establishing minimum bookkeeping requirements, and outlining requirements for maintaining records. The act is effective on and after January 1, 2012.

Creation Of State District Courts

ACT 1219 (HB1869) - The act provides for the creation of certain state district courts, in some instances replacing existing local district courts. The implementation of the act will occur over the next several years, depending on the specific judicial district.

Jurisdiction

ACT 1137 (SB679) - The act provides that a state district court judge may preside over a drug court program, a probation supervision program, and a parole supervision program if authorized by the administrative plan for the judicial circuit required by Administrative Order No. 14 of the Supreme Court.

Salaries Of Judges And Court Personnel

ACT 1191 (HB2096) - The act amends the salary ranges for certain district court judges and personnel. Section 17 of the act, concerning the use of a local salary supplement paid to a district judge in calculating salary, is effective on and after January 1, 2012.

Sebastian County

ACT 15 (HB1222) - The act adds a third department to the Sebastian County District Court.

DRUG COURTS - DRUG COURT ADVISORY COMMITTEE

ACT 5 (HB1020) - The act adds the Chair of the Parole Board or his or her designee as a member of the Drug Court Advisory Committee. The act declares an emergency and became effective on January 31, 2011.

EXPUNGEMENT OF MISDEMEANOR OFFENSES

ACT 626 (HB1608) - The act amends the procedures a person shall follow to petition the court for an expungement of his or her misdemeanor conviction, as well as the burden of proof the court shall use in weighing the merits of the petition. The act also provides alternative procedures for the expungement of certain misdemeanor convictions.

FEES ASSOCIATED WITH PREPARING A CASE FOR APPEAL

ACT 1145 (SB762) - The act reduces the fees associated with preparing a record for a case on appeal.

FIRST-TIME OFFENDER PROBATIONERS

ACT 1233 (HB2225) - The act provides that a serious felony involving violence or a felony involving violence as provided in § 5-4-501 shall not be eligible for expungement of record under the first-time offender probation subchapter.

INSTALLMENT PAYMENT OF FINES

ACT 1138 (SB685) - The act provides that in circuit court cases, an additional fee of five dollars (\$5.00) shall be assessed if a person is paying off a fine on an installment basis.

COURTS

JUDGES - NONPARTISAN JUDICIAL ELECTIONS

ACT 1185 (HB2054) - The act amends various Arkansas laws relating to certain election deadlines, including amending deadlines applicable to school elections, elections for local boards of community colleges, preferential primary elections, general elections, nonpartisan judicial elections, and special elections. The act is effective on and after October 2, 2011.

JUDICIAL DISTRICTS

Carroll County

ACT 1171 (HB1545) - The act amends the allocation of revenue for the two judicial districts of Carroll County. The act also provides that the eastern border of the Western Judicial District of Carroll County shall remain the Kings River.

Eighth Judicial District-North And Ninth Judicial District-West

ACT 220 (SB312) - The act changes the Eighth Judicial District-North to a Division A Judicial District and changes the Ninth Judicial District-West to a Division B Judicial District. The act declares an emergency and became effective on March 1, 2011.

Sixth Judicial District

ACT 200 (SB168) - The act eliminates the authorized probation officer from the Fourth Division of the circuit courts of the Sixth Judicial District.

JUSTICE BUILDING

ACT 191 (HB1404) - The act defines "Arkansas Justice Building" and repeals the provisions of the Arkansas Justice Building Act concerning leases to the Workers' Compensation Commission and the Arkansas Public Service Commission.

MEDIA SHIELD AGAINST DISCLOSURE OF SOURCES

ACT 799 (SB772) - The act provides that the shield provided to media against disclosure of sources now extends to a television station and an Internet news source.

NO CONTACT ORDERS

ACT 589 (SB512) - The act pertains to the procedures a court shall use when issuing a no contact order to a defendant in a criminal matter. The act also concerns the scope of the order and the procedures the court shall use when the defendant violates the no contact order. Further, the act provides that it is a Class A misdemeanor for a person to violate a no contact order issued under the act.

PAYMENT TO SPECIAL JUDGES

ACT 274 (SB310) - The act regulates payments for service and reimbursements for expenses incurred by a special judge who is appointed by the Chief Justice of the Arkansas Supreme Court or who is otherwise serving under the parameters set by the Arkansas Constitution.

PUBLIC DEFENDERS - FUNDING

ACT 1201 (HB2207) - The act provides a list of the possible funding sources for public defender facilities, equipment, supplies, and other office expenses.

COURTS

PUBLIC SAFETY IMPROVEMENT ACT

ACT 570 (SB750) - The act is a broad piece of legislation intended to curb the cost of correction, reduce recidivism, and hold criminal offenders accountable for their actions. Among many things, the act raises the criminal liability value thresholds for various theft offenses; creates a comprehensive new set of drug statutes; reorganizes and streamlines the probation and parole sections in the Arkansas Code; creates new sentencing and early discharge provisions; revises current probation and parole statutes to incorporate programs designed to rehabilitate rather than incarcerate; amends the procedures and parameters for the granting of medical parole; revises provisions for home detention through electronic monitoring; revises the drug court statutes to make them more efficient and effective; creates performance incentive funding for jurisdictions designed to reduce commitments to the Department of Correction; provides for new record-keeping measures designed to gauge the effectiveness of the act; and makes technical corrections throughout the Arkansas Code that resulted from redefining, relocating, amending, and creating certain statutes.

RECORDS OF CONVICTION - OFFICE OF DRIVER SERVICES

ACT 44 (HB1159) - The act provides that courts are not required to provide written records of convictions to the Office of Driver Services if the conviction is reported electronically to the Office of Driver Services.

REPRESENTATION OF INDIGENT PERSONS

Attorney's Fees

ACT 39 (HB1004) - The act provides that the Public Defender Commission shall not pay attorney's fees for counsel privately retained for the benefit of an indigent defendant for that defendant's defense, except that the commission may authorize the payment of attorney's fees if the attorney complies with the standards set by the commission. The act declares an emergency and became effective on February 16, 2011.

Nonprofit And Public Interest Corporations

ACT 858 (SB300) - The act clarifies that nonprofit corporations and voluntary public interest corporations may represent indigent, poor, or disadvantaged persons in a civil or criminal matter and do not fall under the general prohibition against a corporation representing a person as dictated under § 16-22-211. The act declares an emergency and became effective on March 31, 2011.

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

ACT 1132 (SB517) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 16 of the Arkansas Code.

ACT 1218 (HB1859) - The act makes technical corrections to Title 16 of the Arkansas Code.

VENUE - ORGANIZATIONS REGULATING INTERSCHOLASTIC ACTIVITIES

ACT 600 (HB1348) - The act provides that all civil actions brought against an organization that regulates extracurricular interscholastic activities in grades seven through twelve (7-12) in both public and private schools must be brought in Pulaski County if the organization's main administrative office is located in Pulaski County.

CRIMINAL LAW AND PROCEDURE

ABUSE OF A CORPSE

Concealment Of A Corpse

ACT 1003 (SB745) - The act amends the statute prohibiting the abuse of a corpse by incorporating language that addresses the criminal concealment of a corpse.

Increased Penalty

ACT 1158 (SB863) - The act amends § 5-60-101 to increase the penalty for abuse of a corpse to a Class C felony.

CRIMINAL LAW AND PROCEDURE

ABUSED CHILDREN

Forensic Examinations

ACT 783 (SB319) - The act limits forensic examinations of allegedly abused children to examinations performed only at child safety centers.

Hotline

ACT 784 (SB326) - The act requires the Child Abuse Hotline to accept reports of injury to a child's intellectual, emotional, or psychological development from a guidance counselor licensed as a teacher.

ADOPTION FRAUD

ACT 697 (HB1457) - The act creates the criminal offense of defrauding a prospective adoptive parent.

AGGRAVATED ASSAULT ON A CERTIFIED LAW ENFORCEMENT OFFICER

ACT 277 (HB1021) - The act provides that it is a Class D felony to cause a law enforcement officer to come into contact with certain bodily fluids by purposely throwing, tossing, expelling, or otherwise transferring the bodily fluids.

ARKANSAS CRIME INFORMATION CENTER

ACT 1224 (HB2029) - The act provides that a person is guilty of a Class A misdemeanor if upon conviction the person knowingly accesses information or willfully obtains information collected and maintained by the Arkansas Crime Information Center for purposes not authorized or knowingly releases or discloses information maintained by the Arkansas Crime Information Center to another person who lacks authority to receive the information. The act also provides that it is a Class D felony if a person accesses the information from the Arkansas Crime Information Center for the purpose of furthering the commission of a misdemeanor offense or felony offense, enhancing or assisting the person's political position in a legal proceeding, causing a pecuniary or professional gain, or furthering political purposes.

BATTERY IN THE SECOND DEGREE - TEAR GAS OR PEPPER SPRAY

ACT 1168 (HB1232) - The act amends the law concerning the use of tear gas or pepper spray by increasing the penalty when used under certain circumstances.

CHILD ADVOCACY CENTERS - DISCLOSURE UNLAWFUL

ACT 1126 (SB318) - The act creates criminal penalties for the unlawful disclosure of records of a child advocacy center.

CHILD EXPLOITATION CRIMES

ACT 1190 (HB2094) - The act amends the definition of a "child" from a person under seventeen (17) years of age to a person under eighteen (18) years of age for purposes of certain child exploitation statutes.

CONTROLLED SUBSTANCES

ACT 751 (SB423) - The act adds certain substances, including the substances' salts, isomers, and analogs, into the list of Schedule I controlled substances. The act also places certain substances, including the substance known by the street name K2 and the plant known as salvia divinorum, into the list of Schedule VI controlled substances. The act declares an emergency and became effective on March 28, 2011.

CRIMINAL USE OF PROHIBITED WEAPONS - METAL KNUCKLES

ACT 161 (SB61) - The act provides that criminal use of prohibited weapons is a Class A misdemeanor if the offense is possession of metal knuckles.

CYBERBULLYING

ACT 905 (SB214) - The act creates the offense of cyberbullying and makes it a Class B misdemeanor.

CRIMINAL LAW AND PROCEDURE

DNA SAMPLES - RAPE SUSPECTS

ACT 699 (HB1563) - The act requires that a DNA sample be taken from a person arrested for rape. The act declares an emergency and became effective on March 24, 2011.

FAILURE TO APPEAR

ACT 514 (SB307) - The act amends the criminal penalties for failing to appear for certain misdemeanor offenses and violations.

FILING A FALSE INSTRUMENT AFFECTING TITLE OR INTEREST IN REAL PROPERTY

ACT 172 (HB1045) - The act provides that it is a Class C felony to file a false instrument affecting title or interest in real property against specific persons because of that person's position or performance of official duties. The act also provides that it is a Class D felony for a person who has a prior conviction for filing a false instrument affecting title or interest in real property against a person of the general public to file a subsequent false instrument affecting title or interest in real property. The act declares an emergency and became effective on March 4, 2011.

FRAUD - REWARD FOR INFORMATION REGARDING MEDICAID FRAUD

ACT 1154 (SB838) - The act eliminates the cap of one hundred thousand dollars (\$100,000) on the reward for persons providing information regarding Medicaid fraud. The act declares an emergency and became effective on April 4, 2011.

HERBAL SNUFF

ACT 198 (SB69) - The act prohibits the sale of herbal snuff to persons under eighteen (18) years of age.

HIV TESTING

ACT 1186 (HB2056) - The act purports to require HIV testing of defendants charged with certain sex offenses, and the act requires that notice be given to the prosecuting attorney and the victim or the victim's parent or guardian of the HIV testing results. However, the section of the act requiring the HIV testing was amended out of the bill before passage. As a result, the act contains only the notice provisions, which are obsolete in light of the removal of the HIV testing requirement.

INTERFERENCE WITH CUSTODY

ACT 1177 (HB1865) - The act amends the criminal statute concerning interference with custody to provide that a person commits this offense if the person keeps or procures another person to keep a minor from the custody of the minor's parent, guardian, or other lawful custodian.

MENTAL HEALTH EXAMINATION OF A DEFENDANT

ACT 991 (SB390) - The act amends the procedures regarding the rendering of an opinion as to the mental health status of a defendant in a criminal matter. The act also regulates the amount a person or entity may charge for the cost of providing mental health treatment to a defendant.

MUNICIPAL CODE VIOLATIONS

ACT 698 (HB1488) - The act extends the statute of limitations for municipal code violations to one (1) year unless a different period of time, not to exceed three (3) years, is set by ordinance.

OFFENSES

Lottery Fraud

ACT 207 (HB1302) - Sections 1 and 29 of the act move the provisions for lottery fraud from the Arkansas Scholarship Lottery Act to the Criminal Code. The act declares an emergency and became effective on March 8, 2011.

CRIMINAL LAW AND PROCEDURE

OFFENSES

Radio Voice Privacy Adapters

ACT 178 (HB1316) - The act allows the Department of Health to use radio voice privacy adapters to protect confidential patient information, and prohibits a person from owning, operating, or possessing radio equipment capable of receiving those Department of Health communications.

ORDERS OF PROTECTION - AFFIRMATIVE DEFENSES

ACT 810 (SB1000) - The act provides that it is an affirmative defense to prosecution for violating an order of protection if the petitioner for the order of protection invited the defendant to come to the petitioner's residence or place of employment and the petitioner knew that the defendant's presence at the petitioner's residence or place of employment would be in violation of the order or protection.

POSSESSION BY A MINOR

ACT 1152 (SB811) - The act provides that with respect to the unlawful possession of alcoholic beverages by a minor, the presence of intoxicating liquor, wine, or beer in the body of a minor is deemed to be in the minor's possession.

PUBLIC SAFETY IMPROVEMENT ACT

ACT 570 (SB750) - The act is a broad piece of legislation intended to curb the cost of correction, reduce recidivism, and hold criminal offenders accountable for their actions. Among many things, the act raises the criminal liability value thresholds for various theft offenses; creates a comprehensive new set of drug statutes; reorganizes and streamlines the probation and parole sections in the Arkansas Code; creates new sentencing and early discharge provisions; revises current probation and parole statutes to incorporate programs designed to rehabilitate rather than incarcerate; amends the procedures and parameters for the granting of medical parole; revises provisions for home detention through electronic monitoring; revises the drug court statutes to make them more efficient and effective; creates performance incentive funding for jurisdictions designed to reduce commitments to the Department of Correction; provides for new record-keeping measures designed to gauge the effectiveness of the act; and makes technical corrections throughout the Arkansas Code that resulted from redefining, relocating, amending, and creating certain statutes.

RELEASE OF ACQUITTEE

ACT 990 (SB389) - The act amends the procedures required for the release of a person who was acquitted of a criminal act by reason of mental disease or defect.

SCRAP METAL SALES

ACT 1193 (HB2119) - The act creates the criminal offense of theft by receiving of scrap metal. The act also amends the provisions regarding the records and documentation that are required for the sale of scrap metal to a scrap metal recycler.

SEX OFFENDER REGISTRATION - PAYMENT OF FEES

ACT 1009 (SB810) - The act requires mandatory fees for sex offender registration to be paid within ninety (90) days and states that failure to pay the required fee is a Class A misdemeanor.

SEX OFFENDERS

Mandatory Fine

ACT 812 (HB1015) - The act eliminates the "undue hardship" exception to the mandatory fine of two hundred fifty dollars (\$250) for persons convicted of a felony sex offense.

CRIMINAL LAW AND PROCEDURE

SEX OFFENDERS

Prohibition Against Working Around Children

ACT 1023 (HB1415) - The act provides that a person who is required to register as a sex offender and who is assessed as a Level 3 or Level 4 sex offender may not knowingly accept work as a self-employed person, an independent contractor, or an employee or agent of a self-employed person or independent contractor that is to be performed at a private daycare facility when the privately owned daycare facility has a child in its care.

Water Parks Owned Or Operated By A Local Government

ACT 816 (HB1504) - The act prohibits Level 3 and Level 4 assessed sex offenders from entering a water park owned or operated by a local government. The act declares an emergency and became effective on March 30, 2011.

SEXUAL CONTACT WITH ADULT STUDENTS - SCHOOL PERSONNEL

ACT 1129 (SB329) - The act includes school principals, athletic coaches, and counselors among the persons who are guilty of sexual assault in the second degree for sexual contact with a student less than twenty-one (21) years of age.

SEXUAL OFFENSES - STATUTE OF LIMITATIONS

ACT 1127 (SB320) - The act extends the statute of limitations on certain sexual offenses if the violation has not been previously reported to a law enforcement agency or prosecuting attorney and the victim has not reached twenty-eight (28) years of age.

TECHNICAL CORRECTIONS

Criminal Offenses - Title 5

ACT 1120 (SB247) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 5 of the Arkansas Code.

Law Enforcement, Emergency Management, And Military Affairs - Title 12

ACT 779 (SB254) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 12 of the Arkansas Code.

THEFT OF CERTAIN UTILITY PROPERTY

ACT 1227 (HB2118) - The act provides that it is a Class B felony to steal utility property with a value of five hundred dollars (\$500) or more.

UNLAWFUL BURNING - EXCEPTION

ACT 1038 (HB1883) - The act creates an exception to the offense of unlawful burning for the burning off of a crop following harvest if the required procedures are followed.

VIOLATION OF THE PEACE - PROTESTING A FUNERAL

ACT 142 (HB1207) - The act amends the distance from which a person may protest a deceased person's funeral from one hundred fifty feet (150') to three hundred feet (300'). The act also clarifies the definition of a "funeral" as it applies to the statute.

VIOLATIONS OF THE ARKANSAS HOT CHECK LAW

ACT 997 (SB666) - The act increases the fees that a prosecuting attorney may collect under the Arkansas Hot Check Law.

ECONOMIC DEVELOPMENT

ACCELERATION FUND COMMITTEE - SCIENCE AND TECHNOLOGY AUTHORITY

ACT 706 (HB2048) - The act creates the Arkansas Acceleration Fund Committee and the Arkansas Acceleration Fund to promote the accelerated growth of knowledge-based and high-technology jobs in Arkansas through focused funding of the state initiatives and programs.

ECONOMIC DEVELOPMENT

ALTERNATIVE FUELS DEVELOPMENT ACT

Incentive For Conversion Of School Buses To Operate On Natural Gas

ACT 1165 (HB1050) - The act provides a rebate incentive for the costs of converting diesel-powered and gasoline-powered school buses into dedicated or bi-fuel compressed natural gas school buses. The act requires the Arkansas Agriculture Department to create a rebate application process for an Arkansas school district to obtain a rebate for the conversion. The act also requires the department to prepare an annual progress report on rebates made under the act. The act declares an emergency and is effective on and after July 1, 2011.

Propane Gas

ACT 347 (HB1452) - The act amends the definition of "alternative fuels" under the Arkansas Alternative Fuels Development Act to include propane gas.

ARKANSAS DEVELOPMENT FINANCE AUTHORITY - FEDERAL ALLOCATIONS OF PRIVATE ACTIVITY AND GOVERNMENTAL VOLUME CAP

ACT 814 (HB1430) - The act recognizes the Arkansas Development Finance Authority as the primary administrator of federal allocations of private activity and governmental volume cap that are and may be allocated to the State of Arkansas by the United States Department of the Treasury. The act declares an emergency and became effective on March 30, 2011.

ARKANSAS GREAT PLACES PROGRAM

ACT 896 (HB2002) - The act creates the Arkansas Great Places Program, which shall be administered and established by the Department of Arkansas Heritage and shall provide planning and financial assistance to a county, municipality, incorporated town, or nonprofit organization for community development.

ARKANSAS RETIREMENT COMMUNITY PROGRAM ACT

ACT 1048 (HB1980) - The act amends the Arkansas Retirement Community Program Act by changing the establishment and maintenance of the program to the Arkansas Association of Development Organizations. It also changes the amount of the application fee and institutes a renewal fee.

BONDS - AMENDMENT 82

ACT 1047 (HB1955) - The act makes various changes to the Arkansas Code to conform to the changes made to Amendment 82 of the Arkansas Constitution by Amendment 88 of the Arkansas Constitution.

BUSINESS INCENTIVES - "NEW FULL-TIME PERMANENT EMPLOYEE"

ACT 1197 (HB2160) - This act amends the definition of "new full-time permanent employee", as that term applies to business incentives, to include employees who work at home.

CITIES AND COUNTIES - PUBLIC CORPORATIONS FOR ECONOMIC DEVELOPMENT ACT

ACT 282 (HB1306) - The act clarifies the powers included in the Public Corporations for Economic Development Act and also states that the powers are subject to the government authority under which the corporation was created.

ECONOMIC DEVELOPMENT PROJECTS - FUNDING

ACT 828 (HB1898) - The act creates the Local Sales and Use Tax Economic Development Project Funding Act, which authorizes cities and counties to levy local sales and use taxes to fund economic development projects. The act permits the abolition of the local sales and use tax and requires that an ordinance levying a local sales and use tax under the act be approved by the voters. The act is effective on and after October 1, 2011.

ECONOMIC DEVELOPMENT

EQUITY INVESTMENT INCENTIVE ACT OF 2007 - ADMINISTRATION

ACT 829 (HB1899) - The act provides that administration of the Equity Investment Incentive Act of 2007 shall be by the Arkansas Development Finance Authority, the Arkansas Economic Development Commission, and the Arkansas Science and Technology Authority. The act also clarifies when an equity investment incentive tax credit may be taken.

HOUSING AUTHORITIES

ACT 806 (SB889) - The act permits housing authorities to register fictitious names with the Secretary of State in certain circumstances.

INCENTIVES - PREMIUM BIOSOLID

ACT 333 (SB47) - The act creates the Premium Biosolid Marketing Incentive Act, which authorizes the Arkansas Natural Resources Commission to provide a cost-share incentive for the sale and purchase within the state of eligible premium biosolids not to exceed fifteen dollars (\$15.00) per ton of the eligible premium biosolid.

MINORITY BUSINESS ECONOMIC DEVELOPMENT ACT - SERVICE-DISABLED

VETERANS

ACT 893 (HB1971) - The act amends the Minority Business Economic Development Act to include service-disabled veterans in the definition of "minority".

PUBLICITY AND TOURISM - ARTS AND CULTURAL DISTRICTS

ACT 1030 (HB1760) - The act creates the Arkansas Arts and Cultural Districts Act, which authorizes the creation of arts and cultural districts subject to the approval of the Arkansas Arts Council.

REGIONAL ECONOMIC DEVELOPMENT PARTNERSHIP ACT

ACT 895 (HB1988) - The act creates the Regional Economic Development Partnership Act, which authorizes local governments to create regional economic development partnerships that are eligible to receive state funding if a two-to-one ratio of nonstate dollars to state dollars is maintained.

WORKFORCE INVESTMENT BOARDS

ACT 818 (HB1594) - The act amends the meeting provision for the Arkansas Workforce Investment Board Executive Committee and amends the membership of local workforce investment boards. The act also decreases the amount that a local workforce investment board may contract for some or all of its administrative services from fifteen percent (15%) to ten percent (10%) of the total cost of the program.

EDUCATION - GENERAL

AFTER-SCHOOL PROGRAMS - POSITIVE YOUTH DEVELOPMENT

ACT 166 (SB138) - The act establishes a framework for the Positive Youth Development Grant Program. The program may provide grant funding for after-school and summer programs for youth ages five (5) through nineteen (19) that develop educational, social, emotional, and physical skills during out-of-school time.

ALTERNATIVE EDUCATION

Alternative Learning Environments

ACT 1118 (SB81) - The act repeals § 6-18-508 concerning alternative learning environments and creates a new subchapter of the Arkansas Code for alternative learning environments, § 6-48-101 et seq. The new law incorporates some of the old provisions, but adds new provisions for definitions and for Department of Education responsibilities, including: (1) funding of alternative learning environment students; (2) developing criteria for professional development and training for alternative learning environment teachers; and (3) developing rules for measuring the effectiveness of alternative learning environments. The act declares an emergency and is effective on and after July 1, 2011.

EDUCATION - GENERAL

ALTERNATIVE EDUCATION

Vocational And Career Education

ACT 1202 (SB339) - The act establishes a multiagency task force to establish criteria and make recommendations for the operation of a Regional Educational Career Alternative School System for Adjudicated Youth.

ARKANSAS SCHOOL FOR THE DEAF - SPECIAL LICENSE PLATE

ACT 726 (SB336) - The act authorizes the creation and issuance of a special license plate for the Arkansas School for the Deaf for fundraising purposes.

CHARTER SCHOOLS

Arkansas Charter Schools Act - Liability Protection

ACT 993 (SB436) - The act amends the charter school law to: (1) include protection for public charter school personnel in the School Worker Defense Program; (2) amend the timing of payments of state funding for open-enrollment public charter schools; (3) require periodic reporting by open-enrollment public charter schools and amend other reporting requirements; (4) repeal the requirement for a petition indicating parental support for an open-enrollment public charter school; (5) amend the provisions for application for a charter, admission and enrollment requirements, and additional campuses of open-enrollment public charter schools; (6) require the Department of Education to conduct an end-of-semester review of an open-enrollment public charter school that is in its initial school year of operation; and (7) provide tort liability immunity for public charter schools. The act declares an emergency and became effective on April 1, 2011.

Open-Enrollment Public Charter School Limitations

ACT 987 (SB346) - The act lifts the current limit on the number of open-enrollment charters permitted in the state.

CHILD MALTREATMENT

Hotline

ACT 784 (SB326) - The act requires the Child Abuse Hotline to accept reports of injury to a child's intellectual, emotional, or psychological development from a guidance counselor licensed as a teacher.

Parental Notification

ACT 613 (HB1578) - The act prohibits the principal or the principal's designee from providing parental notification if the purpose of the law enforcement involvement concerns suspected child maltreatment and the parent, guardian, custodian, or parent standing in loco parentis is named as the alleged offender.

Policy Updates Required

ACT 985 (SB323) - The act requires school districts to update school policies after a law regarding child abuse is amended or is added to the Arkansas Code.

Sexual Contact With Adult Students Unlawful

ACT 1129 (SB329) - The act includes school principals, athletic coaches, and counselors among the persons who are guilty of sexual assault in the second degree for sexual contact with a student less than twenty-one (21) years of age.

EDUCATION - GENERAL**CHILD MALTREATMENT*****Training On Child Maltreatment Issues***

ACT 1236 (SB527) - The act amends Arkansas Code § 6-61-133 to require training for licensed school personnel on child maltreatment, including abuse, sexual abuse, neglect, sexual exploitation, and abandonment of a child under the Child Maltreatment Act, § 12-18-101 et seq. The training is to include connecting a victim of child maltreatment to appropriate in-school services and other agencies, programs, and services needed to provide the child with the emotional and educational support the child needs to continue to be successful in school. Under the act, licensed school personnel shall obtain, either in-person or online, training that is approved by Arkansas Child Abuse/Rape/Domestic Violence Commission.

CURRICULUM - JUNIOR RESERVE OFFICER TRAINING CORPS

ACT 1231 (HB2205) - The act provides that a student who completes two (2) semesters of a Junior Reserve Officer Training Corps program shall receive credit for graduation from high school of one-half (1/2) unit of physical education and one-half (1/2) unit of health and safety education.

DEPARTMENT OF EDUCATION - PARENTAL INVOLVEMENT PLANS

ACT 1002 (SB740) - The act requires the Department of Education to monitor on a rotating basis the implementation and effectiveness of public school parental involvement plans, and to make recommendations concerning areas of noncompliance. The act also requires the Department of Education to provide the professional development on parental involvement required under Arkansas Code § 6-15-703.

DESEGREGATION LITIGATION***Financial Management Oversight***

ACT 701 (HB1878) - The act grants financial management oversight authority to the Department of Education and the Attorney General concerning the receipt and expenditure of state funds provided to school districts in connection with desegregation litigation. The act declares an emergency and became effective on March 24, 2011.

School Performance Reports

ACT 1000 (SB737) - The act requires that the school performance report for each school to be made available to every parent or guardian of a child in public school via the website of the Department of Education and the website of the school district by March 15 each year. The act also adds the reporting of the total number of students in grades nine through eleven (9-11) who took the ACT or SAT and the number of students participating in a College Preparatory Enrichment Program (CPEP) to be included in the school performance report.

Settlement

ACT 624 (HB1595) - This act extends to December 31, 2012, the date by which the three (3) Pulaski County school districts, the Department of Education, and the Attorney General may enter into a settlement agreement concerning the Pulaski County desegregation litigation.

EARLY CHILDHOOD PROGRAMS***Assessment***

ACT 1130 (SB337) - The act requires the Division of Child Care and Early Childhood Education to assess each state-funded early childhood program based on nationally recognized standards and assessments concerning curriculum and learning environment, training and education of staff, adult-to-child ratios, student assessments, health and safety conditions, family involvement, and the results of site visits.

Facilities

ACT 636 (HB1916) - The act expands the authority of the Arkansas Child Care Facilities Loan Guarantee Trust Fund to provide grants to support an early childhood foundation or public-private partnership.

EDUCATION - GENERAL

EDUCATION DEPARTMENT - ANNUAL SCHOOL PERFORMANCE REPORT

ACT 988 (SB352) - The act requires the Department of Education to include in the annual school performance report whether a school district provides college preparation and remediation for students who took the ACT under the Voluntary Universal ACT Assessment Program Act.

EDUCATION SERVICE COOPERATIVES - PERFORMANCE RATINGS AND EVALUATIONS

ACT 739 (HB1433) - The act establishes the performance ratings for education service cooperatives. The act also requires the final evaluation of each education service cooperative to be available on the website of the education service cooperative, and requires the Department of Education and the directors of the education service cooperatives to develop evaluation criteria which shall be implemented by September 1, 2012.

EDUCATIONAL STANDARDS - COLLEGE AND CAREER READINESS

ACT 743 (HB1620) - The act establishes the College and Career Readiness Standards for Career and Technical Education Programs. The act also requires the Department of Career Education, in collaboration with the Department of Education and the Department of Higher Education, to develop and adopt college and career readiness program standards for career and technical education program of study courses and to establish a common course numbering system that incorporates career and technical education program of study courses at both the secondary and postsecondary level.

HEALTH AND SAFETY

Administration Of Glucagon

ACT 1204 (HB1447) - The act allows certain school personnel to be trained in the administration of Glucagon to a student with Type I diabetes, with parental consent. The act also requires the State Board of Nursing and the State Board of Education to promulgate appropriate rules.

Athletic Training

ACT 1214 (HB1743) - The act requires a school district to develop procedures concerning the recognition and management of the following events or conditions that may be encountered by a student during athletic training and physical activities: (1) a concussion, dehydration, or other health emergency; (2) an environmental issue that threatens the health or safety of students; and (3) a communicable disease. The act also establishes the two-year Public School Athletic Trainer Pilot Program. The act continues the existence of the Arkansas Legislative Task Force on Athletic Training in Public Schools until December 31, 2012, and requires the task force to conduct a web-based survey of public schools in Arkansas concerning athletic trainers in public schools and the events or conditions identified above that affect student health during athletic training and physical activities. Under the act, the task force is also required to produce a report based on the survey by November 1, 2012.

Human Services Workers In Schools - Funding

ACT 1228 (HB2125) - The act provides that funding for human services workers in schools shall be provided if eighty percent (80%) or more of the student population includes children eligible for the federal Free and Reduced Lunch Program. The act declares an emergency and became effective on April 15, 2011.

Limitation On Wireless Telephone Use In School Zones And Highway Work Zones

ACT 37 (SB154) - The act amends the Fewer Distractions Mean Safer Driving Act and prohibits handheld wireless telephone use in school zones and highway work zones. This act does not apply to law enforcement officers or operators of motor vehicles who are using a handheld wireless telephone for an emergency purpose.

EDUCATION - GENERAL

HEALTH AND SAFETY

Soccer Goal Safety

ACT 772 (HB1810) - The act requires soccer goals in a public recreation area to be anchored according to the Guidelines for Movable Soccer Goal Safety promulgated by the United States Consumer Product Safety Commission or the guidelines adopted by the Department of Health. "Public recreation area" includes privately owned or publicly owned parks, sports fields, auditoriums, school playgrounds, or other school facilities.

ORGANIZATIONS REGULATING INTERSCHOLASTIC ACTIVITIES

ACT 600 (HB1348) - The act provides that all civil actions brought against an organization that regulates extracurricular interscholastic activities in grades seven through twelve (7-12) in both public and private schools must be brought in Pulaski County if the organization's main administrative office is located in Pulaski County.

PERSONNEL

Active Duty Military Personnel

ACT 1164 (HB1024) - The act clarifies the leaves of absence and reemployment of military personnel called to active duty, including members of the national guard or a reserved component of the armed forces.

Ethics

ACT 1045 (HB1952) - The act amends the powers and duties of the Professional Licensure Standards Board.

High Priority District Incentives

ACT 1135 (SB663) - The act amends Arkansas Code § 6-17-811 concerning teacher salary incentives for teachers in high priority school districts by revising the definition of "high priority school district" and adding a definition of "national school lunch act students".

Human Services Workers In Schools - Funding

ACT 1228 (HB2125) - The act provides that funding for human services workers in schools shall be provided if eighty percent (80%) or more of the student population includes children eligible for the federal Free and Reduced Lunch Program. The act declares an emergency and became effective on April 15, 2011.

In-Service Training

ACT 770 (HB1778) - The act requires two (2) hours of in-service professional development for licensed personnel in teen suicide awareness and prevention once every five (5) years.

Licensed Speech-Language Pathologists

ACT 1035 (HB1819) - The act provides a specific date of December 1 of each year for the payment of an annual bonus to a licensed speech-language pathologist under Arkansas Code § 6-17-413, and requires repayment of the bonus if a licensed speech language pathologist who receives a bonus leaves school system employment within three (3) years of first receiving the bonus.

Licensure

ACT 1178 (HB1893) - The act: (1) expands Arkansas's reciprocity for teachers with out-of-state licenses; (2) provides for standard five-year licensure for a teacher who has completed either the Teach for America program or a master's degree in education; (3) provides for provisional licensure of a person who is currently participating in the Teach for America program; (4) provides for a three-year provisional license for persons desiring to enter the teaching field with a bachelor's degree and experience in the teaching content area; and (5) defines "master's degree" as used in the Teacher Compensation Act of 2003, § 6-17-2401 et seq., as including a master's in education, guidance counseling, or a teacher's teaching content area.

EDUCATION - GENERAL
PERSONNEL

Professional Development

ACT 1146 (SB780) - The act expands the purpose of professional development to include providing educators with knowledge and skills needed to teach students with disabilities.

ACT 1150 (SB793) - The act expands the objectives of teachers' professional development plans to include providing educators with knowledge and skills needed to teach culturally and linguistically diverse students.

Salary Supplements

ACT 186 (HB1366) - The act clarifies that a school district is not prohibited from paying a teacher salary supplements.

School Counselors

ACT 1172 (HB1592) - The act clarifies that seventy-five percent (75%) of work time each month during the school year for school counselors shall be spent providing direct counseling to students.

Sexual Contact With Adult Students Unlawful

ACT 1129 (SB329) - The act includes school principals, athletic coaches, and counselors among the persons who are guilty of sexual assault in the second degree for sexual contact with a student less than twenty-one (21) years of age.

Sick Leave

ACT 1215 (HB1770) - The act clarifies the calculation of sick leave for teachers.

Superintendent Mentoring Program

ACT 586 (SB344) - The act requires a first-year superintendent to complete a superintendent mentoring program within twelve (12) months of obtaining or maintaining a superintendent's license.

Teacher Excellence And Support System

ACT 1209 (HB2178) - The act establishes the Teacher Excellence and Support System, § 6-17-2801 et seq., a statewide teacher evaluation and support program based on nationally recognized performance categories and descriptors to be implemented by all schools by the 2014-2015 school year. The act provides that the system: (1) uses student performance and growth measures as part of a teacher's summative evaluation; (2) requires the use of evidence of the teacher's performance and student performance; (3) requires classroom observation with pre- and post-observation conferences; (4) provides an opportunity for discussion of the evaluation and feedback; (5) requires professional learning plans to be developed collaboratively between the teacher and an evaluator; (6) provides ongoing support to help teachers improve teaching practices; (7) creates an intensive support status for teachers who receive an "unsatisfactory" rating on an evaluation; (8) requires novice teacher induction and mentoring; and (9) creates a pilot program before final implementation of the system. The act declares an emergency and became effective on April 4, 2011.

Training On Child Maltreatment Issues

ACT 1236 (SB527) - The act amends Arkansas Code § 6-61-133 to require training for licensed school personnel on child maltreatment, including abuse, sexual abuse, neglect, sexual exploitation, or abandonment of a child under the Child Maltreatment Act, § 12-18-101 et seq. The training is to include connecting a victim of child maltreatment to appropriate in-school services and other agencies, programs, and services needed to provide the child with the emotional and educational support the child needs to continue to be successful in school. Under the act, licensed school personnel shall obtain, either in-person or online, training that is approved by Arkansas Child Abuse/Rape/Domestic Violence Commission.

EDUCATION - GENERAL

PUBLIC SCHOOL CHOICE

Decisions Based On Race

ACT 1124 (SB303) - The act clarifies that racial factors are not considered under the Arkansas Opportunity Public School Choice Act of 2004 unless necessary to comply with a federal desegregation court order.

Transportation - Denial - Appeal

ACT 1147 (SB788) - The act requires that transportation for a student under the Arkansas Opportunity Public School Choice Act of 2004 shall be paid for by the transferring school district or charter school up to four hundred dollars (\$400). The act clarifies that a school district shall not deny a child's petition for a choice transfer unless there is a lack of capacity at the student's school district of choice. The act also allows the parent or guardian of a student to appeal a decision to deny admission to the State Board of Education.

PUBLIC SCHOOL FUNDING

Adequacy Study

ACT 725 (SB330) - The act amends the Continuing Adequacy Evaluation Act of 2004 to: (1) add a requirement to include in the biennial adequacy study a review of recent legislation and rules that could affect public school funding under adequacy; (2) require a draft of the report to be published for review fourteen (14) days before it is sent to the General Assembly; and (3) change the reporting date from September 1 to November 1 before a regular session.

Categorical Funding

ACT 1220 (HB1910) - The act expands the permissible uses of national school lunch state categorical funding and requires school districts to spend at least 85% of national school lunch state categorical funding received and at least 80% of all categorical funding received. Under the act, the Department of Education may withhold from a school district the amount of categorical funding in its total categorical fund balance that exceeds 20% and redistribute that funding to other school districts.

Foundation Funding And Categorical Funding

ACT 1039 (HB1901) - The act provides the following resources for funding educational adequacy: (a) per-student foundation funding of \$6,144 for the 2011-2012 school year and \$6,267 for subsequent school years; (b) per-student categorical funding for students identified as full time equivalent alternative learning environment students of \$4,145 for the 2011-2012 school year and \$4,228 for subsequent school years; (c) per-student categorical funding for students identified as English language learners of \$299 for the 2011-2012 school year and \$305 for subsequent school years; (d) per-student national school lunch state categorical funding for the 2011-2012 school year of \$1,518 for a school district with 90% or greater NSLA students, \$1,012 for a school district with at least 70% but less than 90% NSLA students, and \$506 for a school district with less than 70% NSLA students; and for subsequent school years, \$1,549, \$1,033, and \$517, respectively; and (e) per-student categorical funding for professional development of \$51 for the 2011-2012 school year and \$52 for subsequent school years. The act declares an emergency and is effective on and after July 1, 2011.

Isolated Schools

ACT 996 (SB648) - The act amends Arkansas Code § 6-20-603 and § 6-20-604 to continue funding for an isolated school area that becomes part of a school district through consolidation or annexation.

ACT 1131 (SB353) - The act amends Arkansas Code §§ 6-20-601 -- 6-20-604 to make technical corrections concerning public funding for isolated schools and isolated school areas.

EDUCATION - GENERAL
PUBLIC SCHOOL FUNDING

Uniform Rate Of Tax

ACT 633 (HB1829) - The act amends provisions of the tax code that require county clerks to report revenues from the uniform rate of tax to the Arkansas Coordination Division, and creates instead an annual summary report by county clerks to be filed with the Secretary of State concerning the revenues from the uniform rate of tax. The act also allows the Department of Education to make adjustments in the calculation of state funding for public schools upon receiving evidence of overlapping reporting or irregular distributions of revenues from the uniform rate of tax.

SCHOOL DISTRICTS

Academic Facilities

ACT 1006 (SB786) - The act amends various provisions of the Arkansas Code concerning Arkansas public school academic facilities and transportation, including amendments to: § 6-19-123, to repeal the expired code section; § 6-19-126, to amend the language of the warning on school buses; § 6-20-1407, concerning the approval of building plans; § 6-20-2501 et seq., the Arkansas Public School Academic Facilities Funding Act, to amend provisions concerning the Academic Facilities Review Board and the definitions of "maintenance, repair, and renovation", "new construction", and "facilities master plan"; and § 6-21-806, to require a six-year district wide facilities master plan (formerly a ten-year plan).

Annexation Or Consolidation

ACT 1217 (HB1844) - The act clarifies the requirements for forming a school board of directors after a voluntary or state-directed annexation or consolidation takes place.

Antibullying Policies

ACT 907 (SB892) - The act amends the state's public school antibullying policy to: (1) include bullying based on a student's attribute, such as race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation; (2) require the investigation of bullying complaints; and (3) require training on compliance with antibullying policies for all school personnel who are required to report or investigate complaints of bullying.

Boards Of Directors

ACT 1213 (HB1708) - The act provides that the professional development required of members of the board of directors of a school district shall include training on how to read and interpret audit reports and on other financial regulations concerning school districts. The act also specifies who may provide the training and that the training may be obtained by electronic means.

Bonded Debt

ACT 266 (HB1527) - The act makes clarifying amendments to Arkansas Code § 6-20-2503, concerning definitions relating to bonded debt assistance.

Common Spring Break

ACT 46 (HB1224) - The act extends through the 2012-2013 school year the law that requires a common spring break period for all school districts, and requires the advisory council to report to the interim House Education Committee and the interim Senate Education Committee annually by August 1, 2012, and August 1, 2013.

Digital Resources For Student Instruction

ACT 288 (HB1427) - The act adds digital resources and the equipment needed to access the digital resources to the provision concerning textbooks and instructional materials provided to students.

Ethical Guidelines

ACT 878 (HB1616) - The act amends the notification requirements for school boards and school district personnel to follow when contracting with the school district.

EDUCATION - GENERAL

SCHOOL DISTRICTS

Policy Updates Required

ACT 985 (SB323) - The act requires school districts to update school policies after a law regarding child abuse is amended or is added to the Arkansas Code.

Revenue Receipts

ACT 871 (HB1296) - The act modifies the definition of "revenue receipts of a school district".

School Start Date

ACT 65 (HB1099) - The act allows a school district to begin the school year on or after Monday of the week in which August 19 falls, but no earlier than August 14 and no later than August 26.

SCHOOL ELECTIONS - DEADLINES

ACT 1185 (HB2054) - The act amends various Arkansas laws relating to certain election deadlines, including amending deadlines applicable to school elections, elections for local boards of community colleges, preferential primary elections, general elections, nonpartisan judicial elections, and special elections. The act is effective on and after October 2, 2011.

SCIENCE AND TECHNOLOGY

ACT 706 (HB2048) - The act creates the Arkansas Acceleration Fund Committee and the Arkansas Acceleration Fund to promote the accelerated growth of knowledge-based and high-technology jobs in Arkansas through focused funding of the state initiatives and programs.

STUDENT ACHIEVEMENT

Postsecondary Preparatory Programs

ACT 879 (HB1617) - The act amends the Arkansas College and Career Readiness Planning Program and statutes on postsecondary preparatory programs to expand the opportunities for students with identified academic needs to attend postsecondary preparatory programs. The act requires a postsecondary preparatory program to align its program content with student needs identified under the PLAN, EXPLORE, and PSAT results for students in grades eight through ten (8-10) and ACT results for students in grade eleven (11). Students in grade twelve (12) or who have just completed grade twelve (12) may participate if space is available. The act allows postsecondary preparatory programs to operate on a year-round schedule. Schools may partner with institutions of higher education to operate the postsecondary preparatory program and may use national school lunch state categorical funding to fund the program. The act also requires the Department of Education and Department of Higher Education to collect and report on data from postsecondary preparatory programs. The act declares an emergency and became effective on March 31, 2011.

Supplemental Educational Services Transparency Act

ACT 902 (HB2088) - The act requires a supplemental educational services provider to annually report to the Department of Education and to a school district where its services are provided statistical information on the student achievement of the students it has served, financial information concerning its services provided, and the results of parent satisfaction surveys. The report shall also be available, by document or by a link, on public websites of the provider, the school district, and the Department of Education. The act further requires a provider to provide an progress report to the House Committee on Education and the Senate Committee on Education.

EDUCATION - GENERAL
STUDENTS

Antibullying

ACT 907 (SB892) - The act amends the state's public school antibullying policy to: (1) include bullying based on a student's attribute, such as race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation; (2) require the investigation of bullying complaints; and (3) require training on compliance with antibullying policies for all school personnel who are required to report or investigate complaints of bullying.

Attendance

ACT 1223 (HB1995) - The act removes references to "unexcused" absences, amends provisions relating to excessive absences by a student, and amends provisions relating to community truancy boards.

Clothing

ACT 835 (HB1936) - The act provides that a school district shall include in its student discipline policies a provision prohibiting students from wearing, while on the grounds of a public school during the regular school day and at school-sponsored activities and events, clothing that exposes underwear, buttocks, or the breast of a female.

Eye And Vision Care Of School Age Children

ACT 176 (HB1301) - The act repeals the sunset provision for the Arkansas Commission on Eye and Vision Care of School Age Children and authorizes the codification of Act 755 of 2003 as amended by Act 1438 of 2005 and Act 138 of 2007. As a result, the Arkansas Commission on Eye and Vision Care of School Age Children is permanent. The act declares an emergency and became effective on March 4, 2011.

Foster Children

ACT 591 (SB625) - The act contains significant provisions in new Arkansas Code § 9-28-111 - 9-28-114 for the continued education of a child placed under the care of the Division of Children and Family Services, and repeals § 9-7-103, which formerly dealt with the continuity of educational services to foster children.

Hazing

ACT 1160 (SB897) - The act amends Arkansas Code § 6-5-201 to clarify that the prohibition against hazing includes the initiation into or affiliation with sports programs and other extracurricular activities.

Missing Children - Notification

ACT 598 (HB1298) - The act requires local law enforcement or the Attorney General to provide a missing child notification to the school administrator of the school where a missing child is enrolled. The act also provides that missing children information is entered into the Missing Persons Information Clearinghouse within the Arkansas Crime Information Center after local law enforcement has received notification that the child is missing.

Multiple Birth Siblings

ACT 906 (SB268) - The act allows a parent to request that multiple birth siblings be placed together in a classroom. A school must abide by the request unless the assignment would require the school to add a class, or would cause a disruption in the educational environment or the educational achievement of one (1) or more of the siblings.

STUDY OF AN EXTENDED SCHOOL YEAR

ACT 593 (SB711) - The act requires the interim House Committee on Education and the interim Senate Committee on Education to study the advantages and disadvantages of an extended school year, including the impact on school districts, employees, students, and tourism.

EDUCATION - GENERAL

TEACHER RETIREMENT SYSTEM

Account Assets - Creation Of Accounts

ACT 41 (HB1117) - The act allows the Arkansas Teacher Retirement System to create accounts as necessary to manage assets of the system. The act declares an emergency and became effective on February 16, 2011.

Benefits For Members After Actual Service - Annuity Options

ACT 137 (HB1143) - The act allows members to be eligible for disability benefits, survivor benefits, and lump-sum death benefits for a full fiscal year after the last fiscal year of actual service and authorizes the Board of Trustees of the Arkansas Teacher Retirement System to promulgate rules concerning annuity options. The act declares an emergency and became effective on February 24, 2011.

Board Of Trustees

ACT 975 (SB88) - The act allows the Board of Trustees of the Arkansas Teacher Retirement System to appoint an individual to fill an unexpired term of an elected trustee until the next special or regular election. The act also allows the Arkansas Teacher Retirement System to reimburse board members for reasonable expenses incurred in the performance of his or her duties. The act declares an emergency and became effective on April 1, 2011.

Calculating Service Agreements

ACT 163 (SB68) - The act clarifies the conditions for calculating service credits under a contract buyout agreement. The act also requires a member to continue to work on-site for the employer after the contract buyout to receive additional service credit. The act declares an emergency and became effective on March 4, 2011.

Calculation Of Final Average Salary

ACT 225 (HB1140) - The act removes the antispiking provisions for a major gap of employment in the calculation of a member's final average salary.

Credited Service

ACT 974 (SB86) - The act requires that a member be employed by an employer covered by the Arkansas Teacher Retirement System for a minimum of one hundred sixty (160) days per fiscal year to earn one (1) year of credited service. The act declares an emergency and is effective on and after July 1, 2011.

Death Benefits

ACT 977 (SB95) - The act allows designated beneficiaries to receive the maximum lump-sum death benefit if a member has accrued a minimum of fifteen (15) years of contributory service. The act declares an emergency and is effective on and after July 1, 2011.

Disability Retirement

ACT 973 (SB85) - The act clarifies that for a member to be eligible for disability retirement under the Arkansas Teacher Retirement System, the onset of the disability must have occurred while the member was employed by an employer covered under the system. The act declares an emergency and is effective on and after July 1, 2011.

Distribution Options For Members

ACT 162 (SB63) - The act allows a partial distribution option for members of the Arkansas Teacher Retirement System and includes reciprocal service when calculating plan deposits. The act declares an emergency and is effective on and after July 1, 2011.

Interest On Accumulated Contributions For Deceased Members

ACT 136 (HB1142) - The act clarifies that interest on a deceased member's accumulated contributions ceases after one (1) full fiscal year following the member's death when no survivor annuity is payable. The act declares an emergency and is effective on and after July 1, 2011.

EDUCATION - GENERAL
TEACHER RETIREMENT SYSTEM

Look Back Period

ACT 138 (HB1147) - The act limits the number of years that the Arkansas Teacher Retirement System, a benefit participant, or an employer may look back when adjusting records, correcting overpayments, correcting underpayments, correcting contribution calculations, or correcting benefit calculations to the current fiscal year and the four (4) immediately preceding fiscal years. The act declares an emergency and is effective on and after July 1, 2011.

Member Contributions

ACT 976 (SB89) - The act clarifies that if a member or a surviving spouse elect to receive a refund of member contributions, all member's service credit, including noncontributory service credit, is canceled. The act declares an emergency and is effective on and after July 1, 2011.

Military Service Credit

ACT 66 (HB1111) - The act allows members of the Arkansas Teacher Retirement System to purchase one (1) year of service credit for every one (1) year of service in the armed forces reserve up to five (5) years. The act declares an emergency and became effective on February 18, 2011.

Option Beneficiaries

ACT 557 (SB120) - The act clarifies which individuals may be designated as annuity option beneficiaries under the Arkansas Teacher Retirement System. The act also allows the Board of Trustees of the Arkansas Teacher Retirement System to adopt rules concerning option beneficiaries. The act declares an emergency and became effective on March 22, 2011.

Purchase Of Service Credit

ACT 69 (HB1212) - The act requires that the actuarial equivalent be used for the purchase of service credit and establishes accounting procedures for the purchase of service credit. The act declares an emergency and is effective on and after July 1, 2011.

ACT 69 (HB1212) - The act requires that the actuarial equivalent be used for the purchase of service credit and establishes accounting procedures for the purchase of service credit. The act declares an emergency and is effective on and after July 1, 2011.

Rescission

ACT 224 (HB1135) - The act repeals the option to rescind retirement. The act declares an emergency and is effective on and after July 1, 2011.

Right To Remain An Active Member

ACT 513 (SB126) - The act establishes the right of an Arkansas Teacher Retirement System member to remain an active member while employed by an institution of higher education. The act also strengthens verification and reporting requirements for institutions of higher education with respect to active members of the system. The act declares an emergency and is effective on and after July 1, 2011.

Technical Corrections

ACT 45 (HB1223) - The act makes various technical corrections to statutes related to the Arkansas Teacher Retirement System. The act declares an emergency and became effective on February 16, 2011.

TECHNICAL CORRECTIONS - EDUCATION - TITLE 6

ACT 981 (SB246) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 6 of the Arkansas Code.

EDUCATION - GENERAL
TRANSPORTATION

Public School Choice

ACT 1147 (SB788) - The act requires that transportation for a student under the Arkansas Opportunity Public School Choice Act of 2004 shall be paid for by the transferring school district or charter school up to four hundred dollars (\$400).

Rebate Incentive For Converting School Buses To Operate On Natural Gas

ACT 1165 (HB1050) - The act provides a rebate incentive for the costs of converting diesel-powered and gasoline-powered school buses into dedicated or bi-fuel compressed natural gas school buses. The act requires the Arkansas Agriculture Department to create a rebate application process for an Arkansas school district to obtain a rebate for the conversion. The act also requires the department to prepare an annual progress report on rebates made under the act. The act declares an emergency and is effective on and after July 1, 2011.

School Bus Parental Monitors

ACT 984 (SB321) - The act allows school districts to create programs under which parents of school children may serve as monitors on school buses. Parental monitors would be subject to criminal background checks.

School Bus Signage

ACT 1006 (SB786) - The act amends various provisions of the Arkansas Code concerning Arkansas public school academic facilities and transportation, including amending the language of warnings on school buses.

VARIOUS AMENDMENTS TO EDUCATION LAWS

ACT 989 (SB383) - The act amends various provisions of Title 6 of the Arkansas Code, including amendments to: (1) Section 6-11-105, allowing the state board to assume all authority of a school district board of directors of a school district when the state board takes over a school district; (2) Various code sections, to advise the Arkansas Geographic Information Office of changes in school district boundaries; (3) Section 6-13-701, to authorize a school district treasurer to use electronic funds transfer; (4) Section 6-13-1602, to annually provide a list of school districts with an average daily membership of fewer than 350 students in the immediately preceding school year and § 6-13-1608, and to prohibit a school district identified on that list from incurring debt without the prior written approval of the Department of Education; (5) Section 6-15-203, to change deadlines for notification and appeal of the failure to meet standards for accreditation; (6) Section 6-15-403, to allow the State Board of Education and the Department of Education to transition to the Common Core State Standards; (7) Section 6-15-1402, to change the date of the annual school performance report to April 15; (8) Section 6-15-2009, to move the date for the initiation of the high-stakes end-of-course assessment for English II (grade 10) to the 2014-2015 school year; (9) Section 6-16-102, to clarify that the length of a school day is an average of not less than six (6) hours of planned instructional time per day or thirty (30) hours per week; (10) Section 6-17-209, to suspend the requirement for an interim personnel committee when consolidation or annexation is a State Board of Education action relating to academic, facilities, or fiscal distress, or for violation of standards for accreditation; (11) Section 6-17-306, to clarify the statute on leaves of absence; (12) Section 6-18-401 et seq., to repeal the expired Arkansas American College Test Assessment Assistance Pilot Program Act of 1999; (13) Section 6-20-412, to remove the requirement for a report on nonrecurring salary payments for licensed personnel; (14) Various provisions that referenced a "building fund", to change those references to "debt service fund"; (15) Section 6-20-2202, to change the due date of a school district's annual budget and expenditure report to September 15 (formerly August 1); (16) Section 6-20-2303, to allow student tuition agreements between Arkansas school districts and bordering out-of-state school districts; and (17) Various other provisions to change "certified" to "licensed" and make non-substantive technical corrections.

EDUCATION - HIGHER

ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM - PART 2

Eligibility

ACT 825 (HB1821) - The act gives a scholarship priority to a qualified applicant whose parent was an Arkansas resident killed while performing military duty in the United States Armed Forces or National Guard.

Eligibility Requirements - Department Of Higher Education Reporting

ACT 207 (HB1302) - The act amends the Arkansas Academic Challenge Scholarship Program - Part 2 (lottery-funded) to do the following: (1) amend certain definitions; (2) remove the traditional student eligibility provision concerning students from grade-inflated schools; (3) make the basic eligibility requirements consistent with continuing eligibility; (3) clarify the nontraditional eligibility requirements; (4) clarify continuing eligibility requirements; (5) clarify the types of institutions where students will receive the two-year institution scholarship award amount; (6) require the Department of Higher Education to develop a universal form for the authorization of (or refusal to authorize) the release of student information; and (7) amend reporting requirements of the Department of Higher Education. The act also amends the Arkansas Scholarship Lottery Act under Title 23, Chapter 115 of the Arkansas Code and amends the scholarship stacking law to clarify the meaning of "other aid" and require students to disclose information on all higher education financial assistance received. The act declares an emergency and became effective on March 8, 2011.

Scholarship Award Amounts

ACT 1180 (HB1947) - The act sets the amount of the Arkansas Academic Challenge Scholarship Program - Part 2 annual award for a full time recipient enrolled at a four-year institution of higher education at four thousand five hundred (\$4,500). The act also removes the cap on current achiever student scholarship awards. Under the act, a current recipient who maintains eligibility for a previous scholarship award will continue to receive the amount originally awarded to the recipient.

Scholarship Distribution

ACT 1222 (HB1937) - The act requires the Department of Higher Education, the Department of Education, and the Bureau of Legislative Research to jointly conduct a study of the fairness of the distribution of Arkansas Academic Challenge Scholarships funded by net proceeds of the Arkansas Lottery, and provide progress reports and by June 1, 2012, a final report to the Arkansas Lottery Commission Legislative Oversight Committee.

Student Release Of Information - Institution Of Higher Education Reporting

ACT 635 (HB1875) - The act requires a good faith effort on the part of an institution of higher education to obtain a student's authorization or refusal to authorize the release of student information under the Arkansas Scholarship Lottery Act, and to report to the Bureau of Legislative Research the required student data obtained under the authorizations. The penalties for noncompliance include the suspension of its ability to receive Arkansas Academic Challenge Scholarship funds and receive state aid.

CERTIFICATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS - FALSE ACADEMIC CREDENTIALS

ACT 205 (HB1254) - The act prohibits the use of false academic credentials to obtain employment, a promotion, admission to an institution of higher education, a position in government with authority over another person, or promoting oneself. Requires some postsecondary educational institutions to obtain certification from the Arkansas Higher Education Coordinating Board before offering educational coursework leading to a degree or opening an educational institution in the state.

EDUCATION - HIGHER

COLLEGE OF THE OUACHITAS - RENAMING OF OUACHITA TECHNICAL COLLEGE

ACT 208 (SB384) - The act renames the Ouachita Technical College the College of The Ouachitas.

DEGREES - POSTHUMOUS

ACT 1239 (HB1896) - The act encourages institutions of higher education to establish a process for awarding a posthumous degree to a student who has died while enrolled in a degree program at the institution of higher education.

ELECTRICAL ENERGY ADVANCEMENT PROGRAM

ACT 1232 (HB2219) - The act establishes the Electrical Energy Advancement Program Fund (§ 19-5-1243). The purpose of the fund is to provide funding under the Electrical Energy Advancement Program, § 6-61-1401 et seq., for projects relating to the following: (1) competitive undergraduate scholarships for Arkansas residents in the field of electrical and electronic engineering at the member universities of the consortium to be given in accordance with institutional guidelines and (2) competitive graduate fellowships for master's and doctoral students in electrical and electronic engineering at member universities of the consortium to be given in accordance with institutional guidelines with preference given to Arkansas residents. The act expires six (6) years from its effective date unless extended by the General Assembly.

EMPLOYEE COMPENSATION - UNPAID SICK LEAVE

ACT 337 (SB354) - The act clarifies that unpaid sick leave compensation may be granted at the discretion of each state-supported institution of higher education upon the retirement or death of an employee. The act declares an emergency and became effective on March 18, 2011.

HENDERSON STATE UNIVERSITY - FUNDING

ACT 764 (SB37) - The appropriation act amends the Arkansas Code concerning the use of residual State Board of Collection Agencies fees and allowing an amount not to exceed \$100,000 to be remitted to Henderson State University. The act declares an emergency and is effective on and after July 1, 2011.

HIGHER EDUCATION DEPARTMENT - COMPREHENSIVE ANNUAL REPORT

ACT 696 (HB1454) - The act modifies what reports shall be included in the annual report and how often some reports shall be included.

LOCAL BOARDS OF COMMUNITY COLLEGES - ELECTIONS

ACT 1185 (HB2054) - The act amends various Arkansas laws relating to certain election deadlines, including amending deadlines applicable to school elections, elections for local boards of community colleges, preferential primary elections, general elections, nonpartisan judicial elections, and special elections. The act is effective on and after October 2, 2011.

POSTSECONDARY PREPARATORY PROGRAMS

ACT 879 (HB1617) - The act amends the Arkansas College and Career Readiness Planning Program and statutes on postsecondary preparatory programs to expand the opportunities for students with identified academic needs to attend postsecondary preparatory programs. The act requires a postsecondary preparatory program to align its program content with student needs identified under the PLAN, EXPLORE, and PSAT results for students in grades eight through ten (8-10) and ACT test results for students in grade eleven (11). Students in grade twelve (12) or who have just completed grade twelve (12) may participate if space is available. The act allows postsecondary preparatory programs to operate on a year-round schedule. Schools may partner with institutions of higher education to operate the postsecondary preparatory program and may use national school lunch state categorical funding to fund the program. The act also requires the Department of Education and Department of Higher Education to collect and report on data from postsecondary preparatory programs. The act declares an emergency and became effective on March 31, 2011.

EDUCATION - HIGHER

PUBLICATION OF EXPENDITURE DATA ON WEBSITE

ACT 1163 (HB1017) - The act provides that a state-supported institution of higher education shall present expenditure data on a website operated by the state-supported institution of higher education.

REMEDICATION - TESTING

ACT 899 (HB2032) - The act allows the Arkansas Higher Education Coordinating Board to determine the appropriate remedial testing requirements for entering freshmen.

SCIENCE AND TECHNOLOGY

ACT 706 (HB2048) - The act creates the Arkansas Acceleration Fund Committee and the Arkansas Acceleration Fund to promote the accelerated growth of knowledge-based and high-technology jobs in Arkansas through focused funding of the state initiatives and programs.

SOUTHEAST ARKANSAS COLLEGE - PRIORITIES

ACT 1082 (SB281) - The appropriation act adds a new section to the Arkansas Code concerning the priorities of Southeast Arkansas College. The act declares an emergency and is effective on and after July 1, 2011.

SOUTHERN ARKANSAS UNIVERSITY - SCHOOL OF VETERINARY MEDICINE

ACT 1210 (HB1780) - The act authorizes the Southern Arkansas University to design and establish a school of veterinary medicine after obtaining approval and authorization from the Arkansas Higher Education Coordinating Board.

SOUTHERN ARKANSAS UNIVERSITY-TECH, FIRE TRAINING ACADEMY - TRANSFER OF FUNDS

ACT 1087 (SB286) - The appropriation act adds a new section to the Arkansas Code concerning the transfer of funds by Southern Arkansas University-Tech, Fire Training Academy because of a declared emergency by the Governor for which the university is required to lend assistance. The act declares an emergency and is effective on and after July 1, 2011.

STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION

Admission Standards

ACT 1184 (HB2050) - The act allows the Arkansas Higher Education Coordinating Board to utilize acceptable federally determined ability-to-benefit assessments to determine the likelihood of student success in a degree program, in addition to an ACT score.

Annual Certification Of Solvency

ACT 1065 (SB104) - The act requires the board of trustees and the president or chancellor of a state-supported institution of higher education to provide a certification to the Chief Fiscal Officer of the State and the Legislative Council that as of December 31, concerning the sufficiency of appropriations and funds provided by the state to the institution. The act declares an emergency and is effective on and after July 1, 2011.

Construction Project Exemption

ACT 1065 (SB104) - The act provides an exemption from Ark. Code § 19-4-1415(b)(5) for construction projects exceeding five million dollars (\$5,000,000) under certain conditions for Henderson State University, Southern Arkansas University - Magnolia, University of Central Arkansas, Mid-South Community College, National Park Community College, and Northwest Arkansas Community College. The act declares an emergency and is effective on and after July 1, 2011.

EDUCATION - HIGHER

STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION

Funding

ACT 1203 (SB766) - The act adds an outcome-centered component to the funding formulas for two-year and four-year state-supported institutions of higher education. Clarifies the overarching framework for all state-supported institutions of higher education and imbeds accountability measures with funding. Requires the Arkansas Higher Education Coordinating Board to develop an outcome-centered funding formula model by December 31, 2011. The act declares an emergency and became effective on April 5, 2011.

Roger Phillips Transfer Policy Expansion

ACT 747 (HB1772) - The act expands the Roger Phillips transfer policy to include completion of the sixty (60) semester hours included in the state minimum core curriculum. Allows most associate degree programs to be limited to sixty (60) semester hours and most baccalaureate degree programs to be limited to one hundred twenty (120) semester hours. Adopts a common course numbering system to be implemented by the Arkansas Higher Education Coordinating Board and utilized at all state-supported institutions of higher education.

STUDENT DATA

ACT 1195 (HB2142) - The act requires the Arkansas Department of Higher Education to develop and maintain the Arkansas Higher Education Information System containing student data from institutions of higher education in the state, and, by December 1, 2011, provide to the Bureau of Legislative Research direct read and report only access to the data warehouse of the system. The act also addresses compliance with system requirements by institutions of higher education in the state that participate in the system. Under the act, the Department of Higher Education is required to provide data to the bureau as provided in the act until the bureau has the direct read and report only access to the system's data warehouse. The act declares an emergency and became effective on April 4, 2011.

STUDENT FINANCIAL ASSISTANCE

Deposits Into A Tax-Deferred College Savings Plan

ACT 702 (HB1924) - The act allows state employees to authorize payroll deductions for deposits into a tax-deferred college savings plan or a tax-deferred tuition savings program.

Loan Repayment

ACT 881 (HB1766) - The act creates the loan repayment program for out-of-state veterinary medical education at a participating institution. Provides for loan forgiveness for veterinarians who practice food supply veterinary medicine in Arkansas for a minimum of five (5) years.

Scholarship Stacking

ACT 207 (HB1302) - The act amends the scholarship stacking law to clarify the meaning of "other aid" and require students to disclose information on all higher education financial assistance received. The act amends the Arkansas Academic Challenge Scholarship Program - Part 2 (lottery-funded) and the Arkansas Scholarship Lottery Act under Title 23, Chapter 115 of the Arkansas Code. The act declares an emergency and became effective on March 8, 2011.

Student Loan Authority

ACT 521 (HB1489) - The act makes general changes and corrections related to the purposes, duties, and operations of the Arkansas Student Loan Authority.

EDUCATION - HIGHER

TEACHER RETIREMENT SYSTEM MEMBERS - EMPLOYMENT BY INSTITUTION OF HIGHER EDUCATION

ACT 513 (SB126) - The act establishes the right of an Arkansas Teacher Retirement System member to remain an active member while employed by an institution of higher education. The act also strengthens verification and reporting requirements for institutions of higher education with respect to active members of the system. The act declares an emergency and is effective on and after July 1, 2011.

TWO-YEAR COLLEGES

Elections

ACT 890 (HB1889) - The act provides that if no more than one (1) person files as a candidate for membership on a local board of a community college for a community college election held at the annual school election under Arkansas law and the question of a rate of millage for the community college district is not on the ballot, the local board may request that the community college election be conducted by absentee ballot and early voting only. Such an election shall be conducted on a ballot separate from the annual school election ballot and the local board of the community college shall reimburse the county for the cost of conducting the election by absentee ballot and early voting.

Special License Plate For Fundraising Purposes

ACT 595 (SB769) - The act authorizes the Office of Motor Vehicle to issue special license plates for two-year colleges for fund-raising purposes.

USE OF STATE-OWNED MOTOR VEHICLES

ACT 1021 (SB993) - The act amends Arkansas law concerning the use of state-owned motor vehicles by state employees, including constitutional officers. Revisions include providing that a state employee using a state-owned motor vehicle to travel from his or her residence to his or her work station shall reimburse the fund from which the operating expenses of the state-owned motor vehicle are paid at the same rate authorized for reimbursements for private automobile usage, defining the term "state-owned motor vehicle", and providing that the term "state employee" includes a constitutional officer or an employee of a constitutional officer, state agency, board, commission, department, or state-supported institution of higher education

ELECTIONS

ABSENTEE VOTING

Designated Bearers

ACT 1043 (HB1928) - The act amends Arkansas law concerning the receipt of absentee ballots by designated bearers, adding several requirements to current law and stating that possession of an absentee ballot with the intent to defraud a voter or an election official is a felony.

Military And Overseas Voters

ACT 1188 (HB2074) - The act allows for the transmission of absentee ballot applications by electronic means, including by electronic mail. The act also amends the process for voter registration and absentee voting by members of uniformed services and other citizens residing outside the United States.

Transmission Of Absentee Ballot Applications By Electronic Means

ACT 1188 (HB2074) - The act allows for the transmission of absentee ballot applications by electronic means, including by electronic mail. The act also amends the process for voter registration and absentee voting by members of uniformed services and other citizens residing outside the United States.

ELECTIONS

BALLOTS - INITIATED OR REFERRED AMENDMENTS, ACTS, OR MEASURES

ACT 1020 (SB990) - The act provides that if a ballot contains an initiated or referred amendment, act or measure, the heading shall provide for the voter to place a mark either for or against the amendment, act, or measure below the amendment, act, or measure.

CAMPAIGN PRACTICES

ACT 721 (SB290) - The act clarifies Arkansas ethics laws, including revising the definitions applicable to ethics laws, clarifying the use of surplus campaign funds, clarifying the procedure for certain contributions or expenditures to be made by credit card, debit card, or through the Internet, and amending certain reporting requirements.

CONGRESSIONAL DISTRICTS

ACT 1241 (SB972) - ACT 1242 (HB1836) - Identical acts 1241 and 1242 establish the four (4) Arkansas congressional districts based upon the 2010 federal decennial census.

COUNTY BOARD OF ELECTION COMMISSIONERS

Disclosure

ACT 1216 (HB1783) - The act provides that a member of a county board of election commissioners shall report to the Secretary of State any goods or services sold during the previous calendar year by himself or herself, his or her spouse, or any business in which the member or his or her spouse is an officer, director, or stockholder owning more than ten percent (10%) of the stock having a total annual value in excess of one thousand dollars (\$1,000) to an office, department, commission, council, board, bureau, committee, legislative body, agency, or other establishment of the State of Arkansas, a county, a municipality, and a school district.

Terms

ACT 1056 (HB2154) - The act provides that the three (3) members of the county board of election commissioners shall be elected by their respective county committees in January of each odd-numbered year following the election of county committee officers. The act repeals three-year terms for members of a county board and states that members of the county board serve at the pleasure of their respective county committees and may be removed by a majority vote of the county committee. Vacancies on the county board shall be filled by the election of a new member by the county committee within forty-five (45) days of the vacancy; if a vacancy is not filled in that time, then a new member shall be appointed by the state chair of the appropriate party. A member of a county board serving as of the effective date of the act shall continue to serve until his or her successor is selected by his or her respective county committee.

ELECTION DEADLINES

ACT 1185 (HB2054) - The act amends various Arkansas laws relating to certain election deadlines, including amending deadlines applicable to school elections, elections for local boards of community colleges, preferential primary elections, general elections, nonpartisan judicial elections, and special elections. The act is effective on and after October 2, 2011.

ELECTIONS FOR LOCAL BOARDS OF COMMUNITY COLLEGES

ACT 890 (HB1889) - The act provides that if no more than one (1) person files as a candidate for membership on a local board of a community college for a community college election held at the annual school election under Arkansas law and the question of a rate of millage for the community college district is not on the ballot, the local board may request that the community college election be conducted by absentee ballot and early voting only. Such an election shall be conducted on a ballot separate from the annual school election ballot and the local board of the community college shall reimburse the county for the cost of conducting the election by absentee ballot and early voting.

ELECTIONS

MUNICIPAL ELECTIONS

Nominating Petitions

ACT 519 (HB1287) - The act amends the law concerning nominating petitions in certain municipal elections to create consistency.

Runoff Requirements

ACT 1211 (HB1295) - The act modifies the amount of votes required to be elected to a municipal position without a runoff in certain circumstances.

Vacancies

ACT 134 (HB1113) - The act clarifies that a vacancy in a municipal office shall be filled at the first general election that occurs after the vacancy.

MUNICIPAL OFFICERS - REMOVAL

ACT 1028 (HB1705) - The act amends the law and procedures concerning the removal of certain elected municipal officials.

MUNICIPALITIES - ANNEXATION OF SURROUNDED LAND

ACT 1051 (HB2070) - The act provides that an ordinance for an annexation of surrounded land shall not be enacted within fifty-one (51) days of a scheduled election to consider annexing all or part of the area in question.

NEW POLITICAL PARTIES

ACT 1036 (HB1827) - The act provides that a new political party that wishes to select nominees for the next general election shall file a sufficient petition no later than forty-five (45) days before the preferential primary election. A new political party established by petition shall nominate candidates by convention for the first general election after certification of a sufficient petition and a candidate nominated by convention shall file a political practices pledge no later than noon on the date of the preferential primary election.

PRIMARY ELECTIONS - TIE VOTES

ACT 203 (SB334) - The act provides that a tie vote for the same office at a general primary election shall be declared a vacancy in nomination. Nominees to fill a vacancy in nomination resulting from a tie vote for the same office at a general primary election shall be declared by an appropriate convention of delegates conducted in accordance with the rules of the party.

TRANSMISSION OF ELECTION INFORMATION

ACT 1238 (SB975) - The act provides that the Secretary of State may require a county board of election commissioners to submit additional election information as determined by the Secretary of State when transmitting the certified results for each polling place.

VOTER REGISTRATION - MILITARY AND OVERSEAS VOTERS

ACT 1188 (HB2074) - The act allows for the transmission of absentee ballot applications by electronic means, including by electronic mail. The act also amends the process for voter registration and absentee voting by members of uniformed services and other citizens residing outside the United States.

VOTING BOOTHS

ACT 1033 (HB1807) - The act provides that at general, primary, special, and school elections in counties that use paper ballots, the county board of election commissioners shall provide voting booths for each polling site in a number deemed appropriate by the county board of election commissioners.

VOTING SYSTEMS - FUNDING

ACT 1189 (HB2078) - The act creates the County Voting System Grant Fund and provides that the Secretary of State shall establish guidelines and procedures for a grant program to distribute funds from the fund to counties for the purpose of purchasing voting machines, electronic vote tabulating devices, other voting system equipment, components, or programming, and maintenance of voting system equipment. The act is effective on and after January 1, 2012.

EMERGENCY SERVICES

EMERGENCY MEDICAL PERSONNEL - CRIMINAL BACKGROUND CHECKS

ACT 627 (HB1623) - The act allows criminal history checks for emergency medical technicians who have lived in the state for five (5) years to be state-only background checks and clarifies the process for obtaining and keeping records of the criminal history checks.

HOMELAND SECURITY AND THREAT ASSESSMENT PLANS

ACT 723 (SB315) - The act extends to July 1, 2015, the sunset provision for homeland security and threat assessment plans. The act declares an emergency and became effective on March 25, 2011.

TECHNICAL CORRECTIONS - LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND MILITARY AFFAIRS - TITLE 12

ACT 779 (SB254) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 12 of the Arkansas Code.

ENERGY

ALTERNATIVE FUELS

Incentive For Conversion To Natural Gas School Buses

ACT 1165 (HB1050) - The act provides a rebate incentive for the costs of converting diesel-powered and gasoline-powered school buses into dedicated or bi-fuel compressed natural gas school buses. The act requires the Arkansas Agriculture Department to create a rebate application process for an Arkansas school district to obtain a rebate for the conversion. The act also requires the department to prepare an annual progress report on rebates made under the act. The act declares an emergency and is effective on and after July 1, 2011.

Propane Gas

ACT 347 (HB1452) - The act amends the definition of "alternative fuels" under the Arkansas Alternative Fuels Development Act to include propane gas.

ELECTRICAL ENERGY ADVANCEMENT PROGRAM

ACT 1232 (HB2219) - The act establishes the Electrical Energy Advancement Program Fund (§ 19-5-1243). The purpose of the fund is to provide funding under the Electrical Energy Advancement Program, § 6-61-1401 et seq., for projects relating to the following: (1) competitive undergraduate scholarships for Arkansas residents in the field of electrical and electronic engineering at the member universities of the consortium to be given in accordance with institutional guidelines and (2) competitive graduate fellowships for master's and doctoral students in electrical and electronic engineering at member universities of the consortium to be given in accordance with institutional guidelines with preference given to Arkansas residents. The act expires six (6) years from its effective date unless extended by the General Assembly.

ENVIRONMENTAL LAW

BURNING DISASTER DEBRIS - DEADLINE EXTENSION

ACT 10 (SB26) - The act authorizes extensions of the deadline for the burning of storm debris after a county is declared a disaster area.

ENVIRONMENTAL DISCLOSURE STATEMENTS

ACT 222 (SB379) - The act removes the requirement for social security numbers in environmental disclosure statements.

GENERAL PERMITS

ACT 731 (SB764) - The act authorizes the Arkansas Department of Environmental Quality to issue general permits and creates procedures for the issuance, review, renewal, and revocation of general permits.

INCINERATOR ASH - EXEMPTION

ACT 342 (HB1098) - The act exempts incinerator ash derived from yard waste or other natural vegetative debris from the monofill or separate waste cell requirement.

ENVIRONMENTAL LAW

LANDFILLS - DISPOSAL FEES

ACT 602 (HB1434) - The act increases the portion of fees for landfill disposals that support a computer and electronic equipment recycling program and exempts solid waste transporters and private industry permittees that dispose waste at industry-only landfills.

MOLD INVESTIGATION ADVISORY BOARD

ACT 341 (SB531) - The act creates the Mold Investigation Advisory Board to study laws and rules regarding mold inspections and mold remediation.

PETROLEUM STORAGE TANKS

ACT 809 (SB955) - The act allows for the transfer of eligibility for payment for correction action to a qualified subsequent owner or operator. The act also allows for the transfer of eligibility for payment for third-party claims for a release to a qualified subsequent owner or operator.

RADIATION PROGRAMS

ACT 596 (SB803) - The act authorizes the State Board of Health to promulgate rules to establish fees to sustain the program operations and standards mandated by the State Radiation Control Agency. The act also provides that the fees shall not conflict with federal program schedules or exceed twenty-five percent (25%) of the fees that would be levied by the United States Nuclear Regulatory Commission if the commission were to regulate the programs.

RECYCLING - WASTE TIRES

ACT 744 (HB1637) - The act amends the law concerning the recycling of waste tires.

REGIONAL SOLID WASTE MANAGEMENT BOARDS

ACT 884 (HB1796) - The act modifies the law concerning the membership of a regional solid waste management board.

SEWAGE DISPOSAL SYSTEMS - APPEALS

ACT 822 (HB1776) - The act allows appeals regarding individual sewage disposal systems to be heard by the individual sewage disposal systems advisory committee.

SOLID WASTE MANAGEMENT

Fees

ACT 209 (HB1060) - The act clarifies the power of and method by which regional solid waste management boards may charge and collect a fee for management of solid waste. The act declares an emergency and became effective on March 8, 2011.

Fees And Service Charges

ACT 174 (HB1091) - The act allows a county solid waste management system to assess an additional annual fee for invoicing and collecting delinquent fees and charges from a tenant of a property rather than the owner of the property if the tenant has been registered as an occupant of the property. The act declares an emergency and became effective on March 4, 2011.

Household Hazardous Waste Storage And Processing

ACT 1153 (SB835) - The act amends the Solid Waste Management Act regarding the regulation of household hazardous waste storage and processing centers.

SOLID WASTE RECYCLING - LOCAL RECYCLING PROGRAMS

ACT 819 (HB1627) - The act amends the Solid Waste Management and Recycling Fund Act to provide local recycling programs greater flexibility in the processes and purposes of recycling programs and materials.

STATE WATER PLAN - POLICY STATEMENT

ACT 749 (HB1903) - The act amends the policies of the state water plan to focus on the promotion of the efficient use of water for the benefit of the people and wildlife of Arkansas.

ENVIRONMENTAL LAW

SURFACE COAL MINING - PRIORITIES OF EXPENDITURES

ACT 279 (HB1280) - The act amends the Arkansas Surface Coal Mining and Reclamation Act of 1979 by making various technical corrections and by setting priorities for the expenditure of funds under the act.

WASTEWATER TREATMENT FACILITIES - WATER DEVELOPMENT PROJECT

ACT 26 (HB1088) - The act adds wastewater treatment facilities and other related entities to the definition of water development projects.

WATER - FLUORIDE CONTENT

ACT 197 (SB359) - The act requires that the quantity of fluoride in water systems in the state be maintained at the fluoride content level established by the Department of Health.

WATER AND AIR POLLUTION - NOTICE

ACT 195 (HB1431) - The act allows the use of email for certain notice procedures under the Arkansas Water and Air Pollution Control Act.

WILDLIFE - WILDLIFE OBSERVATION TRAILS PILOT PROGRAM

ACT 1041 (HB1913) - The act extends the Wildlife Observation Trails Pilot Program until June 30, 2012.

ETHICS

GENERAL ASSEMBLY - TRAVEL AND LOBBYING

ACT 48 (SB194) - ACT 71 (HB1284) - Identical acts 48 and 71 establish the method of determining the amount of reimbursement a member of the General Assembly is authorized to receive for out-of-state travel and address lobbying by former members of the General Assembly. The act provides that reimbursement for out-of-state travel is the lesser rate of reasonable airfare or the established rate of private car mileage. The act also provides that the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall be responsible for determining the amount of reimbursement. The act also provides that a former member of the General Assembly may not be a registered lobbyist until one (1) year after the expiration of the term of office for which he or she was elected. However, the provision regarding lobbying applies to persons elected to the General Assembly on or after the effective date of the act.

REVISION OF ARKANSAS ETHICS LAWS

ACT 721 (SB290) - The act clarifies Arkansas ethics laws, including revising the definitions applicable to ethics laws, clarifying the use of surplus campaign funds, clarifying the procedure for certain contributions or expenditures to be made by credit card, debit card, or through the Internet, and amending certain reporting requirements.

STATE REGULATORY OFFICIALS

ACT 1200 (HB2202) - The act provides that a former state regulatory official shall not knowingly act as a principal or agent for anyone other than the state in connection with a proceeding, claim, or contract if the former state regulatory official participated personally and substantially in the proceeding, claim, or contract through decision, approval, disapproval, recommendation, rendering of advice, investigation, or otherwise while serving in that capacity and the state is a party or has a direct or substantial interest. The act also provides that a former state regulatory official shall not knowingly act as a principal or agent for anyone other than the state within one (1) year after cessation of the former state regulatory official's employment with the state agency in connection with a proceeding, claim, or contract if the matters were within the former state regulatory official's official responsibility and the state is a party or has a direct or substantial interest. A violation of the act is a Class A misdemeanor.

FAMILY LAW

ADOPTION

Consent - Technical Corrections

ACT 607 (HB1451) - The act changes the age for a child to consent to an adoption from ten (10) years of age to twelve (12) years of age. Makes various technical changes to the adoption statutes.

Notification - Family Leave

ACT 1235 (SB858) - The act clarifies that notice of adoption shall be provided to any putative father who has signed an acknowledgement of paternity or has registered with the state's Putative Father Registry. Requires employers who provided family leave for employees upon the birth of a child to permit the same leave to employees upon the adoption of a child.

CHILD WELFARE - AGENCY LICENSING

ACT 522 (HB1543) - The act clarifies who is subject to the Child Welfare Agency Licensing Act and what agency has the responsibility for carrying out the Child Welfare Agency Licensing Act. The act declares an emergency and became effective on March 21, 2011.

DOCTRINE OF NECESSARIES

ACT 1183 (HB2047) - The act abolishes the common-law doctrine of necessities by stating that absent express authority, neither a husband nor a wife is liable for a spouse's debt obligations, including those for necessities.

GUARDIANSHIP - SUBSIDIZED

ACT 592 (SB710) - The act changes the eligibility criteria for the Arkansas subsidized guardianship to eliminate the means-based test for a guardian to be qualified. Makes general changes to the guardianship eligibility for a child who is not Title IV-E eligible.

HUMAN SERVICES DEPARTMENT - DIVISION OF CHILDREN AND FAMILY SERVICES

ACT 591 (SB625) - The act creates a new subchapter to address the purposes, duties, and functions of the Division of Children and Family Services of the Department of Human Services. The act also repeals sections of the code that are included in the new subchapter.

JUVENILE CODE

ACT 792 (SB626) - The act makes general changes to the juvenile code.

SHAKEN BABY SYNDROME - MATERNAL EDUCATION

ACT 1128 (SB328) - The act requires that before a medical facility discharges a woman who gives birth in the facility, the woman shall be provided with educational materials describing shaken baby syndrome.

TECHNICAL CORRECTIONS - FAMILY LAW - TITLE 9

ACT 793 (SB628) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 9 of the Arkansas Code.

VISITATION - PARENT LISTED ON THE SEX OFFENDER REGISTRY

ACT 344 (HB1368) - The act allows a parent to petition the court, or the court to order, a criminal records check of a parent or other adult members of a parent's household eighteen (18) years of age or older when determining custody and visitation with a minor child. Creates the rebuttable presumption that it is not in the best interest of the child to be placed in the home of a sex offender or to have unsupervised visitation in a home in which a sex offender resides.

FINANCIAL INSTITUTIONS

BANKING - BRANCH FACILITIES

ACT 796 (SB739) - The act updates state bank branching regulation and makes technical corrections to the Arkansas Banking Code to conform to federal banking law under the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. The act declares an emergency and became effective on March 30, 2011.

FINANCIAL INSTITUTIONS

SECURITIES - SECURITIES DEPARTMENT FUND

ACT 294 (HB1068) - The appropriation act amends the Arkansas Code by updating provisions related to the Securities Department Fund and the disposition of fees from the fund. The act declares an emergency and is effective on and after July 1, 2011.

FIRE PROTECTION

FIRE EXTINGUISHERS AND FIRE PROTECTION SYSTEMS

ACT 838 (HB2139) - The act amends Arkansas law concerning fire extinguishers, fixed fire protection systems, and fire protection sprinkler systems; amends applicable definitions; clarifies the powers and duties of the Arkansas Fire Protection Licensing Board; amends the activities for which a license, permit, or certificate from the board is required; and clarifies the qualifications for a license to sell, install, or service certain items related to fire protection.

FIRE PROTECTION DISTRICTS - ANNUAL ASSESSMENTS

ACT 264 (HB1403) - The act modifies the time for payment for annual assessments in fire protection districts.

FIRE PROTECTION LICENSING BOARD

ACT 838 (HB2139) - The act amends Arkansas law concerning fire extinguishers, fixed fire protection systems, and fire protection sprinkler systems; amends applicable definitions; clarifies the powers and duties of the Arkansas Fire Protection Licensing Board; amends the activities for which a license, permit, or certificate from the board is required; and clarifies the qualifications for a license to sell, install, or service certain items related to fire protection.

FUNDING - PREMIUM TAX MONEYS - DISTRIBUTION

ACT 880 (HB1738) - The act prohibits the distribution of insurance premium tax moneys to inactive fire departments in certain circumstances.

FIREARMS

LOCAL REGULATION

ACT 165 (SB115) - The act provides that, following the declaration of state of emergency by the Governor, a local government is prohibited from enacting an emergency ordinance regulating the transfer, transportation, or carrying of a firearm. The act further provides that if a person has his or her firearm seized as a result of a local government's violation of § 14-16-504, the person may bring an action for the return of the seized firearm in the circuit court.

POSSESSION OF HANDGUNS

ACT 758 (HB1631) - The act expands the authority of the Director of the Arkansas Department of State Police to deny a person a license to carry a concealed handgun. The act also amends the definition of "restaurant" and amends the procedure a person must follow if the person loses or destroys his or her license to carry a concealed handgun or if the person changes his or her address.

FORESTRY

REGISTRATION FOR FORESTERS BOARD

ACT 177 (HB1307) - The act amends the makeup of the members of the Arkansas State Board of Registration for Foresters and makes changes to the qualifications for an applicant to be registered as a forester.

FREEDOM OF INFORMATION ACT

BULK COPYING OF PUBLIC RECORDS BY COUNTY OFFICIALS

ACT 870 (SB946) - The act provides that a county official may negotiate with a commercial, non-press entity to set a reasonable fee for mass copying of or electronic access to public records. The act does not affect a person's right to those records under the Freedom of Information Act.

FREEDOM OF INFORMATION ACT

INSPECTION OF RECORDS

ACT 168 (SB204) - The act provides that access to inspect and copy public records under the Freedom of Information Act of 1967 shall be denied to a person guilty of a felony and incarcerated in a correctional facility or a representative of that person other than an attorney.

PUBLIC WATER SYSTEMS

ACT 99 (SB219) - The act extends the expiration date of Freedom of Information Act provisions pertaining to the records and meetings of public water systems to July 1, 2013. The act declares an emergency and is effective on and after July 1, 2011.

GAMBLING AND AMUSEMENT DEVICES

ADVERTISING - TOLL-FREE HELPLINE TELEPHONE NUMBER

ACT 1179 (HB1907) - The act provides that an advertisement by a gambling operator for a gambling activity published or broadcast in Arkansas shall include a toll-free helpline telephone number providing information and referral services concerning compulsive gambling disorders. The act provides specifics on the inclusion of the toll-free helpline telephone number and contains exceptions for certain types of advertising.

GENERAL ASSEMBLY

ALZHEIMER'S DISEASE - ALZHEIMER'S ADVISORY COUNCIL

ACT 889 (HB1843) - The act establishes the Alzheimer's Advisory Council to study a variety of issues concerning Alzheimer's disease and to report recommendations to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor on or before October 1 of each year.

CENTRAL SERVICES FUND

ACT 1136 (SB677) - The act provides that during the biennial period ending June 30, 2011, the Chief Fiscal Officer of the State may enforce budget reductions in each agency that receives funding from the State Central Services Fund. The amount of funding is reduced in proportion to each agency's share of total estimated expenditures. The act is temporary and only in effect until June 30, 2011. The act declares an emergency and became effective on April 4, 2011.

CULTURAL COMPETENCE

ACT 1162 (SB958) - The act requires the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor to conduct an interim study on cultural competence.

FISCAL IMPACT STATEMENTS - ARKANSAS SCHOLARSHIP LOTTERY ACT

ACT 1173 (HB1596) - The act requires a fiscal impact statement for a bill that proposes to amend the Arkansas Scholarship Lottery Act, § 23-115-101 et seq., or that will impose a new or increased cost to the Arkansas Lottery Commission or a lottery.

GENERAL PROVISIONS - TRAVEL AND LOBBYING

ACT 48 (SB194) - ACT 71 (HB1284) - Identical acts 48 and 71 establish the method of determining the amount of reimbursement a member of the General Assembly is authorized to receive for out-of-state travel and address lobbying by former members of the General Assembly. The act provides that reimbursement for out-of-state travel is the lesser rate of reasonable airfare or the established rate of private car mileage. The act also provides that the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall be responsible for determining the amount of reimbursement. The act also provides that a former member of the General Assembly may not be a registered lobbyist until one (1) year after the expiration of the term of office for which he or she was elected. However, the provision regarding lobbying applies to persons elected to the General Assembly on or after the effective date of the act.

GENERAL ASSEMBLY

JOINT BUDGET COMMITTEE - ADMINISTRATIVE RULE AND REGULATION REVIEW SUBCOMMITTEE

ACT 273 (SB264) - The act establishes the Administrative Rule and Regulation Review Subcommittee of the Joint Budget Committee and authorizes the subcommittee to perform the administrative rule review functions of the Legislative Council during a regular, fiscal, or extraordinary session of the General Assembly. The act declares an emergency and became effective on March 15, 2011.

LEGISLATIVE PROCEEDINGS - INTERIM - COMPENSATION

ACT 1 (SB1) - The appropriation act amends the Arkansas Code by adding the President Pro Tempore of the Senate to the list of chairs of session and interim legislative committees who are eligible for additional compensation. The act declares an emergency and became effective on January 19, 2011.

QUARTERLY CREDENTIALING REPORTS - MEDICAL BOARD

ACT 999 (SB716) - The act repeals the requirement that the Arkansas State Medical Board make quarterly reports to the Public Health Committees regarding information provided to credentialing organizations.

TASK FORCES

Abused And Neglected Children

ACT 1149 (SB791) - The act extends the operations of the Arkansas Legislative Task Force on Abused and Neglected Children until June 30, 2013 and the Arkansas Legislative Task Force on Sickle Cell Disease until October 1, 2013.

Athletic Training In Public Schools

ACT 1214 (HB1743) - The act continues the existence of the Arkansas Legislative Task Force on Athletic Training in Public Schools until December 31, 2012, and requires the task force to conduct a web-based survey of public schools in Arkansas concerning athletic trainers in public schools and the events or conditions identified above that affect student health during athletic training and physical activities. Under the act, the task force is also required to produce a report based on the survey by November 1, 2012. The act also requires a school district to develop procedures concerning the recognition and management of certain events or conditions that may be encountered by a student during athletic training and physical activities and establishes the two-year Public School Athletic Trainer Pilot Program.

Sickle Cell Disease

ACT 1149 (SB791) - The act extends the operations of the Arkansas Legislative Task Force on Abused and Neglected Children until June 30, 2013 and the Arkansas Legislative Task Force on Sickle Cell Disease until October 1, 2013.

TECHNICAL CORRECTIONS - GENERAL ASSEMBLY - TITLE 10

ACT 777 (SB245) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 10 of the Arkansas Code.

HEALTH

ABORTION FACILITIES - LICENSURE

ACT 1176 (HB1855) - The act requires that all facilities that perform ten (10) or more abortions each month shall be licensed by the Department of Health. The act is effective on and after January 1, 2012.

ABUSED AND NEGLECTED CHILDREN - TASK FORCE

ACT 1149 (SB791) - The act extends the operations of the Arkansas Legislative Task Force on Abused and Neglected Children until June 30, 2013 and the Arkansas Legislative Task Force on Sickle Cell Disease until October 1, 2013.

HEALTH

ADULT MALTREATMENT

Choice Of Guardian

ACT 206 (HB1279) - The act amends various provisions of the Arkansas Code regarding the authority of the Department of Human Services to protect maltreated adults, allowing flexibility regarding emergency orders and custody, the choice of a guardian and allowing the opening of a protective services case when an investigation finds allegations to be true.

Emergency Orders And Custody

ACT 206 (HB1279) - The act amends various provisions of the Arkansas Code regarding the authority of the Department of Human Services to protect maltreated adults, allowing flexibility regarding emergency orders and custody, the choice of a guardian and allowing the opening of a protective services case when an investigation finds allegations to be true.

ADVANCED PRACTICE NURSES - AREA HEALTH EDUCATION CENTER

ACT 1167 (HB1172) - The act authorizes an advanced practice nurse with prescriptive authority to enter into a collaborative agreement with a physician in order for the advanced practice nurse to practice in an Area Health Education Center.

ALCOHOL AND DRUG ABUSE

Involuntary Commitments

ACT 1140 (SB707) - The act provides that a person named in a petition for involuntary commitment who is placed in immediate detention pending a hearing may undergo a screening and assessment within twenty-four (24) hours of the immediate detention. The screening and assessment may be conducted by a contractor with the Office of Alcohol and Drug Abuse Prevention or a qualified professional of the person's choosing. The prosecuting attorney may provide a copy of the screening and assessment to the court, and the court may consider the contents of the screening and assessment as part of its determination regarding whether the standards for involuntary commitment apply to the person.

Treatment Centers Exempt

ACT 834 (HB1935) - The act exempts alcohol and drug abuse treatment centers from licensure under the health facilities services law.

ALTERNATIVE SERVICES - PROVIDER FEE

ACT 275 (SB341) - The act establishes a Medicaid provider fee for services provided under the Alternative Community Services Waiver administered by the Division of Disability Services of the Department of Human Services. The act declares an emergency and became effective on March 15, 2011.

ALZHEIMER'S DISEASE - ALZHEIMER'S ADVISORY COUNCIL

ACT 889 (HB1843) - The act establishes the Alzheimer's Advisory Council to study a variety of issues concerning Alzheimer's disease and to report recommendations to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor on or before October 1 of each year.

ARKIDS FIRST

ACT 771 (SB65) - The act provides for improvements to the ARKids First A and B programs to increase enrollment, improve retention of coverage, and minimize barriers in the application process. The act's provisions will be implemented only if and to the extent the necessary federal waivers are obtained and required state general revenue is available.

ASSISTED LIVING FACILITIES - PER DIEM REIMBURSEMENT

ACT 560 (SB381) - The act requires the state Medicaid program to provide per diem reimbursement for assisted living facilities, with the approval of the Centers for Medicare and Medicaid Services.

HEALTH

AUTISM - INSURANCE COVERAGE

ACT 196 (HB1315) - The act provides health insurance coverage for autism spectrum disorders under the Arkansas Health Care Consumer Act. The act is effective on and after October 1, 2011.

CARBON MONOXIDE DETECTORS - NEW HOME CONSTRUCTION

ACT 146 (HB1385) - The act requires that a low voltage carbon monoxide detector be installed on each floor of a new home constructed after January 1, 2012.

CHILD-ONLY INSURANCE

ACT 269 (HB1428) - The act requires insurers to establish an open enrollment period of October 1 through October 31, and to issue individual health insurance coverage for child-only individual health insurance policies until January 1, 2014. The act provides that a refusal prior to October 1, 2011, by an insurer to issue individual health insurance coverage to a child under nineteen (19) years of age allows the child to be eligible for the Arkansas Comprehensive Health Insurance Pool until September 30, 2011, and provides that after September 30, 2011, the Board of Directors of the Arkansas Comprehensive Health Insurance Pool shall determine the eligibility of a child under nineteen (19) years of age under the Comprehensive Health Insurance Pool Act. The act declares an emergency and became effective on March 14, 2011.

COMPULSIVE GAMBLING DISORDER - ADVERTISEMENTS FOR GAMBLING ACTIVITIES

ACT 1179 (HB1907) - The act provides that an advertisement by a gambling operator for a gambling activity published or broadcast in Arkansas shall include a toll-free helpline telephone number providing information and referral services concerning compulsive gambling disorders. The act provides specifics on the inclusion of the toll-free helpline telephone number and contains exceptions for certain types of advertising.

DENTISTRY

Dental Hygienists - Practice In Public Settings

ACT 89 (SB42) - The act authorizes dental hygienists to perform dental hygiene procedures for persons in public settings without the supervision of a dentist.

Dental Insurance - Noncovered Dental Services

ACT 566 (HB1425) - The act removes insurance restrictions on dentists by insurance companies for noncovered dental services. The act declares an emergency and became effective on March 22, 2011.

Dentists And Dental Hygienists - Testing And Background Checks

ACT 47 (SB165) - The act removes obsolete language regarding licensure testing for dentists and dental hygienists and requires criminal background checks for dentists and dental hygienists.

DEVELOPMENTAL DISABILITIES

Medicaid Services Access

ACT 1156 (SB846) - The act requires that persons with developmental disabilities have access equal to other eligible persons for Medicaid personal care services in designated residential settings.

"Qualifying Diagnosis" Defined

ACT 68 (HB1211) - The act clarifies the definition of a qualifying diagnosis that establishes categorical eligibility for developmental disability services.

HEALTH

DISPOSITION OF THE DEAD

Arkansas Final Disposition Rights Act Of 2009

ACT 29 (HB1141) - The act clarifies the Arkansas Final Disposition Rights Act of 2009 for persons who die while serving in any branch of the armed forces of the United States, the National Guard, or a reserve component of the armed forces by requiring the directions for final disposition for the decedent to be made by the person authorized in the DD Form 93 completed by the decedent prior to death.

Cemetery Act For Perpetually Maintained Cemeteries

ACT 590 (SB598) - The act makes technical corrections to and amends the definitions used in the Cemetery Act for Perpetually Maintained Cemeteries. The act authorizes the Arkansas Cemetery Board to seek temporary or permanent injunctions and issue cease-and-desist orders to persons suspected of violating the Cemetery Act for Perpetually Maintained Cemeteries. The act requires the use of instruments that have been approved by the board for the conveyance of a burial lot or plot and requires cemetery companies to maintain records of its interments. The act also authorizes cemetery companies to maintain infant interment gardens.

Human Remains And Burial Furniture

ACT 705 (HB1966) - The act provides that if exhumed human skeletal remains are conveyed to an individual or entity under Arkansas law, burial furniture exhumed with the human skeletal remains shall be conveyed to the individual or entity. If otherwise unclaimed, burial furniture shall be disposed of in accordance with existing laws and rules for disposing of human remains.

Trustee Of Cemetery Maintenance Fund

ACT 1148 (SB790) - The act authorizes the federal savings bank to serve as a trustee of cemetery maintenance funds.

DRUG ABUSE COUNSELING FACILITIES - LICENSURE

ACT 228 (HB1453) - The act amends various laws regarding oversight of alcohol and drug abuse treatment programs by the Office of Alcohol and Drug Abuse Prevention, adding to the list of professionals exempted from oversight by the office and setting standards for counseling programs.

EMERGENCY MEDICAL PERSONNEL - CRIMINAL BACKGROUND CHECKS

ACT 627 (HB1623) - The act allows criminal history checks for emergency medical technicians who have lived in the state for five (5) years to be state-only background checks and clarifies the process for obtaining and keeping records of the criminal history checks.

FIRE PREVENTION, PROTECTION, AND SAFETY

ACT 838 (HB2139) - The act amends Arkansas law concerning fire extinguishers, fixed fire protection systems, and fire protection sprinkler systems; amends applicable definitions; clarifies the powers and duties of the Arkansas Fire Protection Licensing Board; amends the activities for which a license, permit, or certificate from the board is required; and clarifies the qualifications for a license to sell, install, or service certain items related to fire protection.

FLUORIDATION PROGRAM

ACT 197 (SB359) - The act requires that the quantity of fluoride in water systems in the state be maintained at the fluoride content level established by the Department of Health.

FOOD PERMIT EXEMPTIONS - COTTAGE FOOD INDUSTRIES

ACT 72 (HB1323) - The act exempts cottage food operations, farmers' markets, and similar food sales entities from permit requirements of the Department of Health. The act declares an emergency and became effective on February 18, 2011.

HEALTH

GASTRIC PACEMAKERS - COVERAGE REQUIRED

ACT 1042 (HB1915) - The act requires health insurance plans to provide coverage for gastric pacemakers.

GUARDIANS - FELONS

ACT 1027 (HB1628) - The act allows certain convicted felons to be appointed as guardians by circuit courts and provides criteria for appointing guardians under the act.

HEALTH AND SAFETY - PET ADOPTION

ACT 994 (SB550) - The act requires pets adopted through a pound, shelter, humane organization, or animal rescue group to be sterilized before the adoption is complete.

HEALTH CARE PERSONNEL - CRIMINAL BACKGROUND CHECKS

ACT 516 (SB559) - The act makes technical changes to the criminal background check law regarding health care personnel and authorizes the transfer of criminal records checks and determination letters among various operational sections of a single service provider.

HEALTH DEPARTMENT

Emergency Rule Amending Schedule Of Controlled Substances

ACT 587 (SB386) - The act provides that the Director of the Department of Health may promulgate without action or approval of the State Board of Health an emergency rule under the Arkansas Administrative Procedure Act that adds a substance, deletes a substance, or reschedules a substance on the schedule of controlled substances. An emergency rule amending the schedule of controlled substances may be effective for no longer than one hundred eighty (180) days.

Lead-Based Paint

ACT 1011 (SB833) - The act transfers regulation of lead-based paint hazards to the Department of Health by repealing the Lead-Based Paint-Hazard Act of 1997 and creating the Arkansas Lead-Based Paint-Hazard Act of 2011.

HEALTH DISPARITIES

Collaborative Initiatives

ACT 798 (SB770) - The act defines Arkansas red counties with decreased life expectancies, creates collaborative initiatives, and creates a program for reports on the collaborative initiatives.

Reporting System

ACT 790 (SB459) - The act defines Arkansas red counties with decreased life expectancies and establishes a system for reporting on minority health disparities.

HEALTH INFORMATION TECHNOLOGY

ACT 891 (HB1905) - The act establishes the Office of Health Information Technology. The office will create and oversee the State Health Alliance for Records Exchange, a nonprofit corporation that will coordinate a statewide electronic data collection and exchange program for health and health care information.

HERBAL SNUFF

ACT 198 (SB69) - The act prohibits the sale of herbal snuff to persons under eighteen (18) years of age.

HIV-AIDS MINORITY TASK FORCE

ACT 1230 (HB2167) - The act provides flexibility in the appointment of members of the Arkansas HIV-AIDS Minority Task Force.

HOSPITALS

Assessment Fee

ACT 19 (SB134) - The act regulates the assessment fee levied on hospitals by authorizing the Department of Human Services to seek court orders for arrears and adding criteria for refunds of the assessment.

HEALTH

HOSPITALS

Infections - Collection Of Data

ACT 634 (HB1852) - The act requires that hospitals and similar health facilities make data on infections available to the Department of Health and lists the data to be reported. The act will allow Arkansas to connect with the National Healthcare Safety Network managed by the Division of Health Quality Promotion at the federal Centers for Disease Control.

HUMAN SERVICES WORKERS IN SCHOOLS - FUNDING

ACT 1228 (HB2125) - The act provides that funding for human services workers in schools shall be provided if eighty percent (80%) or more of the student population includes children eligible for the federal Free and Reduced Lunch Program. The act declares an emergency and became effective on April 15, 2011.

IMMUNIZATION REGISTRY - ADULT IMMUNIZATIONS

ACT 179 (HB1317) - The act allows reporting of adult immunization to the immunization registry of the Department of Health with the consent of the adult.

IN VITRO FERTILIZATION - CERTIFICATION

ACT 1119 (SB213) - The act provides coverage for in vitro fertilization if the services and procedures conform to certain guidelines and minimum standards.

INFECTIONS - COLLECTION OF DATA

ACT 634 (HB1852) - The act requires that hospitals and similar health facilities make data on infections available to the Department of Health and lists the data to be reported. The act will allow Arkansas to connect with the National Healthcare Safety Network managed by the Division of Health Quality Promotion at the federal Centers for Disease Control.

KIDNEY DISEASE COMMISSION - HONORS FOR LIVING KIDNEY DONATORS

ACT 268 (SB77) - The act authorizes the State Kidney Disease Commission to honor persons who have provided living kidney donations to Arkansans in need of kidney transplantation.

LEAD-BASED PAINT

ACT 1011 (SB833) - The act transfers regulation of lead-based paint hazards to the Department of Health by repealing the Lead-Based Paint-Hazard Act of 1997 and creating the Arkansas Lead-Based Paint-Hazard Act of 2011.

LONG-TERM CARE FACILITIES

Informal Dispute Resolution Process

ACT 1144 (SB759) - The act makes more flexible the informal dispute resolution process for long-term care facilities by creating a variety of options for the conduct of hearings, including requiring that a pharmacist be involved as a decision-maker regarding pharmacy appeals, allowing long-term care facilities to choose the sequence of presentation of evidence, allowing direct questioning between parties, and requiring notice regarding adverse findings and the final decision regarding appeals.

Notice Of Incidents

ACT 190 (HB1398) - The act amends requirements for notice of certain incidents at long-term care facilities and removes fines for violations by individuals.

MEDICAID

Cost Recovery

ACT 625 (HB1598) - The act clarifies the authority of the Department of Human Services to recover Medicaid costs from certain third parties.

Cost Recovery - Priority

ACT 746 (HB1765) - The act establishes the priority of the Medicaid program to receive reimbursement from third parties for certain Medicaid costs.

HEALTH

MEDICAID

Reward For Information Regarding Fraud

ACT 1154 (SB838) - The act eliminates the cap of one hundred thousand dollars (\$100,000) on the reward for persons providing information regarding Medicaid fraud. The act declares an emergency and became effective on April 4, 2011.

"Third-Party" Defined

ACT 630 (HB1764) - The act creates a definitions of "third-party" for purposes of recovery of certain Medicaid costs.

MEDICAL BOARD

ACT 1010 (SB814) - The act authorizes the State Medical Board to collect practice data from licensees.

MENTAL HEALTH - INVOLUNTARY ADMISSION

ACT 823 (HB1785) - The act establishes a definition for "involuntary admission" to mean a court-ordered admission to 24-hour inpatient health care, immediate confinement under § 20-47-210, or admission to outpatient behavioral health care services furnished by a receiving facility or program or a behavioral health care clinic certified by the Division of Behavioral Health.

MOLD INSPECTORS

ACT 518 (HB1171) - The act repeals the Arkansas Mold Investigator Licensing Act.

MUNICIPAL FARMERS' MARKETS

ACT 568 (HB1455) - The act modifies the law concerning municipal regulation of farmers' markets and clarifies that the Department of Health regulates food safety.

NURSES - FLUORIDE VARNISH

ACT 90 (SB43) - The act authorizes physicians and nurses after appropriate training to apply fluoride varnish to a child's teeth.

OBESITY - PILOT PROGRAM

ACT 855 (SB66) - The act creates a pilot program requiring health benefit plans to provide coverage for the treatment of morbid obesity. The act is effective on and after January 1, 2012.

PHARMACISTS

Ephedrine

ACT 588 (SB437) - The act requires that a pharmacist make a determination, based on a pharmacist-patient relationship, that there is a legitimate medical and pharmaceutical need for ephedrine, pseudoephedrine, or phenylpropanolamine before the pharmacist may dispense the drug.

Membership Of Pharmacy Board

ACT 839 (HB2186) - The act requires that at least five (5) members of the Arkansas State Board of Pharmacy be actively engaged in the practice of pharmacy.

Vaccines And Immunizations

ACT 147 (SB130) - The act clarifies the authority of pharmacists to provide vaccines and immunizations and to administer certain medications to children.

PHARMACISTS AND PHARMACIES

Interference By Pharmacy Benefits Manager

ACT 1007 (SB789) - The act prohibits a pharmacy benefits manager from interfering with a pharmacist's or pharmacy's exercise of the pharmacist's or pharmacy's professional responsibilities to a patient.

Licensure

ACT 597 (SB902) - The act requires that all licenses and certifications for pharmacists and pharmacies be renewed on the same date and allows the Arkansas State Board of Pharmacy to treat all adverse licensure actions in the same manner.

HEALTH

PHARMACISTS AND PHARMACIES

Pharmacy Board Actions

ACT 597 (SB902) - The act requires that all licenses and certifications for pharmacists and pharmacies be renewed on the same date and allows the Arkansas State Board of Pharmacy to treat all adverse licensure actions in the same manner.

PHARMACY AUDITS - PAYMENT OF RECOUPED MONEYS

ACT 517 (SB722) - The act limits the documentary evidence that may be used in determining recoupment of costs under the Arkansas Pharmacy Audit Bill of Rights, and requires that all recouped moneys be paid to the responsible party.

PHYSICIANS

Fluoride Varnish

ACT 90 (SB43) - The act authorizes physicians and nurses after appropriate training to apply fluoride varnish to a child's teeth.

Licensure And Scope Of Practice - Physician Assistant Committee

ACT 1207 (HB1985) - The act creates a Physician Assistant Committee to consult with the Arkansas State Medical Board regarding the licensure and scope of practice for physician assistants.

PODIATRIC MEDICINE BOARD - STIPEND

ACT 786 (SB355) - The act increases the amount of stipend that members of the Arkansas Board of Podiatric Medicine receive for attendance at board meetings to \$110 per day.

PRESCRIPTION DRUG MONITORING - ELECTRONIC DATABASE

ACT 304 (SB345) - The act to establishes a prescription drug monitoring program that creates an electronic database for prescription drug sales and requires all prescription drug dispensers to provide to the database specified information regarding sales.

PRIOR AUTHORIZATION

ACT 1155 (SB839) - The act requires that an adverse prior authorization determination made by a utilization review agent shall be based on medical necessity or on the appropriateness of the health care services and shall be based on written clinical criteria.

RABIES VACCINATIONS

ACT 93 (SB112) - The act provides formal definitions for species of cats and dogs that are required to be vaccinated for rabies. The law also allows the Arkansas Livestock and Poultry Commission to adopt rules concerning vaccinations of cats and dogs that are brought into the state.

RADIATION PROTECTION

ACT 596 (SB803) - The act authorizes the State Board of Health to promulgate rules to establish fees to sustain the program operations and standards mandated by the State Radiation Control Agency. The act also provides that the fees shall not conflict with federal program schedules or exceed twenty-five percent (25%) of the fees that would be levied by the United States Nuclear Regulatory Commission if the commission were to regulate the programs.

RESTAURANT PERMIT FEES - SUNSET REMOVED

ACT 226 (HB1248) - The act removes the 2013 sunset provision requiring food service establishments to pay permit fees, making the fees permanent.

RIGHTS OF THE TERMINALLY ILL OR PERMANENTLY UNCONSCIOUS - LIVING WILL DESIGNATION ON DRIVER'S LICENSE OR IDENTIFICATION CARD

ACT 729 (SB725) - The act allows a person to obtain a living will designation on his or her Arkansas driver's license or identification card.

HEALTH

SHAKEN BABY SYNDROME - MATERNAL EDUCATION

ACT 1128 (SB328) - The act requires that before a medical facility discharges a woman who gives birth in the facility, the woman shall be provided with educational materials describing shaken baby syndrome.

SICKLE CELL DISEASE

Task Force Extension

ACT 1149 (SB791) - The act extends the operations of the Arkansas Legislative Task Force on Abused and Neglected Children until June 30, 2013 and the Arkansas Legislative Task Force on Sickle Cell Disease until October 1, 2013.

Telemedicine Pilot Program

ACT 909 (HB1604) - The act creates a pilot program in telemedicine at the University of Arkansas for Medical Sciences to improve access to treatment for sickle cell anemia in rural areas of Arkansas.

SPORTS - SOCCER GOAL SAFETY

ACT 772 (HB1810) - The act requires soccer goals in a public recreation area to be anchored according to the Guidelines for Movable Soccer Goal Safety promulgated by the United States Consumer Product Safety Commission or the guidelines adopted by the Department of Health. "Public recreation area" includes privately owned or publicly owned parks, sports fields, auditoriums, school playgrounds, or other school facilities.

STATE WATER PLAN - POLICY STATEMENT

ACT 749 (HB1903) - The act amends the policies of the state water plan to focus on the promotion of the efficient use of water for the benefit of the people and wildlife of Arkansas.

SURFACE COAL MINING - PRIORITIES OF EXPENDITURES

ACT 279 (HB1280) - The act amends the Arkansas Surface Coal Mining and Reclamation Act of 1979 by making various technical corrections and by setting priorities for the expenditure of funds under the act.

TECHNICAL CORRECTIONS - PUBLIC HEALTH AND WELFARE - TITLE 20

ACT 1121 (SB249) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 20 of the Arkansas Code.

VISION CARE - SCHOOL AGE CHILDREN

ACT 176 (HB1301) - The act repeals the sunset provision for the Arkansas Commission on Eye and Vision Care of School Age Children and authorizes the codification of Act 755 of 2003 as amended by Act 1438 of 2005 and Act 138 of 2007. As a result, the Arkansas Commission on Eye and Vision Care of School Age Children is permanent. The act declares an emergency and became effective on March 4, 2011.

HIGHWAYS

ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW - STATE AID STREETS FUNDING

ACT 1032 (HB1779) - The act amends the state aid streets funding law concerning the administration of the State Aid Streets Program by the Arkansas Highway and Transportation Department and the distribution of highway revenues to municipalities. The act declares an emergency and is effective on and after July 1, 2011.

BONDS - FEDERAL HIGHWAY GRANT ANTICIPATION AND TAX REVENUE BONDS

ACT 773 (HB1902) - Subject to approval by the voters, the act authorizes the Arkansas State Highway Commission to issue State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds for the purposes of constructing and renovating roads and highways. The act provides that the bonds shall be guaranteed by the full faith and credit of the state. Subject to approval of the bond issue by the voters, the act establishes an additional tax on distillate special fuel with the revenues to be used to pay off the bonds.

HIGHWAYS

FUNDING - CITY AND COUNTY TURNBACK FUNDS

ACT 752 (HB1774) - The act defines "public transportation" related to city and county turnback funds under the Arkansas Highway Revenue Distribution Law.

RULES OF THE ROAD

Distracted Driving - Handheld Wireless Telephone Use Limitations

ACT 37 (SB154) - The act amends the Fewer Distractions Mean Safer Driving Act and prohibits handheld wireless telephone use in school zones and highway work zones. This act does not apply to law enforcement officers or operators of motor vehicles who are using a handheld wireless telephone for an emergency purpose.

Electronic Tickets

ACT 908 (HB1532) - The act authorizes law enforcement officers to print electronic tickets for traffic violations instead of written orders for traffic citations.

Law Enforcement Use Of All-Terrain Vehicles

ACT 13 (HB1151) - The act allows an on-duty law enforcement officer or person performing an official law enforcement function to operate an all-terrain vehicle on public streets and highways.

Minimum Mandatory Liability Insurance Violations

ACT 1046 (HB1953) - The act allows a law enforcement officer, under certain circumstances, to impound a motor vehicle that does not have the minimum liability insurance required by law or a certificate of self-insurance.

Motorcycle Equipment

ACT 759 (HB1775) - The act requires motorcycles, motor-driven cycles, and motorized bicycles manufactured after the effective date of this act to have turn signals as standard equipment.

Motorized Bicycles

ACT 1221 (HB1925) - The act raises the age requirement for a person to obtain a motorized bicycle certificate to fourteen (14) years of age.

Operation Of All-Terrain Vehicles On Streets And Highways

ACT 704 (HB1949) - The act allows an employee of a utility, telecommunications, or cable company working during a time of emergency or severe weather to operate an all-terrain vehicle on public streets and highways.

Penalties For Failure To Register A Motor Vehicle

ACT 876 (HB1603) - The act reinstates the penalties that were in effect from 1991 to 2009 for a person who drives an unregistered motor vehicle.

Window Tinting

ACT 1141 (SB718) - The act clarifies the light transmission levels for window tinting on chauffeur-driven sedans.

HUNTING AND FISHING

LIFETIME HUNTING AND FISHING LICENSES FOR MILITARY RETIREES

ACT 302 (HB1477) - The act requires the Arkansas Game and Fish Commission to provide for the issuance of a lifetime hunting and fishing license to a resident of Arkansas who is sixty (60) years of age or older and is a regular or non-regular retiree of the armed services of the United States for a one-time fee of thirty-five dollars and fifty cents (\$35.50).

IMPROVEMENT DISTRICTS

COLLECTION OF ASSESSMENTS

ACT 210 (HB1185) - The act creates a new subchapter for improvement district and protection district procedures when the county collector is used for the collection of assessments.

IMPROVEMENT DISTRICTS

FIRE PROTECTION DISTRICTS - ANNUAL ASSESSMENTS

ACT 264 (HB1403) - The act modifies the time for payment for annual assessments in fire protection districts.

LEVEE IMPROVEMENT DISTRICTS - COMPENSATION

ACT 187 (HB1367) - The act increases the amount a director and an assessor of a levee improvement district receive in compensation from five dollars (\$5.00) to fifty dollars (\$50.00) a day.

MUNICIPAL IMPROVEMENT DISTRICTS - FILINGS AND PROCEDURE

ACT 1225 (HB2045) - The act modifies the procedures for financial filings and the board of commissioners for certain municipal improvement districts.

INDIVIDUALS WITH DISABILITIES

PURCHASES BY STATE AGENCIES FROM WORK CENTERS

ACT 807 (SB890) - The act includes work centers for the blind among the work centers from which state agencies are required to purchase needed available and suitable products and suitable services.

STATE PARKS - USE OF ALL-TERRAIN VEHICLES OR GOLF CARTS

ACT 221 (SB335) - The act authorizes individuals with disabilities to use all-terrain vehicles and golf carts on roads within developed recreation use areas located within a park or recreation area under the control or management of the State Parks, Recreation, and Travel Commission.

USE OF RESPECTFUL LANGUAGE

ACT 98 (SB206) - The act requires a state agency to review its administrative rules to ensure the use of respectful language regarding disabilities.

VISUALLY IMPAIRED - ACCESSIBILITY STANDARDS

ACT 750 (HB2063) - The act requires the Department of Information Systems to follow federal standards for providing access for the visually impaired to software applications, operating systems, and web-based intranet and Internet information and applications.

INSURANCE

ARKIDS FIRST

ACT 771 (SB65) - The act provides for improvements to the ARKids First A and B programs to increase enrollment, improve retention of coverage, and minimize barriers in the application process. The act's provisions will be implemented only if and to the extent the necessary federal waivers are obtained and required state general revenue is available.

BURIAL ASSOCIATIONS

ACT 875 (HB1486) - The act amends Arkansas law concerning burial associations; repeals a requirement for the Executive Secretary of the Burial Association Board to furnish a bond to the board; requires an application fee and proof of a deposit to the burial association's mortuary fund when submitting an application for a certificate of authority; amends the time the Burial Association Board may collect the annual license fee; and amends the provisions governing the semiannual report filed by a burial association with the board and the process for revoking a certificate of authority, charter, or other authority by the board.

CONSULTANT FEES

ACT 797 (SB768) - The act provides that a licensed insurance consultant who is also a licensed producer may adjust or refund to his or her clients any part of a consulting fee under a prior written agreement with a client who pays total annual premiums, for all lines of business of one hundred thousand dollars (\$100,000) or more based on commissions received by the consultant from insurers; that the adjustment or refund does not constitute a prohibited "rebate" or "unfair discrimination"; and that the Insurance Commissioner may promulgate rules to implement the act.

INSURANCE

DENTAL INSURANCE - NONCOVERED DENTAL SERVICES

ACT 566 (HB1425) - The act removes insurance restrictions on dentists by insurance companies for noncovered dental services. The act declares an emergency and became effective on March 22, 2011.

DOMESTIC SURPLUS LINES INSURERS

ACT 332 (SB45) - The act establishes licensure requirements of domestic surplus lines insurers. The act declares an emergency and became effective on March 18, 2011.

GASTRIC PACEMAKERS - COVERAGE REQUIRED

ACT 1042 (HB1915) - The act requires health insurance plans to provide coverage for gastric pacemakers.

IN VITRO FERTILIZATION - CERTIFICATION

ACT 1119 (SB213) - The act provides coverage for in vitro fertilization if the services and procedures conform to certain guidelines and minimum standards.

INSURANCE DEPARTMENT

Autism

ACT 196 (HB1315) - The act provides health insurance coverage for autism spectrum disorders under the Arkansas Health Care Consumer Act. The act is effective on and after October 1, 2011.

Child-Only Insurance

ACT 269 (HB1428) - The act requires insurers to establish an open enrollment period of October 1 through October 31, and to issue individual health insurance coverage for child-only individual health insurance policies until January 1, 2014. The act provides that a refusal prior to October 1, 2011, by an insurer to issue individual health insurance coverage to a child under nineteen (19) years of age allows the child to be eligible for the Arkansas Comprehensive Health Insurance Pool until September 30, 2011, and provides that after September 30, 2011, the Board of Directors of the Arkansas Comprehensive Health Insurance Pool shall determine the eligibility of a child under nineteen (19) years of age under the Comprehensive Health Insurance Pool Act. The act declares an emergency and became effective on March 14, 2011.

Farm Mutual Aid - Surplus Requirements

ACT 523 (HB1816) - The act amends the surplus requirements for Farmers' Mutual Aid Associations.

General Omnibus And Technical Corrections

ACT 760 (HB1806) - The act enacts the State Insurance Department's general omnibus bill; to update and make technical corrections to numerous insurance laws and improve the Insurance Commissioner's ability to administer the insurance laws and internal procedures of the department. The act provides that nondepartment personnel may act as independent hearing officers; sets the minimum levels for employee stop loss coverage; requires insurers to file with the commissioner audited financial statements; amends the risk-based capital laws for insurers and health maintenance organizations; allows for the commissioner to issue emergency cease and desist orders; revises the continuing education requirements for licensees; voids nonresident producer licenses by operation of law; allows additional grounds for producer discipline and a notice and right to cure for all insurers; requires stock insurers to file bylaws with the commissioner; applies risk-based capital laws to health and medical service corporations; requires prior approval by the commissioner of a merger or acquisition of a health maintenance organization; removes the cap on reimbursement for children's preventative health care; and amends the law regarding coordination of benefits.

Insurance Holding Company Regulatory Act

ACT 887 (HB1815) - The act amends and makes technical changes to the Insurance Holding Company Regulatory Act.

INSURANCE

INSURANCE DEPARTMENT

Market Conduct Annual Statements

ACT 1034 (HB1813) - The act requires insurers to file a market conduct annual statement with the Insurance Commissioner.

Renewal And Cancellation

ACT 886 (HB1814) - The act establishes rule-making authority for the Insurance Commissioner to construe the renewal and cancellation provisions of insurance policies for the protection of policyholders.

INSURANCE POLICIES - MISREPRESENTATIONS

ACT 1054 (HB2137) - The act revises the circumstances barring recovery under a life insurance or accident and health insurance policy for misrepresentations during the application process.

LIABILITY INSURANCE - COMMERCIAL GENERAL LIABILITY INSURANCE

ACT 604 (HB1439) - The act requires commercial general liability insurance policies offered for sale in the state to contain a definition of "occurrence" that includes accidents, including continuous or repeated exposure to substantially the same general harmful conditions and property damage or bodily injury resulting from faulty workmanship.

MOTOR VEHICLE LIABILITY INSURANCE - TOWING AND IMPOUNDING

ACT 1046 (HB1953) - The act allows a law enforcement officer, under certain circumstances, to impound a motor vehicle that does not have the minimum liability insurance required by law or a certificate of self-insurance.

MOTOR VEHICLES - REMOVAL FROM STORAGE FACILITIES BY AGENT

ACT 1206 (HB1559) - The act authorizes the agent of an insurance company to remove a total-loss vehicle from a storage facility under certain circumstances.

MULTI-STATE AGREEMENTS

ACT 1055 (HB2143) - The act provides authority for the Insurance Commissioner to enter into multi-state agreements with other jurisdictions to administer taxes on surplus lines insurers. The act declares an emergency and became effective on April 4, 2011.

OBESITY - PILOT PROGRAM

ACT 855 (SB66) - The act creates a pilot program requiring health benefit plans to provide coverage for the treatment of morbid obesity. The act is effective on and after January 1, 2012.

PORTABLE ELECTRONICS

ACT 1018 (SB938) - The act regulates the sale of insurance for portable electronics.

PRIOR AUTHORIZATION

ACT 1155 (SB839) - The act requires that an adverse prior authorization determination made by a utilization review agent shall be based on medical necessity or on the appropriateness of the health care services and shall be based on written clinical criteria.

SURPLUS LINES INSURERS - MULTI-STATE AGREEMENTS

ACT 1055 (HB2143) - The act provides authority for the Insurance Commissioner to enter into multi-state agreements with other jurisdictions to administer taxes on surplus lines insurers. The act declares an emergency and became effective on April 4, 2011.

TITLE INSURANCE - CLOSING PROTECTION

ACT 515 (SB309) - The act amends the definitions used in the Arkansas Title Insurance Act. The act authorizes a title insurer to issue closing protection to a party to the closing if the title insurer and the closing agent are in privity of contract.

INSURANCE

TOTAL LOSS CLAIMS FOR MOTOR VEHICLES - OBTAINING SALVAGE OR PARTS-ONLY TITLE

ACT 285 (HB1371) - The act creates an alternative procedure for an insurance company to obtain the title of a motor vehicle after disbursing a total loss settlement payment for the motor vehicle. The title issued by the Office of Motor Vehicle under this act is a salvage or parts-only title in the name of the insurance company.

LABOR AND INDUSTRIAL RELATIONS

CONSTRUCTION AGREEMENTS

ACT 115 (HB1235) - The act repeals obsolete language concerning construction agreements between the Department of Labor and the Arkansas Building Authority Council. The act declares an emergency and became effective on February 23, 2011.

TECHNICAL CORRECTIONS - LABOR AND INDUSTRIAL RELATIONS - TITLE 11

ACT 980 (SB244) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 11 of the Arkansas Code.

UNEMPLOYMENT AND UNEMPLOYMENT BENEFITS

Arkansas Unemployment Trust Fund Financing Act Of 2011

ACT 1125 (SB305) - The act establishes the Arkansas Unemployment Trust Fund Financing Act of 2011, which authorizes the Arkansas Development Finance Authority, subject to statewide voter approval at an election called by the Governor, to issue bonds not to exceed five hundred million dollars (\$500,000,000) to repay the debt to the federal government for unemployment funds paid to citizens of Arkansas. The bonds would be paid by revenues raised from an unemployment obligation assessment. The act declares an emergency and became effective on April 4, 2011.

Eligibility After Discharge - Minimum And Maximum

ACT 861 (SB593) - The act specifies minimum and maximum unemployment benefits and modifies the requirements for receiving unemployment benefits after discharge for absenteeism, misconduct, or failure to accept suitable work. The act is effective on and after July 1, 2012.

Omnibus Revisions

ACT 1040 (HB1909) - The act amends various provisions of the Department of Workforce Services Law, including a provision to bring the law into compliance with Pub. L. No. 111-291. The act declares an emergency and became effective on April 1, 2011.

Online Notice Of Applications - Notice Period Extended

ACT 1229 (HB2127) - The act extends the time for employers to respond to applications for unemployment benefits and provides for online notice of applications for unemployment benefits.

WORKFORCE SERVICES DEPARTMENT

Omnibus Revisions

ACT 1040 (HB1909) - The act amends various provisions of the Department of Workforce Services Law, including a provision to bring the law into compliance with Pub. L. No. 111-291. The act declares an emergency and became effective on April 1, 2011.

TANF Study

ACT 937 (HB1122) – The appropriation act requires the Department of Workforce Services to contract with a vendor to study how to address the financial needs of grandparents raising grandchildren through the Temporary Assistance for Needy Families (TANF) Block Grant Program. The act further provides that if the department fails to complete the required study, the department shall immediately begin providing cash assistance payments to grandparents who are the legal guardians of their grandchildren and whose incomes are below 100% of the Federal Poverty Level. The act declares an emergency and is effective on and after July 1, 2011, with the exception of Section 26 of the act, which became effective on April 1, 2011.

LAW ENFORCEMENT

ADMINISTRATION OF BLOOD ALCOHOL TESTS AND OPERATION OF RADAR

ACT 1240 (SB855) - The act provides that an auxiliary law enforcement officer appointed as a reserve law enforcement officer may administer a blood alcohol test and operate a device to detect excessive speeding.

ALL-TERRAIN VEHICLES - LAW ENFORCEMENT FUNCTIONS

ACT 13 (HB1151) - The act allows an on-duty law enforcement officer or person performing an official law enforcement function to operate an all-terrain vehicle on public streets and highways.

ARKANSAS CRIME INFORMATION CENTER

ACT 1224 (HB2029) - The act provides that a person is guilty of a Class A misdemeanor if upon conviction the person knowingly accesses information or willfully obtains information collected and maintained by the Arkansas Crime Information Center for purposes not authorized or knowingly releases or discloses information maintained by the Arkansas Crime Information Center to another person who lacks authority to receive the information. The act also provides that it is a Class D felony if a person accesses the information from the Arkansas Crime Information Center for the purpose of furthering the commission of a misdemeanor offense or felony offense, enhancing or assisting the person's political position in a legal proceeding, causing a pecuniary or professional gain, or furthering political purposes.

ATTORNEY GENERAL SUBPOENA POWER

ACT 170 (SB262) - The act provides the Attorney General with subpoena power in criminal matters.

AWARD OF SERVICE WEAPON

ACT 181 (HB1319) - The act provides that when an employee of the Department of Correction retires with at least twenty (20) years of service or dies while still employed with the department, the department may award the service weapon carried by the employee at the time of his or her retirement or death to the employee or the employee's spouse, if eligible.

CITIES OF THE SECOND CLASS AND INCORPORATED TOWNS - LAW ENFORCEMENT VEHICLES

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

CONSTABLES

ACT 561 (SB701) - The act changes various provisions of the current law to provide counties the discretion to pay expenses, compensation, and salaries related to constables. The act also provides that townships are not included in the definition of county government.

CRIME REPORTING

Adult Abuse And Domestic Violence

ACT 1004 (SB751) - The act provides that certain health care providers may report to law enforcement certain injuries to an adult that could reasonably be related to battery or other physically abusive conduct without being held civilly or criminally liable.

Reporting Of Certain Burn Injuries

ACT 270 (SB27) - The act requires certain health care providers to notify law enforcement if they treat or receive in the hospital certain types of burn wounds. The act also provides immunity from civil or criminal liability for persons making a report under the statute.

LAW ENFORCEMENT

DISPOSITION OF UNCLAIMED SEIZED PROPERTY

ACT 171 (SB291) - The act allows law enforcement agencies to donate unclaimed seized property that is a recreational item to a state agency, nonprofit organization, or an educational program designed to provide education, assistance, or recreation to children.

LAW ENFORCEMENT TRAINING COMMISSION - MUNICIPAL POLICE

ACT 283 (HB1313) - The act authorizes the President of the Arkansas Municipal Police Association to designate a representative to the Arkansas Commission on Law Enforcement Standards and Training.

MINIMUM MANDATORY MOTOR VEHICLE INSURANCE - TOWING AND IMPOUNDING

ACT 1046 (HB1953) - The act allows a law enforcement officer, under certain circumstances, to impound a motor vehicle that does not have the minimum liability insurance required by law or a certificate of self-insurance.

PATROLLING OF HIGHWAYS

ACT 741 (HB1493) - The act provides that certain law enforcement officers are prohibited from patrolling controlled-access highways, including municipal police officers, officers established under § 14-42-401 et seq., city marshals, and constables.

PAWNBROKERS

ACT 1037 (HB1841) - The act amends the law concerning pawnbrokers, precious metal dealer licensing, and the purchase of gold, silver, and other precious metals.

POLICE DEPARTMENTS - CIVIL SERVICE COMMISSIONERS BOARD

ACT 1029 (HB1739) - The act amends Arkansas law concerning temporary appointments by a board of civil service commissioners, including amending the time frame for examinations to establish a list of eligible persons on an as-needed basis to address certain vacancies; providing that a temporary promotion or appointment for a vacancy created by death, termination, resignation, demotion, retirement, or promotion shall not last longer than sixty (60) days unless an appeal is pending; providing that vacancies created by vacation, bereavement leave, medical leave, military leave, or suspension may be filled by a temporary promotion on a day-to-day basis; allowing an increase in salary beyond the limit fixed for the employee's grade when temporarily promoted to work in a position outside of his or her grade; and requiring that promotions be made within sixty (60) days of a vacancy created by death, termination, resignation, demotion, retirement, or promotion unless the position is determined to be eliminated.

PUBLIC SAFETY IMPROVEMENT ACT

ACT 570 (SB750) - The act is a broad piece of legislation intended to curb the cost of correction, reduce recidivism, and hold criminal offenders accountable for their actions. Among many things, the act raises the criminal liability value thresholds for various theft offenses; creates a comprehensive new set of drug statutes; reorganizes and streamlines the probation and parole sections in the Arkansas Code; creates new sentencing and early discharge provisions; revises current probation and parole statutes to incorporate programs designed to rehabilitate rather than incarcerate; amends the procedures and parameters for the granting of medical parole; revises provisions for home detention through electronic monitoring; revises the drug court statutes to make them more efficient and effective; creates performance incentive funding for jurisdictions designed to reduce commitments to the Department of Correction; provides for new record-keeping measures designed to gauge the effectiveness of the act; and makes technical corrections throughout the Arkansas Code that resulted from redefining, relocating, amending, and creating certain statutes.

LAW ENFORCEMENT

RECORDS RETAINED BY THE STATE CRIME LAB

ACT 892 (HB1926) - The act clarifies that the state crime lab shall disclose to a defendant all evidence in his or her case that is kept, obtained, or retained by the lab. Further, the act allows the Department of Health to access autopsy records, files, and information for the purpose of implementing the Trauma System Act, § 20-13-801 et seq., and the rules adopted by the State Board of Health under the Trauma System Act.

RESTITUTION FOR VICTIMS OF CERTAIN CRIMES

ACT 866 (SB637) - The act provides that the circuit court may forfeit certain property of a person convicted of certain crimes in order to satisfy any restitution owed the victim of those crimes. The act further sets out the procedure the circuit court shall use in the event that restitution is owed and applied under this act.

SEX OFFENDERS

Appeal Of Sex Offender Assessment - Community Notification

ACT 286 (HB1406) - The act provides that if a person assessed as a Level 4 sexually violent predator administratively appeals his or her sex offender assessment, a local law enforcement agency having jurisdiction may continue to notify the community using the same community notification level upon which review has been requested.

Email Addresses And Internet Identities

ACT 143 (HB1278) - The act amends the requirements regarding the information a registered sex offender shall disclose to law enforcement during verification to include all computers or other similar devices to which the registered sex offender has access, the registered sex offender's email addresses, and the registered sex offender's Internet identities or screen names.

Notification Concerning Out-Of-State Sex Offenders

ACT 100 (HB1009) - The act establishes guidelines for disclosure and notification of out-of-state sex offenders moving to Arkansas. The act allows law enforcement to immediately disclose that a person is required to register as a sex offender before the sex offender's Arkansas assessment that establishes a community notification level. Specifically, the law enforcement agency may make immediate notification "appropriate for public safety".

Sex Offender Verification

ACT 64 (HB1007) - The act provides that a person required to register as a sex offender shall register in person at the local law enforcement agency having jurisdiction, at which time the sex offender shall sign and date a Sex Offender Acknowledgment Form, which shall be witnessed and signed by a law enforcement officer. The act requires the law enforcement agency to transmit electronically the verification to the Arkansas Crime Information Center. The act also provides alternative provisions for verification if the law enforcement agency is not equipped to transmit sex offender verification electronically to the center.

SHERIFF'S OFFICE RECORD RETENTION

ACT 43 (HB1136) - The act creates a subchapter at § 13-4-401 et seq. that governs the procedures for record retention and destruction by a sheriff's office. The act identifies the types of records to be maintained and the time period for which the records shall be maintained.

STATE CRIME LABORATORY - MEDICAL EXAMINER

ACT 775 (SB208) - The act provides that the Executive Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and that the executive director may remove the examiner only for cause with the approval of the board. The act also increases the maximum fees that may be charged by the State Crime Laboratory for consultations, scientific or medical research, depositions, expert witness testimony, travel to and from courts, and autopsies requested by non-law enforcement officials.

LAW ENFORCEMENT

STATE POLICE

Probationary Period

ACT 14 (HB1157) - The act changes the probationary period for state police officers from one (1) year to eighteen (18) months for officers hired after the effective date of the act.

Small Municipality Law Enforcement Vehicle Grant Program

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

STATE POLICE RETIREMENT SYSTEM - CERTIFICATE OF TITLE FEES

ACT 718 (SB183) - The act increases the certificate of title fee and duplicate certificate of title fee for motor vehicles and allocates the additional revenues to the State Police Retirement Fund to be used for the Arkansas State Police Retirement System. The act declares an emergency and is effective on and after July 1, 2011.

TECHNICAL CORRECTIONS - LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND MILITARY AFFAIRS - TITLE 12

ACT 779 (SB254) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 12 of the Arkansas Code.

TOWING AND STORAGE - OWNER'S PREFERENCE

ACT 995 (SB592) - The act clarifies the right of owner's preference concerning the removal of a disabled or inoperative vehicle.

TRAFFIC CITATIONS - ELECTRONIC TICKETS

ACT 908 (HB1532) - The act authorizes law enforcement officers to print electronic tickets for traffic violations instead of written orders for traffic citations.

TRAINING

911 Public Safety Communications Center Employees

ACT 640 (HB1741) - The act provides for the Arkansas Law Enforcement Training Academy to establish minimum training standards for employees of a public safety agency, a public safety answering point, a dispatch center, or a 911 public safety communications center.

Individuals With Disabilities

ACT 1199 (HB2198) - The act provides that all law enforcement officers in the state shall complete additional continuing education and training as needed relating to individuals with disabilities in a law enforcement context.

Training Academies

ACT 272 (SB260) - The act designates the Arkansas Law Enforcement Training Academy and the Black River Technical College Law Enforcement Training Academy as law enforcement agencies.

Training Programs

ACT 188 (HB1370) - The act allows the Arkansas Commission on Law Enforcement Standards and Training to permit the use of any training facility, equipment, or personnel to conduct training or provide services for any law enforcement or training purpose. The act permits the Commission to accept reimbursement for the use of the facilities. Further, the act allows persons in certain vocations or professions, including medicine or public safety, to attend training or receive instruction at the facilities at the invitation of the commission.

LOTTERY

ADVERTISING - INCLUSION OF TOLL-FREE HELPLINE TELEPHONE NUMBER

ACT 1179 (HB1907) - The act provides that an advertisement by a gambling operator for a gambling activity published or broadcast in Arkansas shall include a toll-free helpline telephone number providing information and referral services concerning compulsive gambling disorders. The act provides specifics on the inclusion of the toll-free helpline telephone number and contains exceptions for certain types of advertising.

EMPLOYEES - RETIREMENT

ACT 20 (SB139) - The act clarifies that "compensation" of a lottery commission employee includes only the base salary of the employee and does not include a multiplier or other special salary allowance used to increase a person's salary as authorized by the General Assembly. The act declares an emergency and became effective on February 9, 2011.

FISCAL IMPACT STATEMENTS

ACT 1173 (HB1596) - The act requires a fiscal impact statement for a bill that proposes to amend the Arkansas Scholarship Lottery Act, § 23-115-101 et seq., or that will impose a new or increased cost to the Arkansas Lottery Commission or a lottery.

LOTTERY COMMISSION

Annual Report And Budget Review

ACT 1057 (HB2179) - The act requires the Arkansas Lottery Commission to submit a comprehensive annual financial report and amends the process for the review of the commission's budget by the Arkansas Lottery Commission Legislative Oversight Committee.

Duties

ACT 207 (HB1302) - The act amends the Arkansas Scholarship Lottery Act under Title 23, Chapter 115 of the Arkansas Code to do the following: (1) amend certain definitions; (2) require the Arkansas Lottery Commission to adopt a three-year audit plan; (3) amend the qualifications and duties of the internal auditor of the commission; (4) expand the requirements for the commission's presentation of its annual proposed budget to the Arkansas Lottery Commission Legislative Oversight Committee; (5) amend reporting dates under the subchapter; (6) require a report on the compulsive gambling disorder education and treatment programs; and (7) move the offense of fraud to the Criminal Code. The act also amends the Arkansas Academic Challenge Scholarship Program - Part 2 (lottery-funded) and amends the scholarship stacking law to clarify the meaning of "other aid" and require students to disclose information on all higher education financial assistance received. The act declares an emergency and became effective on March 8, 2011.

Self-Service Lottery Ticket Vending Machines

ACT 1192 (HB2111) - The act requires the Arkansas Lottery Commission to provide public notice on the commission's website of the location of each self-service lottery ticket vending machine in the state.

Unclaimed Lottery Prize Money

ACT 1180 (HB1947) - The act amends the Arkansas Scholarship Lottery Act to define "multistate or multisovereign lottery" and "unclaimed lottery prize money", and to allow the Arkansas Lottery Commission to spend up to \$2,500,000 annually from unclaimed lottery prize money on prize promotions, managing online game reserves, and increasing the pool of lottery prize funds. The act also allows the commission to maintain a balance of unclaimed lottery prize money of \$1,000,000 annually, with the remaining balance to be deposited to net lottery proceeds each year. Under the act, the commission is required to annually report revenues and expenditures from unclaimed lottery prize money to the Arkansas Lottery Commission Legislative Oversight Committee. The act declares an emergency and became effective on April 4, 2011.

MANUFACTURED HOMES

MANUFACTURED HOME COMMISSION

ACT 346 (HB1443) - The act provides that the Arkansas Manufactured Home Commission shall by rule set the requirements for and require licensing, training, and certification of any installer engaged in the installation of modular homes in Arkansas.

MILITARY AND VETERANS

ACTIVE DUTY SERVICE

Absentee Voting By Members Of The Uniformed Services

ACT 1188 (HB2074) - The act allows for the transmission of absentee ballot applications by electronic means, including by electronic mail. The act also amends the process for voter registration and absentee voting by members of uniformed services and other citizens residing outside the United States.

Directions For Final Disposition - DD Form 93

ACT 29 (HB1141) - The act clarifies the Arkansas Final Disposition Rights Act of 2009 for persons who die while serving in any branch of the armed forces of the United States, the National Guard, or a reserve component of the armed forces by requiring the directions for final disposition for the decedent to be made by the person authorized in the DD Form 93 completed by the decedent prior to death.

Honoring Service Members Killed In Action

ACT 1182 (HB1998) - The act clarifies the law regarding the lowering of state flags on public buildings when a member of the armed services is killed in action.

Leaves Of Absence And Reemployment

ACT 1164 (HB1024) - The act clarifies the leaves of absence and reemployment of military personnel called to active duty, including members of the national guard or a reserve component of the armed forces.

Stays Of Proceedings In Dependency-Neglect Actions

ACT 1170 (HB1544) - The act makes the Military Code of Arkansas consistent with federal law concerning stays of proceedings for active duty military personnel who are a party to dependency-neglect actions.

CIVILIAN FIREFIGHTERS - CREDITED SERVICE FOR RETIREMENT

ACT 978 (SB100) - The act provides that civilian firefighters of the State Military Department are to be regarded as public safety members for enhanced credited service in the Arkansas Public Employees' Retirement System.

MILITARY JUSTICE - WRONGFUL USE OR POSSESSION OF A CONTROLLED SUBSTANCE

ACT 820 (HB1636) - The act amends the Military Code of Arkansas to make wrongful use or possession of a controlled substance punishable by court-martial.

MILITARY RETIREES - LIFETIME HUNTING AND FISHING LICENSE

ACT 302 (HB1477) - The act requires the Arkansas Game and Fish Commission to provide for the issuance of a lifetime hunting and fishing license to a resident of Arkansas who is sixty (60) years of age or older and is a regular or non-regular retiree of the armed services of the United States for a one-time fee of thirty-five dollars and fifty cents (\$35.50).

NATIONAL GUARD AND RESERVES - PURCHASE OF SERVICE CREDIT IN STATE POLICE RETIREMENT SYSTEM

ACT 562 (HB1112) - The act allows members of the State Police Retirement System to purchase credited service for a period not to exceed five (5) years for service in the national guard or armed forces reserve.

MILITARY AND VETERANS

RETIREMENT - PURCHASE OF SERVICE CREDIT

ACT 38 (SB172) - The act makes technical corrections to the public retirement systems and brings the public retirement systems into compliance with federal law. The act allows Arkansas National Guard or armed forces reserve service to be purchased in one-month increments. The act declares an emergency and became effective on February 16, 2011.

SERVICE-DISABLED VETERANS

Business Opportunities

ACT 882 (HB1790) - The act authorizes state agencies to attempt to ensure that five percent (5%) of the total amount expended in state-funded and state-directed public construction programs and in the purchase of goods and services for the state each fiscal year is paid to businesses of service-disabled veterans in the awarding of state contracts.

Minority Business Economic Development Act

ACT 893 (HB1971) - The act amends the Minority Business Economic Development Act to include service-disabled veterans in the definition of "minority".

SPECIAL LICENSE PLATES - COLD WAR VETERANS

ACT 986 (SB338) - The act amends the definition of "Cold War veteran" under the Special License Plate Act of 2005 and clarifies that Cold War veterans can obtain multiple license plates.

VETERANS

Drivers Licenses And Identification Cards

ACT 12 (HB1014) - The act, known as the "Nick Bacon Remembrance Act", is to honor veterans of the United States Armed Forces by allowing a veteran status designation on Arkansas driver's licenses and identification cards. The act declares an emergency and is effective on and after July 1, 2011.

Special License Plate

ACT 727 (SB513) - The act authorizes the issuance of special license plates to honor United States veterans who served in the armed forces but did not serve during a conflict or long enough to retire. This is a standard fee special license plate.

MINORITIES

HEALTH DISPARITIES

Collaborative Initiatives

ACT 798 (SB770) - The act defines Arkansas red counties with decreased life expectancies, creates collaborative initiatives, and creates a program for reports on the collaborative initiatives.

Reporting System

ACT 790 (SB459) - The act defines Arkansas red counties with decreased life expectancies and establishes a system for reporting on minority health disparities.

HIV-AIDS MINORITY TASK FORCE

ACT 1230 (HB2167) - The act provides flexibility in the appointment of members of the Arkansas HIV-AIDS Minority Task Force.

SICKLE CELL DISEASE

Task Force Extension

ACT 1149 (SB791) - The act extends the operations of the Arkansas Legislative Task Force on Abused and Neglected Children until June 30, 2013 and the Arkansas Legislative Task Force on Sickle Cell Disease until October 1, 2013.

Telemedicine Pilot Program

ACT 909 (HB1604) - The act creates a pilot program in telemedicine at the University of Arkansas for Medical Sciences to improve access to treatment for sickle cell anemia in rural areas of Arkansas.

MOTOR VEHICLES

ALL-TERRAIN VEHICLES

Law Enforcement Functions

ACT 13 (HB1151) - The act allows an on-duty law enforcement officer or person performing an official law enforcement function to operate an all-terrain vehicle on public streets and highways.

Recreational Off-Highway Vehicles

ACT 583 (SB301) - The act amends the definition of "all-terrain vehicle" to include recreational off-highway vehicles and defines "recreational off-highway vehicle".

Utility Personnel

ACT 704 (HB1949) - The act allows an employee of a utility, telecommunications, or cable company working during a time of emergency or severe weather to operate an all-terrain vehicle on public streets and highways.

CERTIFICATES OF TITLE

Certificate Of Title With Beneficiary

ACT 335 (SB292) - The act allows the transfer on death to a beneficiary of certain vehicles and motorboats that are registered with the Department of Finance and Administration by use of a "certificate of title with beneficiary" for vehicles and a "certificate of number with beneficiary" for motorboats, thus avoiding probate for the property.

Fees For Certificates Of Title And Duplicate Certificates Of Title

ACT 718 (SB183) - The act increases the certificate of title fee and duplicate certificate of title fee for motor vehicles and allocates the additional revenues to the State Police Retirement Fund to be used for the Arkansas State Police Retirement System. The act declares an emergency and is effective on and after July 1, 2011.

In-State Small Volume Manufacturers

ACT 800 (SB784) - The act allows a certificate of title to be issued for a motor vehicle or motorcycle that was manufactured in this state by a small volume manufacturer.

Salvage Or Parts-Only Titles In Total Loss Settlements

ACT 285 (HB1371) - The act creates an alternative procedure for an insurance company to obtain the title of a motor vehicle after disbursing a total loss settlement payment for the motor vehicle. The title issued by the Office of Motor Vehicle under this act is a salvage or parts-only title in the name of the insurance company.

CLASS SIX AND CLASS SEVEN TRUCKS AND SEMITRAILERS - SALES AND USE TAX EXEMPTION

ACT 1058 (HB2188) - The act exempts from the sales and use tax the gross receipts derived from the sale of Class Six and Class Seven trucks if the vehicle is registered with the International Registration Plan and engaged in interstate commerce. The act also exempts from the sales and use tax the gross receipts derived from the sale of all semitrailers and offsets general revenues lost as a result of the exemption with revenues from distillate motor fuel taxes. The act is effective on and after July 1, 2012.

DISTRACTED DRIVING - WIRELESS TELEPHONE USE

ACT 37 (SB154) - The act amends the Fewer Distractions Mean Safer Driving Act and prohibits handheld wireless telephone use in school zones and highway work zones. This act does not apply to law enforcement officers or operators of motor vehicles who are using a handheld wireless telephone for an emergency purpose.

DRIVERS LICENSES AND IDENTIFICATION CARDS

Arkansas Uniform Commercial Driver License Act

ACT 352 (HB1820) - The act amends the Arkansas Uniform Commercial Driver License Act to comply with federal commercial driver license regulations. The act requires certain applicants for a commercial driver license to obtain a medical certification. The act also prohibits drivers from texting while operating a commercial motor vehicle.

MOTOR VEHICLES

DRIVERS LICENSES AND IDENTIFICATION CARDS

Driver's License Examinations

ACT 1022 (HB1410) - The act authorizes the Department of Arkansas State Police to promulgate rules to implement, administer, and enforce laws related to driver's license examinations.

Enhanced Security Driver's License And Identification Card Act

ACT 350 (HB1742) - The act extends the expiration date of the Arkansas Voluntary Enhanced Security Driver's License and Identification Card Act to June 30, 2013. The act declares an emergency and is effective on and after June 30, 2011.

Identification Cards For Minors

ACT 193 (HB1420) - The act amends the law to allow a grandparent or a sibling over eighteen (18) years of age to accompany a minor to obtain an identification card, in addition to the persons already authorized by law.

Identity Documents

ACT 1212 (HB1497) - The act amends the law to allow the Office of Driver Services to exercise discretion regarding acceptance of documents to qualify for issuance of a driver's license or identification card.

Living Will Designation

ACT 729 (SB725) - The act allows a person to obtain a living will designation on his or her Arkansas driver's license or identification card.

Medical Exemption Designation

ACT 601 (HB1426) - The act allows a person to obtain a medical exemption designation for seat belt use on his or her Arkansas driver's license or identification card.

Procedure For Appeal Of License Suspension

ACT 610 (HB1483) - The act requires that a petition for review of an order regarding a driver's license suspension administrative hearing be served on the Director of the Department of Finance and Administration under Rule 4 of the Arkansas Rules of Civil Procedure.

Suspension And Revocation

ACT 194 (HB1422) - The act allows the Office of Driver Services to suspend a driver's license for one (1) year for various violations and for up to one (1) year if the driver is a habitual violator of traffic laws. The act provides an evaluation procedure for determining a driver's competency to operate a motor vehicle before suspension or revocation of a license. The act also provides an appeal procedure for a person whose license has been suspended, disqualified, or revoked.

Veterans

ACT 12 (HB1014) - The act, known as the "Nick Bacon Remembrance Act", is to honor veterans of the United States Armed Forces by allowing a veteran status designation on Arkansas driver's licenses and identification cards. The act declares an emergency and is effective on and after July 1, 2011.

EQUIPMENT - WINDOW TINTING

ACT 1141 (SB718) - The act clarifies the light transmission levels for window tinting on chauffeur-driven sedans.

GPS DEVICES ON STATE-OWNED VEHICLES

ACT 1161 (SB930) - The act allows a state agency, board, or commission to keep records of its vehicles' travels and locations as recorded by a global positioning device.

MOTOR VEHICLES

HISTORICAL OR SPECIAL INTEREST VEHICLES - ASSEMBLED MOTOR VEHICLES

ACT 826 (HB1845) - The act allows a purchaser of an assembled motor vehicle for which a title has not been issued to obtain a title for the assembled motor vehicle by following the bonded title process.

LICENSING AND REGISTRATION

Annual Registration Renewal Notice

ACT 67 (HB1161) - The act authorizes the Department of Finance and Administration to send annual motor vehicle registration renewal notices by regular mail or by e-mail. The act also clarifies that a motor vehicle registration may be renewed by electronic means.

Exemptions

ACT 638 (HB2026) - The act exempts the Arkansas Forestry Commission from the payment of fees and other licensing requirements for motor vehicles.

Multiyear Registration Of Personal-Use Motor Vehicles

ACT 904 (SB92) - The act allows the multiyear registration of personal-use motor vehicles for a period of either two (2) or three (3) years.

Nonprofit Motor Vehicle Fleets

ACT 192 (HB1418) - The act allows the registration and licensing of a fleet of motor vehicles for nonprofit organizations for multiple years. The organizations can pay for the registration and renewal of fleet vehicles in advance for periods of up to three (3) years.

Penalties For Failure To Register A Motor Vehicle

ACT 876 (HB1603) - The act reinstates the penalties that were in effect from 1991 to 2009 for a person who drives an unregistered motor vehicle.

Temporary Preprinted Paper Buyer's Tags

ACT 351 (HB1782) - The act amends the law concerning temporary preprinted paper buyer's tags for motor vehicles used after the sale of a motor vehicle before the vehicle is permanently licensed and registered. The act declares an emergency and is effective on and after July 1, 2011.

MINIMUM MANDATORY LIABILITY INSURANCE - TOWING AND IMPOUNDING

ACT 1046 (HB1953) - The act allows a law enforcement officer, under certain circumstances, to impound a motor vehicle that does not have the minimum liability insurance required by law or a certificate of self-insurance.

MOTOR VEHICLE COMMISSION

New Motor Vehicle Dealers

ACT 1005 (SB765) - The act amends the Arkansas Motor Vehicle Commission Act regarding new motor vehicle dealers and manufacturers, distributors, and importers in matters concerning agreements, limitations, prohibitions, and redress for violations of agreements between the parties.

Recreational Vehicle Special Events

ACT 263 (HB1300) - The act provides an exemption to the Arkansas Motor Vehicle Commission Act for the relevant market area and rules regarding motor vehicle dealers in contiguous counties for recreational vehicle special events to allow recreational vehicle dealers to display and sell recreational vehicles at special events that have a significant positive economic impact on an area. The act sets limits for temporary permit fees for recreational vehicle special events and allows the Arkansas Motor Vehicle Commission to adopt rules for the administration of the act.

MOTORCYCLES

Headlamps

ACT 781 (SB294) - The act limits the use of motorcycle headlamp modulation systems to daytime use only.

MOTOR VEHICLES

MOTORCYCLES

Turn Signals

ACT 759 (HB1775) - The act requires motorcycles, motor-driven cycles, and motorized bicycles manufactured after the effective date of this act to have turn signals as standard equipment.

MOTORIZED BICYCLES - MINIMUM AGE REQUIREMENT

ACT 1221 (HB1925) - The act raises the age requirement for a person to obtain a motorized bicycle certificate to fourteen (14) years of age.

OFFICE OF DRIVER SERVICES

Procedure For Appeal

ACT 610 (HB1483) - The act requires that a petition for review of an order regarding a driver's license suspension administrative hearing be served on the Director of the Department of Finance and Administration under Rule 4 of the Arkansas Rules of Civil Procedure.

Records Of Conviction

ACT 44 (HB1159) - The act provides that courts are not required to provide written records of convictions to the Office of Driver Services if the conviction is reported electronically to the Office of Driver Services.

SMOKING PROHIBITION - CHILDREN TO AGE 14

ACT 811 (SB1004) - The act prohibits smoking in a motor vehicle with a child passenger less than fourteen (14) years of age.

SPECIAL LICENSE PLATES

Arkansas School For The Deaf

ACT 726 (SB336) - The act authorizes the creation and issuance of a special license plate for the Arkansas School for the Deaf for fundraising purposes.

Cold War Veterans

ACT 986 (SB338) - The act amends the definition of "Cold War veteran" under the Special License Plate Act of 2005 and clarifies that Cold War veterans can obtain multiple license plates.

Conservation Districts

ACT 804 (SB848) - The act authorizes the Department of Finance and Administration to create and issue special license plates for conservation districts for fundraising purposes.

Firefighters

ACT 639 (SB404) - The act increases the additional fee for the firefighter special license plate to five dollars (\$5.00). These revenues are remitted monthly to the Arkansas Fallen Firefighters Memorial Board. This act declares an emergency and became effective on May 1, 2011.

Motor Vehicle Dealers

ACT 606 (HB1448) - The act reduces the penalty imposed on a motor vehicle dealer when a dealer's extra license plate is misused by an employee of the dealer or used by a person not authorized to use the plate from suspension of the dealer's master plate to suspension of one or more of the dealer's extra license plates so that the penalty imposed does not unduly affect the ability of the dealer to conduct business.

Parks And Tourism Department

ACT 292 (HB1558) - The act authorizes the design and issuance of special license plates featuring state parks for the Department of Parks and Tourism. The act also directs a portion of the revenues generated by the special license plates to a cash fund to be used by the department for sponsoring college scholarships in the state parks profession and state parks education programs.

MOTOR VEHICLES

SPECIAL LICENSE PLATES

Prostate Cancer Awareness

ACT 830 (HB1908) - The act authorizes the Department of Finance and Administration to create and issue a special license plate for Prostate Cancer Awareness for fundraising purposes for the Arkansas Prostate Cancer Foundation.

Retired Members Of The Armed Forces

ACT 632 (HB1777) - The act authorizes the Office of Motor Vehicle to redesign and simplify the special license plates for retired members of the armed forces.

Two-Year Colleges

ACT 595 (SB769) - The act authorizes the Office of Motor Vehicle to issue special license plates for two-year colleges for fund-raising purposes.

TOWING AND STORAGE

Nonconsent Removal And Storage

ACT 1025 (HB1561) - The act amends the law related to the non-consent removal and storage of unattended or abandoned vehicles for clarification and modernization and defines "impounded or seized vehicle".

ACT 1061 (SB25) - The appropriation act amends the Arkansas Code concerning the applicability of the nonconsent removal and storage of unattended or abandoned vehicles. The act declares an emergency and is effective on and after July 1, 2011.

Nonjudicial Public Sale

ACT 872 (HB1304) - The act modifies the waiting period concerning excess proceeds from a nonjudicial public sale of a vehicle.

Owner's Preference - Removal Of A Disabled Or Inoperative Vehicle

ACT 995 (SB592) - The act clarifies the right of owner's preference concerning the removal of a disabled or inoperative vehicle.

Removal From Storage Facilities By Agent Of An Insurance Company

ACT 1206 (HB1559) - The act authorizes the agent of an insurance company to remove a total-loss vehicle from a storage facility under certain circumstances.

TRAFFIC VIOLATIONS - ELECTRONIC TICKETS

ACT 908 (HB1532) - The act authorizes law enforcement officers to print electronic tickets for traffic violations instead of written orders for traffic citations.

USED MOTOR VEHICLE DEALERS

Regulation By The Arkansas State Police Department

ACT 201 (SB182) - The act clarifies the authority of the Department of Arkansas State Police to regulate used motor vehicle dealers.

Salvage Auctions

ACT 265 (HB1496) - The act repeals the requirement for salvage auction buyer's identification cards for motor vehicle salvage auctions but retains the fee for each for each salvage-titled or parts-only titled vehicle that is sold at an auto auction.

VETERANS

Drivers Licenses And Identification Cards

ACT 12 (HB1014) - The act, known as the "Nick Bacon Remembrance Act", is to honor veterans of the United States Armed Forces by allowing a veteran status designation on Arkansas driver's licenses and identification cards. The act declares an emergency and is effective on and after July 1, 2011.

Special License Plates

ACT 727 (SB513) - The act authorizes the issuance of special license plates to honor United States veterans who served in the armed forces but did not serve during a conflict or long enough to retire. This is a standard fee special license plate.

MUSEUMS AND LIBRARIES

ARCHEOLOGY - HUMAN REMAINS AND BURIAL FURNITURE

ACT 705 (HB1966) - The act provides that if exhumed human skeletal remains are conveyed to an individual or entity, burial furniture exhumed with the human skeletal remains shall be conveyed to the individual or entity. If otherwise unclaimed, burial furniture shall be disposed of in accordance with existing laws and rules for disposing of human remains.

CULTURAL RESOURCES - ARTS AND CULTURAL DISTRICTS

ACT 1030 (HB1760) - The act creates the Arkansas Arts and Cultural Districts Act, which authorizes the creation of arts and cultural districts subject to the approval of the Arkansas Arts Council.

NATURAL RESOURCES

AGRITOURISM ACTIVITIES

ACT 1024 (HB1424) - The act establishes liability protection for agritourism activities and requires a warning notice to be posted for agritourism participants.

ALTERNATIVE FUELS

ACT 734 (SB875) - The act amends the definitions used in the Arkansas Alternative Fuels Development Act by adding biogas as an example of "biofuel" and including residues or byproducts from landfill refuse as an example of "biomass".

ARKANSAS OPEN-CUT LAND RECLAMATION ACT - CIVIL PENALTIES

ACT 609 (HB1482) - The act amends the Arkansas Open-Cut Land Reclamation Act to allow for the assessment of civil penalties based on pecuniary gain.

BRINE - SUBSTANCES EXTRACTED FROM BRINE

ACT 169 (SB222) - The act modifies the quarterly payment schedule for royalties on additional substances declared by the Arkansas Oil and Gas Commission to be profitably extracted from brine. The act also clarifies that the accounting to royalty owners shall be accompanied by the royalty payments and that the accounting and corresponding payment to royalty owners shall be on a quarterly basis except when the aggregate amount owed is one hundred dollars (\$100) or less.

DEVELOPMENT OF ECONOMIC AND NATURAL RESOURCES

Arkansas Alternative Fuels Development Program

ACT 832 (HB1914) - The act provides rebate incentives for converting a motor vehicle to either a bi-fuel compressed natural gas motor vehicle or a dedicated compressed natural gas motor vehicle. The act declares an emergency and is effective on and after July 1, 2011.

Energy Conservation And Development

ACT 802 (SB816) - The act amends the Arkansas Energy Reorganization and Policy Act as it pertains to the promulgation of rules by the Arkansas Energy Office.

OIL AND GAS RESOURCES - LEASE INTERESTS

ACT 857 (SB265) - The act clarifies that parties to an oil and gas lease may agree to a continuous drilling provision in order to extend the lease term to additional lands drilled or included in another section or unit if the lessor's waiver of the right to terminate the lease to the additional lands, sections, or units where no activity has occurred before the expiration of the lease is stated in the lease in bold, enlarged, or other distinctive print. The act also provides that after the primary term of a lease in an uncontrolled oil field with no spacing requirements, a producing well shall contain a maximum of one (1) governmental quarter-quarter section as a production unit.

PUBLIC SEWER SYSTEMS - APPOINTMENT OF RECEIVER

ACT 703 (HB1943) - The act provides that upon application of the Arkansas Natural Resources Commission, a court may appoint a receiver to take charge of a public water system or public sewer system if the system fails to comply with public health laws or fails to adequately operate the system. The Arkansas Natural Resources Commission may be appointed as the receiver.

NATURAL RESOURCES

PUBLIC WATER SYSTEMS - APPOINTMENT OF RECEIVER

ACT 703 (HB1943) - The act provides that upon application of the Arkansas Natural Resources Commission, a court may appoint a receiver to take charge of a public water system or public sewer system if the system fails to comply with public health laws or fails to adequately operate the system. The Arkansas Natural Resources Commission may be appointed as the receiver.

STATE PARKS, RECREATION, AND TRAVEL COMMISSION

ACT 637 (HB1942) - The act amends the membership of the State Parks, Recreation, and Travel Commission to include a historian having knowledge of Arkansas's historic background. The act declares an emergency and became effective on March 23, 2011.

STATEWIDE PARCEL MAPPING

ACT 559 (SB311) - The act authorizes the Arkansas Geographic Information Systems Board to administer a statewide parcel mapping grant program under the direction of the Arkansas Geographic Information Office. The purpose of the grant program is to provide funding support to counties in the completion of statewide parcel mapping. The act declares an emergency and is effective on and after July 1, 2011.

PROFESSIONS AND OCCUPATIONS

ADVANCED PRACTICE NURSES - AREA HEALTH EDUCATION CENTER

ACT 1167 (HB1172) - The act authorizes an advanced practice nurse with prescriptive authority to enter into a collaborative agreement with a physician in order for the advanced practice nurse to practice in an Area Health Education Center.

ATHLETE AGENTS

ACT 204 (HB1061) - The act amends Arkansas law concerning athlete agents, including amending the definition of "athlete agent", requiring an athlete agent to notify an athletic director before and after contacting a student athlete, making certain violations of the athlete agent law a Class D felony, increasing the maximum civil penalty for a violation of the athlete agent law, and allowing a court of competent jurisdiction to revoke an athlete agent's certificate of registration. The act declares an emergency and became effective on March 8, 2011.

BAIL BONDSMEN

Bail Bondsmen Education

ACT 36 (SB56) - The act provides that the Arkansas Professional Bail Bond Association shall annually solicit proposals from education provider applicants and shall then submit the providers to the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board for final approval. The act also allows the association to establish a schedule of fees for educational training subject to approval by the board.

Carrying Of A Bail Bonds License

ACT 94 (SB175) - The act requires that a bail bondsman's license denote the professional bail bond company for which he or she works. The act also removes the requirement that a bail bondsman carry a copy of his or her bail bond company's license.

Hearing Procedures

ACT 218 (SB179) - The act amends the procedures of a hearing in front of the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board.

License Suspension And Penalties

ACT 97 (SB178) - The act establishes penalties and other remedies available to the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board if a licensee commits certain acts or violations enumerated in § 17-19-210(b).

PROFESSIONS AND OCCUPATIONS

BAIL BONDSMEN

Notice Upon Licensure

ACT 95 (SB176) - The act removes the requirement that the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board notify the circuit clerk of each county upon the issuance of a bail bond license. The act also removes the requirement that the notice given to the sheriff of each county be in writing and the requirement that the board provide notification of a revocation or suspension of a license.

Unpaid Bond Forfeiture Judgment Limits

ACT 96 (SB177) - The act establishes that there is an initial \$100,000 limit on active unpaid bond forfeiture judgments for each bail bonding company. The act outlines the procedures regarding notification of a forfeiture judgment to the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board as well as the forfeiture dollar limit at which the company's license is suspended. The act also outlines the terms and procedures governing the suspension of a license.

Unsecured Bonds

ACT 343 (HB1244) - The act repeals § 17-19-304, which concerned the maximum amount of an unsecured bond.

BURIAL ASSOCIATIONS

ACT 875 (HB1486) - The act amends Arkansas law concerning burial associations; repeals a requirement for the Executive Secretary of the Burial Association Board to furnish a bond to the board; requires an application fee and proof of a deposit to the burial association's mortuary fund when submitting an application for a certificate of authority; amends the time the Burial Association Board may collect the annual license fee; and amends the provisions governing the semiannual report filed by a burial association with the board and the process for revoking a certificate of authority, charter, or other authority by the board.

CONTRACTORS

Licensing Applications

ACT 4 (HB1089) - The act requires each person and entity licensed by the Contractors Licensing Board to attach to the person's or entity's original or renewal application a financial statement reviewed by a certified public accountant or registered public accountant according to American Institute of Certified Public Accountants' Professional Standards.

Public Works

ACT 782 (SB304) - The act amends the definition of "emergency contracting procedures" as applicable to public works to include acquisitions funded in whole or in part with insurance proceeds. The act also provides that it shall be a violation of Arkansas law for a prime contractor to submit a bid listing unlicensed contractors or to use unlicensed contractors on a public works project if the listed work of the unlicensed contractors or portion of the unlicensed contractors' work is twenty thousand dollars (\$20,000) or more. The act also provides it is a violation of Arkansas law for a subcontractor who is not licensed by the Contractors Licensing Board to contract to perform work on a public works project if the listed work of the subcontractor or portion of the subcontractor's work is twenty thousand dollars (\$20,000) or more.

Residential Contractors

ACT 1208 (HB1991) - The act changes the name of the Residential Building Contractors Committee to the Residential Contractors Committee, defines the term "home improvement contractor", and provides that a person shall not act as a home improvement contractor after January 1, 2012, unless licensed by the Residential Contractors Committee or exempt from licensure under the act. The act contains additional provisions applicable to persons licensed by the Residential Contractors Committee.

PROFESSIONS AND OCCUPATIONS

EMBALMERS, FUNERAL DIRECTORS, AND FUNERAL ESTABLISHMENTS

ACT 874 (HB1485) - The act amends Arkansas law concerning embalmers, funeral directors, and funeral establishments, including amending the dates for submitting an application for a funeral establishment license and renewing a license issued by the State Board of Embalmers and Funeral Directors, providing for the issuance of a new license if there is a change in the name of a funeral establishment after a change of ownership, authorizing a delinquency fee for persons in arrears for the renewal of a license for more than three (3) years, amending the grounds for disciplinary action when refusing to properly release a dead human body, and providing that a public officer or employee or a person having a professional relationship with a decedent shall not send or cause to be sent to a licensee the remains of a deceased person without first inquiring as to the desires of the authorizing agent.

ENGINEERS

ACT 897 (HB2028) - The act updates and makes technical corrections to § 17-30-101 et seq. regarding professional engineers.

HEALTH CARE PERSONNEL - CRIMINAL BACKGROUND CHECKS

ACT 516 (SB559) - The act makes technical changes to the criminal background check law regarding health care personnel and authorizes the transfer of criminal records checks and determination letters among various operational sections of a single service provider.

NURSES

Exceptions To The Practice Of Nursing

ACT 1204 (HB1447) - The act allows certain school personnel to be trained in the administration of Glucagon to a student with Type I diabetes, with parental consent. The act also requires the State Board of Nursing and the State Board of Education to promulgate appropriate rules.

Fluoride Varnish

ACT 90 (SB43) - The act authorizes physicians and nurses after appropriate training to apply fluoride varnish to a child's teeth.

PAWNBROKERS

ACT 1037 (HB1841) - The act amends the law concerning pawnbrokers, precious metal dealer licensing, and the purchase of gold, silver, and other precious metals.

PHARMACISTS

Ephedrine

ACT 588 (SB437) - The act requires that a pharmacist make a determination, based on a pharmacist-patient relationship, that there is a legitimate medical and pharmaceutical need for ephedrine, pseudoephedrine, or phenylpropanolamine before the pharmacist may dispense the drug.

Membership Of Pharmacy Board

ACT 839 (HB2186) - The act requires that at least five (5) members of the Arkansas State Board of Pharmacy be actively engaged in the practice of pharmacy.

Vaccines And Immunizations

ACT 147 (SB130) - The act clarifies the authority of pharmacists to provide vaccines and immunizations and to administer certain medications to children.

PHARMACISTS AND PHARMACIES

Interference By Pharmacy Benefits Manager

ACT 1007 (SB789) - The act prohibits a pharmacy benefits manager from interfering with a pharmacist's or pharmacy's exercise of the pharmacist's or pharmacy's professional responsibilities to a patient.

PROFESSIONS AND OCCUPATIONS

PHARMACISTS AND PHARMACIES

Licensure

ACT 597 (SB902) - The act requires that all licenses and certifications for pharmacists and pharmacies be renewed on the same date and allows the Arkansas State Board of Pharmacy to treat all adverse licensure actions in the same manner.

Pharmacy Audits - Payment Of Recouped Moneys

ACT 517 (SB722) - The act limits the documentary evidence that may be used in determining recoupment of costs under the Arkansas Pharmacy Audit Bill of Rights and requires that all recouped moneys be paid to the responsible party.

Pharmacy Board Actions

ACT 597 (SB902) - The act requires that all licenses and certifications for pharmacists and pharmacies be renewed on the same date and allows the Arkansas State Board of Pharmacy to treat all adverse licensure actions in the same manner.

Pharmacy Board Member Stipends

ACT 808 (SB903) - The act increases the meeting attendance stipend for members of the Arkansas State Board of Pharmacy to one hundred ten dollars (\$110) per meeting.

PHYSICIAN ASSISTANT COMMITTEE

ACT 1207 (HB1985) - The act creates a Physician Assistant Committee to consult with the Arkansas State Medical Board regarding the licensure and scope of practice for physician assistants.

PHYSICIANS - FLUORIDE VARNISH

ACT 90 (SB43) - The act authorizes physicians and nurses after appropriate training to apply fluoride varnish to a child's teeth.

PLUMBERS - PLUMBING SERVICE SINKS

ACT 1134 (SB638) - The act provides that a commercial building shall not be required to include a plumbing service sink, either at construction or as part of a renovation or remodeling, if the building owner or an agent of the building owner communicates to the plumbing code official at the time of construction or renovation that the actual or proposed number of persons that will occupy the building is fifteen (15) or fewer. The term "commercial building" does not include a food service establishment. The act also provides that for the purposes of determining the minimum number of plumbing service sink fixtures required in a building, the number shall not be determined by using building occupancy loads as calculated in the Arkansas Fire Prevention Code.

REAL ESTATE LICENSE

Broker's Price Opinions

ACT 762 (SB720) - The act defines a "broker's price opinion" under the Real Estate License Law and authorizes a real estate licensee to prepare, provide, and collect a fee for issuing a broker's price opinion.

Duties Of Licensee

ACT 877 (HB1615) - The act clarifies the relationship and duties of a real estate licensee to his or her client involved in a real estate transaction.

Exemptions

ACT 883 (HB1795) - The act clarifies the inapplicability of the Real Estate License Law to the holder of a power of attorney and certain principals and employees who do not perform essential real estate transactional functions to receipt or expectation of commissions.

PROFESSIONS AND OCCUPATIONS

REAL ESTATE LICENSE

Real Estate Licensee Lien Act

ACT 340 (SB401) - The act changes the name of the Real Estate Licensee Lien Act to the Principal Broker Real Estate Lien Act and makes conforming changes to the relevant statutes to focus on principal brokers rather than licensees. The act requires a principal broker to record a written release of the notice of claim of lien within five (5) days after learning that the principal broker is not entitled to receive compensation under the representation agreement. The act also provides that a lien created as the result of a renewal of a lease of commercial real estate is not effective unless it is recorded within ninety (90) days of the commencement date of the renewal lease term.

Unlicensed Real Estate Activity

ACT 865 (SB636) - The act updates and makes technical corrections to the Real Estate Licensing Law and defines "unlicensed real estate activity". The act establishes penalties for conducting unlicensed real estate activity.

SANITARIANS - SUSPENSION, REVOCATION, AND REFUSAL OF REGISTRATION

ACT 295 (HB1078) - The appropriation act amends the Arkansas Code concerning the grounds for suspension, revocation, or refusal to renew a certificate of registration issued by the Arkansas State Board of Sanitarians. The act declares an emergency and is effective on and after July 1, 2011.

SCRAP METAL DEALERS - PURCHASE OF SCRAP METAL

ACT 348 (HB1555) - The act allows a seller to sell and a scrap metal recycler to purchase air conditioning parts if the parts are being sold by an individual who provides evidence of ownership of the parts by providing an invoice or an affidavit as detailed in the act and providing evidence that the parts were removed by an individual with a current and valid HVAC license.

SURVEYORS

ACT 898 (HB2030) - The act updates and makes technical corrections to § 17-48-101 et seq. regarding surveyors.

TECHNICAL CORRECTIONS - PROFESSIONS, OCCUPATIONS, AND BUSINESSES - TITLE 17

ACT 859 (SB313) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 17 of the Arkansas Code.

VETERINARIANS

ACT 1031 (HB1763) - The act exempts horseshoeing, training, selling medicines for the prevention or treatment of animal diseases, performing nonsurgical artificial insemination, and collecting, preparing, or freezing semen from the Arkansas Veterinary Medical Practice Act. The act also prohibits the Veterinary Medical Examining Board from enforcing board policy regarding equine teeth floating and equine massage therapy until July 1, 2013.

PROPERTY RIGHTS AND INTERESTS

ANNEXATION OF SURROUNDED LAND BY MUNICIPALITY

ACT 1051 (HB2070) - The act provides that an ordinance for an annexation of surrounded land shall not be enacted within fifty-one (51) days of a scheduled election to consider the annexation of all or part of the area in question.

COUNTY UNCLAIMED PROPERTY

ACT 616 (HB1583) - The act clarifies the procedures for the use and disposition of county unclaimed property.

PROPERTY RIGHTS AND INTERESTS

HUNTING - LEASED FARMLAND

ACT 869 (SB940) - The act provides that a tenant of leased or rented property does not have a right to hunt or fish or to grant the right to hunt or fish on the farmland he or she leases or rents unless the owner of the farmland grants this authority.

LANDLORD AND TENANT - NON-LEGISLATIVE COMMISSION

ACT 1198 (HB2171) - The act creates the Non-Legislative Commission on the Study of Landlord-Tenant Laws to study, review, and report on the landlord-tenant laws in Arkansas and other states. The act requires the commission to report by December 31, 2012, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives the results of its findings and its activities and recommendations.

LEASE INTERESTS - OIL AND GAS LEASES

ACT 857 (SB265) - The act clarifies that parties to an oil and gas lease may agree to a continuous drilling provision in order to extend the lease term to additional lands drilled or included in another section or unit if the lessor's waiver of the right to terminate the lease to the additional lands, sections, or units where no activity has occurred before the expiration of the lease is stated in the lease in bold, enlarged, or other distinctive print. The act also provides that after the primary term of a lease in an uncontrolled oil field with no spacing requirements, a producing well shall contain a maximum of one (1) governmental quarter-quarter section as a production unit.

LOW-INCOME HOUSING TAX CREDITS - URBAN HOMESTEAD ACT

ACT 1013 (SB836) - The act clarifies the application requirements for low-income housing tax credits under the Commissioner of State Lands Urban Homestead Act.

MINERAL INTERESTS - ROYALTY PAYMENTS ON SUBSTANCES EXTRACTED FROM BRINE

ACT 169 (SB222) - The act modifies the quarterly payment schedule for royalties on additional substances declared by the Arkansas Oil and Gas Commission to be profitably extracted from brine. The act also clarifies that the accounting to royalty owners shall be accompanied by the royalty payments and that the accounting and corresponding payment to royalty owners shall be on a quarterly basis except when the aggregate amount owed is one hundred dollars (\$100) or less.

MORTGAGES AND LIENS - STATUTORY FORECLOSURES

ACT 885 (HB1811) - The act requires a beneficiary or mortgagee to have knowledge of certain information and to provide certain information to the grantor, mortgagor, or obligor before initiating a statutory foreclosure. The act requires a beneficiary or mortgagee to certify before the foreclosure sale that each forbearance and loan modification applicant has been notified at least ten (10) days before the sale that the applicant does not qualify for the assistance requested.

ACT 901 (HB2085) - The act clarifies who the parties to a statutory foreclosure on certain property are, including who is authorized by statute to foreclose a mortgage or deed of trust and to conduct a statutory foreclosure sale.

NOTICE OF SALE OF TAX-DELINQUENT REAL PROPERTY

ACT 863 (SB595) - The act clarifies the notice requirements and remedies for defective notice regarding the sale of tax-delinquent property. The act states that the Commissioner of State Lands is not required to notify any person whose interest in or title to the tax-delinquent property is expired or barred or was released or otherwise terminated before the date of the sale of the tax-delinquent land regardless of whether a bona fide recorded instrument reflects the termination of the title or interest.

PROPERTY RIGHTS AND INTERESTS

REAL ESTATE LICENSE

Duties Of Licensee During Real Estate Transactions

ACT 877 (HB1615) - The act clarifies the relationship and duties of a real estate licensee to his or her client involved in a real estate transaction.

Exemptions

ACT 883 (HB1795) - The act clarifies the inapplicability of the Real Estate License Law to the holder of a power of attorney and certain principals and employees who do not perform essential real estate transactional functions to receipt or expectation of commissions.

REAL PROPERTY

Confirmation Of Tax Sales

ACT 1133 (SB597) - The act clarifies that the state or a purchaser, donee, or redeмпtor of real property may file a suit for confirmation of title by requesting that the title to the real property be confirmed and quieted in the state, in care of the Commissioner of State Lands, or in the purchaser, donee, or redeмпtor of the real property in fee simple. The act provides requirements for the pleadings and procedures concerning the action to quiet and confirm title in the real property and notice requirements and limitations on bringing an action to quiet and confirm title. The act also outlines the notice and procedures required for confirming title in severed mineral interests that are sold for nonpayment of taxes.

Real Estate Licensee Lien Act

ACT 340 (SB401) - The act changes the name of the Real Estate Licensee Lien Act to the Principal Broker Real Estate Lien Act and makes conforming changes to the relevant statutes to focus on principal brokers rather than licensees. The act requires a principal broker to record a written release of the notice of claim of lien within five (5) days after learning that the principal broker is not entitled to receive compensation under the representation agreement. The act also provides that a lien created as the result of a renewal of a lease of commercial real estate is not effective unless it is recorded within ninety (90) days of the commencement date of the renewal lease term.

Redemption Of Tax-Delinquent Real Property

ACT 864 (SB596) - The act clarifies that payment to redeem tax-delinquent property shall be made by cash or cashier's check if the redemption occurs within sixty (60) days before the date of the scheduled sale or during the redemption period following the sale.

Restrictive Covenants

ACT 185 (HB1354) - The act requires with respect to an instrument creating a restrictive covenant, the section or sections of the instrument stating the duration of a restrictive covenant be read independently of the section or sections of the instrument stating the requirements for amending the restrictive covenant.

Sale Of Tax-Delinquent Real Property

ACT 862 (SB594) - The act clarifies that only an owner or interested party that does not receive notice in substantial compliance with statutory requirements may challenge the validity of a publication notice regarding the sale of tax-delinquent property. The act also outlines the procedure for setting aside a sale of tax-delinquent property.

SELF-STORAGE PROPERTY - NOTICE OF SALE

ACT 189 (HB1384) - The act requires the information regarding a notice of sale of property upon default under a self-storage contract to be delivered by first class mail with certificate of mailing.

TECHNICAL CORRECTIONS - PROPERTY - TITLE 18

ACT 271 (SB252) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 18 of the Arkansas Code.

PROPERTY RIGHTS AND INTERESTS

TRANSFER OF REAL PROPERTY

Real Property Transfer Tax

ACT 700 (HB1767) - The act authorizes the creation of alternative real estate transfer tax documentary symbols and electronic affidavits of compliance.

Small Estates

ACT 761 (HB1888) - The act requires a distributee of a small estate to publish notice of the decedent's death and the filing of an affidavit for collecting the estate within thirty (30) days of the filing of the affidavit. The act also requires that a distributee of a small estate entitled to a transfer of real property deliver notice of the transfer of ownership to the county assessor of each county in which the real property is located.

Transfer Fee Covenants Prohibited

ACT 145 (HB1388) - The act provides that transfer fee covenants recorded with respect to real property do not run with the title to the real property and are not binding or enforceable in law or equity against the real property or the owner, purchaser, or mortgagee of an interest in the real property.

UNLICENSED REAL ESTATE ACTIVITY

ACT 865 (SB636) - The act updates and makes technical corrections to the Real Estate Licensing Law and defines "unlicensed real estate activity". The act establishes penalties for conducting unlicensed real estate activity.

PUBLIC OFFICERS AND EMPLOYEES

ATTENDANCE AND LEAVE - CHILDREN'S EDUCATIONAL ACTIVITIES

ACT 584 (SB306) - The act amends the children's educational activity leave policy for state employees under Arkansas Code § 21-4-216 to define "prekindergarten" as used in the section, and to include under the definition of "child" a legally incompetent adult who is in a prekindergarten through grade twelve (preK-12) educational environment.

BULK COPYING OF PUBLIC RECORDS

ACT 870 (SB946) - The act provides that a county official may negotiate with a commercial, non-press entity to set a reasonable fee for mass copying of or electronic access to public records. The act does not affect a person's right to those records under the Freedom of Information Act.

CIVIL SERVICE FOR POLICE AND FIRE DEPARTMENTS - TEMPORARY APPOINTMENTS

ACT 1029 (HB1739) - The act amends Arkansas law concerning temporary appointments by a board of civil service commissioners, including amending the time frame for examinations to establish a list of eligible persons on an as-needed basis to address certain vacancies; providing that a temporary promotion or appointment for a vacancy created by death, termination, resignation, demotion, retirement, or promotion shall not last longer than sixty (60) days unless an appeal is pending; providing that vacancies created by vacation, bereavement leave, medical leave, military leave, or suspension may be filled by a temporary promotion on a day-to-day basis; allowing an increase in salary beyond the limit fixed for the employee's grade when temporarily promoted to work in a position outside of his or her grade; and requiring that promotions be made within sixty (60) days of a vacancy created by death, termination, resignation, demotion, retirement, or promotion unless the position is determined to be eliminated.

PUBLIC OFFICERS AND EMPLOYEES
COMPENSATION AND BENEFITS

Compensation Increases And Additional Compensation

ACT 1017 (SB922) - The act revises the compensation plan under the Uniform Compensation and Classification Act for the 2011-2013 biennial period by changing the maximum annual rate of compensation for which an employee is eligible, repealing the provisions providing additional compensation for employees working late shifts, eliminating the gradual increases of the maximum annual salary rate for nonclassified employees, eliminating temporary position pools, and providing for lump-sum merit increases. The act declares an emergency and is effective on and after July 1, 2011.

Hazardous Duty

ACT 281 (HB1299) - The act repeals the statute concerning hazardous duty compensation for certain public employees.

COUNTY BOARD OF ELECTION COMMISSIONERS

Disclosure

ACT 1216 (HB1783) - The act provides that a member of a county board of election commissioners shall report to the Secretary of State any goods or services sold during the previous calendar year by himself or herself, his or her spouse, or any business in which the member or his or her spouse is an officer, director, or stockholder owning more than ten percent (10%) of the stock having a total annual value in excess of one thousand dollars (\$1,000) to an office, department, commission, council, board, bureau, committee, legislative body, agency, or other establishment of the State of Arkansas, a county, a municipality, and a school district.

Terms

ACT 1056 (HB2154) - The act provides that the three (3) members of the county board of election commissioners shall be elected by their respective county committees in January of each odd-numbered year following the election of county committee officers. The act repeals three-year terms for members of a county board and states that members of the county board serve at the pleasure of their respective county committees and may be removed by a majority vote of the county committee. Vacancies on the county board shall be filled by the election of a new member by the county committee within forty-five (45) days of the vacancy; if a vacancy is not filled in that time, then a new member shall be appointed by the state chair of the appropriate party. A member of a county board serving as of the effective date of the act shall continue to serve until his or her successor is selected by his or her respective county committee.

COUNTY CLERKS - ABSENTEE VOTING DUTIES

ACT 1043 (HB1928) - The acts amends Arkansas law concerning the receipt of absentee ballots by designated bearers, adding several requirements to current law and stating that possession of an absentee ballot with the intent to defraud a voter or an election official is a felony.

ELECTED OFFICIALS OF CITIES AND TOWNS - SUSPENSION OF SALARY

ACT 199 (SB160) - The act provides that the salary of an elected official of a city of the first class, city of the second class, or an incorporated town shall be withheld if the elected official is required to hold a professional license or registration as a qualification of his or her position and that professional license or registration is suspended.

ETHICS

ACT 721 (SB290) - The act clarifies Arkansas ethics laws, including revising the definitions applicable to ethics laws, clarifying the use of surplus campaign funds, clarifying the procedure for certain contributions or expenditures to be made by credit card, debit card, or through the Internet, and amending certain reporting requirements.

PUBLIC OFFICERS AND EMPLOYEES

EXECUTIVE SECRETARY OF BURIAL ASSOCIATION BOARD

ACT 875 (HB1486) - The act amends Arkansas law concerning burial associations; repeals a requirement for the Executive Secretary of the Burial Association Board to furnish a bond to the board; requires an application fee and proof of a deposit to the burial association's mortuary fund when submitting an application for a certificate of authority; amends the time the Burial Association Board may collect the annual license fee; and amends the provisions governing the semiannual report filed by a burial association with the board and the process for revoking a certificate of authority, charter, or other authority by the board.

MUNICIPAL OFFICIAL TRAINING

ACT 611 (HB1501) - The act allows the Legislative Joint Auditing Committee to require training of municipal officials for deficiencies in the performance of official duties.

OATH OF OFFICE

Administration Of The Oath By A Holdover Officer

ACT 612 (HB1565) - The act provides that an officer may administer an oath as a holdover officer to any incoming officer including his or her successor.

Eligibility To Administer

ACT 582 (SB156) - The act amends who is eligible to administer an oath of office to certain elected officials.

PAYROLL DEDUCTIONS - TAX-DEFERRED COLLEGE SAVINGS PLAN

ACT 702 (HB1924) - The act allows state employees to authorize payroll deductions for deposits into a tax-deferred college savings plan or a tax-deferred tuition savings program.

RELEASE OF REMAINS OF DECEASED PERSON

ACT 874 (HB1485) - The act amends Arkansas law concerning embalmers, funeral directors, and funeral establishments, including amending the dates for submitting an application for a funeral establishment license and renewing a license issued by the State Board of Embalmers and Funeral Directors, providing for the issuance of a new license if there is a change in the name of a funeral establishment after a change of ownership, authorizing a delinquency fee for persons in arrears for the renewal of a license for more than three (3) years, amending the grounds for disciplinary action when refusing to properly release a dead human body, and providing that a public officer or employee or a person having a professional relationship with a decedent shall not send or cause to be sent to a licensee the remains of a deceased person without first inquiring as to the desires of the authorizing agent.

STATE EMPLOYEES

Active Duty Military Service

ACT 1164 (HB1024) - The act clarifies the leaves of absence and reemployment of military personnel called to active duty, including members of the national guard or a reserve component of the armed forces.

Deposits Into A Tax-Deferred College Savings Plan

ACT 702 (HB1924) - The act allows state employees to authorize payroll deductions for deposits into a tax-deferred college savings plan or a tax-deferred tuition savings program.

PUBLIC OFFICERS AND EMPLOYEES

STATE EMPLOYEES

Former State Regulatory Officials

ACT 1200 (HB2202) - The act provides that a former state regulatory official shall not knowingly act as a principal or agent for anyone other than the state in connection with a proceeding, claim, or contract if the former state regulatory official participated personally and substantially in the proceeding, claim, or contract through decision, approval, disapproval, recommendation, rendering of advice, investigation, or otherwise while serving in that capacity and the state is a party or has a direct or substantial interest. The act also provides that a former state regulatory official shall not knowingly act as a principal or agent for anyone other than the state within one (1) year after cessation of the former state regulatory official's employment with the state agency in connection with a proceeding, claim, or contract if the matters were within the former state regulatory official's official responsibility and the state is a party or has a direct or substantial interest. A violation of the act is a Class A misdemeanor.

STATE MEDICAL EXAMINER

ACT 775 (SB208) - The act provides that the Executive Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and that the executive director may remove the examiner only for cause with the approval of the board. The act also increases the maximum fees that may be charged by the State Crime Laboratory for consultations, scientific or medical research, depositions, expert witness testimony, travel to and from courts, and autopsies requested by non-law enforcement officials.

SUPPLEMENTAL PERSONAL SERVICES

ACT 1116 (HB1826) - The act repeals provisions of Arkansas law pertaining to supplemental personal services required by a state agency.

USE OF STATE-OWNED MOTOR VEHICLES

ACT 1021 (SB993) - The act amends Arkansas law concerning the use of state-owned motor vehicles by state employees, including constitutional officers. Revisions include providing that a state employee using a state-owned motor vehicle to travel from his or her residence to his or her work station shall reimburse the fund from which the operating expenses of the state-owned motor vehicle are paid at the same rate authorized for reimbursements for private automobile usage, defining the term "state-owned motor vehicle", and providing that the term "state employee" includes a constitutional officer or an employee of a constitutional officer, state agency, board, commission, department, or state-supported institution of higher education

PUBLIC PROPERTY

ANNEXATION - LAND SURROUNDED BY MUNICIPALITY

ACT 1051 (HB2070) - The act provides that an ordinance for an annexation of surrounded land shall not be enacted within fifty-one (51) days of a scheduled election to consider the annexation of all or part of the area in question.

CAPITOL ARTS AND GROUNDS COMMISSION - MONUMENT AND MEMORIAL PRESERVATION FUND

ACT 860 (SB403) - The act amends the Arkansas Capitol Grounds Monument and Memorial Preservation Fund by defining the terms "memorial area" and "monument" and clarifying the funding necessary to begin construction, improvement, or placement of a monument in a memorial area on the State Capitol grounds. The act declares an emergency and became effective on May 1, 2011.

CAPITOL ZONING DISTRICT COMMISSION

ACT 520 (HB1446) - The act expands the authority of the Capitol Zoning District Commission subject to federal rules.

PUBLIC PROPERTY

CONTRACTS

ACT 618 (HB1585) - The act modifies Arkansas law concerning the award of contracts on public property.

ISSUANCE OR SALE OF SURPLUS ITEMS

Department Of Correction

ACT 182 (HB1320) - The act provides that the Department of Correction may provide a program for the issuance or sale to employees of surplus items produced by the farming operation at the department.

Small Municipality Law Enforcement Vehicle Grant Program

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

PUBLIC BUILDINGS

Energy Conservation In Public Buildings

ACT 803 (SB823) - The act requires each public agency occupying a state-owned building to complete an energy audit and report the findings to the Arkansas Energy Office.

Lowering Of State Flags

ACT 1182 (HB1998) - The act clarifies the law regarding the lowering of state flags on public buildings when a member of the armed services is killed in action.

PUBLIC WORKS

ACT 782 (SB304) - The act amends the definition of "emergency contracting procedures" as applicable to public works to include acquisitions funded in whole or in part with insurance proceeds. The act also provides that it shall be a violation of Arkansas law for a prime contractor to submit a bid listing unlicensed contractors or to use unlicensed contractors on a public works project if the listed work of the unlicensed contractors or portion of the unlicensed contractors' work is twenty thousand dollars (\$20,000) or more. The act also provides it is a violation of Arkansas law for a subcontractor who is not licensed by the Contractors Licensing Board to contract to perform work on a public works project if the listed work of the subcontractor or portion of the subcontractor's work is twenty thousand dollars (\$20,000) or more.

SALE OF COUNTY PROPERTY

ACT 1014 (SB852) - The act amends the procedures for the sale of county property in certain circumstances.

STATE PARKS - INDIVIDUALS WITH DISABILITIES

ACT 221 (SB335) - The act authorizes individuals with disabilities to use all-terrain vehicles and golf carts on roads within developed recreation use areas located within a park or recreation area under the control or management of the State Parks, Recreation, and Travel Commission.

STATE-OWNED MOTOR VEHICLES

Small Municipality Law Enforcement Vehicle Grant Program

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

PUBLIC PROPERTY

STATE-OWNED MOTOR VEHICLES

Use By State Employees

ACT 1021 (SB993) - The act amends Arkansas law concerning the use of state-owned motor vehicles by state employees, including constitutional officers. Revisions include providing that a state employee using a state-owned motor vehicle to travel from his or her residence to his or her work station shall reimburse the fund from which the operating expenses of the state-owned motor vehicle are paid at the same rate authorized for reimbursements for private automobile usage, defining the term "state-owned motor vehicle", and providing that the term "state employee" includes a constitutional officer or an employee of a constitutional officer, state agency, board, commission, department, or state-supported institution of higher education.

TECHNICAL CORRECTIONS - PUBLIC PROPERTY - TITLE 22

ACT 1123 (SB258) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 22 of the Arkansas Code.

RETIREMENT

FIRE AND POLICE PENSION REVIEW BOARD

ACT 556 (SB79) - The act modifies procedures of and benefits provided by the Arkansas Fire and Police Pension Review Board. The act declares an emergency and became effective on March 22, 2011.

LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS

ACT 979 (SB181) - The act amends the requirements concerning member benefits under the Local Police and Fire Pension and Relief Funds.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

Cadets

ACT 167 (SB170) - The act provides cadets with the ability to purchase service credit under the Arkansas Local Police and Fire Retirement System.

Credited Service

ACT 17 (SB58) - The act amends various statutes of the Arkansas Local Police and Fire Retirement System concerning credited service and limitations on benefits. The act declares an emergency and became effective on February 9, 2011.

Former Military Personnel

ACT 91 (SB57) - The act modifies the law concerning service credit for former military personnel under the Arkansas Local Police and Fire Retirement System. The act declares an emergency and became effective on February 23, 2011.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Compensation

ACT 20 (SB139) - The act clarifies that "compensation" includes only the base salary of a member and does not include a multiplier or other special salary allowance used to increase a person's salary as authorized by the General Assembly. The act declares an emergency and became effective on February 9, 2011.

Contributory Service Selection

ACT 140 (HB1158) - The act allows additional time for members of the Arkansas Public Employees' Retirement System to select contributory service.

County-Owned Hospital And Health Care Facilities

ACT 737 (HB1206) - The act clarifies that health care facilities owned but not operated by counties shall have equal treatment as hospitals under the Arkansas Public Employees' Retirement System law. The act declares an emergency and became effective on March 25, 2011.

RETIREMENT

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Definition Of "Terminate"

ACT 40 (HB1018) - The act defines "terminate" as that term applies to the eligibility for retirement under the Arkansas Public Employees' Retirement System. The act declares an emergency and became effective on February 16, 2011.

Employer Contributions

ACT 558 (SB127) - The act requires employers in the Arkansas Public Employees' Retirement System to make employer contributions into the retirement system for retired members who have returned to work with the system and for members who are in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan. The act is effective on and after January 1, 2012.

Firefighters

ACT 978 (SB100) - The act provides that civilian firefighters of the State Military Department are to be regarded as public safety members for enhanced credited service in the Arkansas Public Employees' Retirement System.

Termination Period

ACT 774 (SB41) - The act extends the termination period required to be eligible for retirement benefits to one (1) year for members who receive at least two-for-one service credit. The act declares an emergency and became effective on March 30, 2011.

Two-For-One Service Credit

ACT 563 (HB1146) - The act provides that in order for persons elected to positions covered by the Arkansas Public Employees' Retirement System on and after July 1, 2011, to receive two (2) times the regular rate for crediting service, the employee and the employer shall each contribute an additional two and one-half percent (2.5%) of the gross payroll. The act declares an emergency and is effective on and after July 1, 2011.

RETIREMENT SYSTEMS GENERALLY

ACT 38 (SB172) - The act makes technical corrections to the public retirement systems and brings the public retirement systems into compliance with federal law. The act allows Arkansas National Guard or armed forces reserve service to be purchased in one-month increments. The act declares an emergency and became effective on February 16, 2011.

STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM

Compliance With Section 415 Of The Internal Revenue Code

ACT 16 (SB55) - The act allows the Board of Trustees of the Arkansas State Highway Employees' Retirement System to adopt rules to implement the limitations related to the payments of benefits under Section 415 of the Internal Revenue Code.

Definition Of "Prorate"

ACT 18 (SB74) - The act defines the term "prorate" as used in calculating benefits for members of the Arkansas State Highway Employees' Retirement System.

Repurchase Of Time For Actuarial Equivalent Rate

ACT 564 (HB1213) - The act allows a person who leaves the Arkansas Highway and Transportation Department before retirement and who withdraws his or her contributions from the Arkansas State Highway Employees' Retirement System to repurchase the time for the actuarial equivalent rate if he or she returns to employment at the department or another state agency. The act declares an emergency and is effective on and after July 1, 2011.

STATE POLICE RETIREMENT SYSTEM

Military Service Credit

ACT 562 (HB1112) - The act allows members of the State Police Retirement System to purchase credited service for a period not to exceed five (5) years for service in the national guard or armed forces reserve.

RETIREMENT

STATE POLICE RETIREMENT SYSTEM

Title And Replacement Title Fees

ACT 718 (SB183) - The act increases the certificate of title fee and duplicate certificate of title fee for motor vehicles and allocates the additional revenues to the State Police Retirement Fund to be used for the Arkansas State Police Retirement System. The act declares an emergency and is effective on and after July 1, 2011.

TEACHER RETIREMENT SYSTEM

Account Assets - Creation Of Accounts

ACT 41 (HB1117) - The act allows the Arkansas Teacher Retirement System to create accounts as necessary to manage assets of the system. The act declares an emergency and became effective on February 16, 2011.

Benefits For Members After Actual Service - Annuity Options

ACT 137 (HB1143) - The act allows members to be eligible for disability benefits, survivor benefits, and lump-sum death benefits for a full fiscal year after the last fiscal year of actual service and authorizes the Board of Trustees of the Arkansas Teacher Retirement System to promulgate rules concerning annuity options. The act declares an emergency and became effective on February 24, 2011.

Board Of Trustees

ACT 975 (SB88) - The act allows the Board of Trustees of the Arkansas Teacher Retirement System to appoint an individual to fill an unexpired term of an elected trustee until the next special or regular election. The act also allows the Arkansas Teacher Retirement System to reimburse board members for reasonable expenses incurred in the performance of his or her duties. The act declares an emergency and became effective on April 1, 2011.

Calculating Service Agreements

ACT 163 (SB68) - The act clarifies the conditions for calculating service credits under a contract buyout agreement. The act also requires a member to continue to work on-site for the employer after the contract buyout to receive additional service credit. The act declares an emergency and became effective on March 4, 2011.

Calculation Of Final Average Salary

ACT 225 (HB1140) - The act removes the antispiking provisions for a major gap of employment in the calculation of a member's final average salary.

Credited Service

ACT 974 (SB86) - The act requires that a member be employed by an employer covered by the Arkansas Teacher Retirement System for a minimum of one hundred sixty (160) days per fiscal year to earn one (1) year of credited service. The act declares an emergency and is effective on and after July 1, 2011.

Death Benefits

ACT 977 (SB95) - The act allows designated beneficiaries to receive the maximum lump-sum death benefit if a member has accrued a minimum of fifteen (15) years of contributory service. The act declares an emergency and is effective on and after July 1, 2011.

Disability Retirement

ACT 973 (SB85) - The act clarifies that for a member to be eligible for disability retirement under the Arkansas Teacher Retirement System, the onset of the disability must have occurred while the member was employed by an employer covered under the system. The act declares an emergency and is effective on and after July 1, 2011.

Distribution Options For Members

ACT 162 (SB63) - The act allows a partial distribution option for members of the Arkansas Teacher Retirement System and includes reciprocal service when calculating plan deposits. The act declares an emergency and is effective on and after July 1, 2011.

RETIREMENT

TEACHER RETIREMENT SYSTEM

Interest On Accumulated Contributions For Deceased Members

ACT 136 (HB1142) - The act clarifies that interest on a deceased member's accumulated contributions ceases after one (1) full fiscal year following the member's death when no survivor annuity is payable. The act declares an emergency and is effective on and after July 1, 2011.

Look Back Period

ACT 138 (HB1147) - The act limits the number of years that the Arkansas Teacher Retirement System, a benefit participant, or an employer may look back when adjusting records, correcting overpayments, correcting underpayments, correcting contribution calculations, or correcting benefit calculations to the current fiscal year and the four (4) immediately preceding fiscal years. The act declares an emergency and is effective on and after July 1, 2011.

Member Contributions

ACT 976 (SB89) - The act clarifies that if a member or a surviving spouse elect to receive a refund of member contributions, all member's service credit, including noncontributory service credit, is canceled. The act declares an emergency and is effective on and after July 1, 2011.

Military Service Credit

ACT 66 (HB1111) - The act allows members of the Arkansas Teacher Retirement System to purchase one (1) year of service credit for every one (1) year of service in the armed forces reserve up to five (5) years. The act declares an emergency and became effective on February 18, 2011.

Option Beneficiaries

ACT 557 (SB120) - The act clarifies which individuals may be designated as annuity option beneficiaries under the Arkansas Teacher Retirement System. The act also allows the Board of Trustees of the Arkansas Teacher Retirement System to adopt rules concerning option beneficiaries. The act declares an emergency and became effective on March 22, 2011.

Rescission

ACT 224 (HB1135) - The act repeals the option to rescind retirement. The act declares an emergency and is effective on and after July 1, 2011.

Right To Remain An Active Member

ACT 513 (SB126) - The act establishes the right of an Arkansas Teacher Retirement System member to remain an active member while employed by an institution of higher education. The act also strengthens verification and reporting requirements for institutions of higher education with respect to active members of the system. The act declares an emergency and is effective on and after July 1, 2011.

Technical Corrections

ACT 45 (HB1223) - The act makes various technical corrections to statutes related to the Arkansas Teacher Retirement System. The act declares an emergency and became effective on February 16, 2011.

Termination

ACT 565 (HB1216) - The act defines "terminate" as that term applies to eligibility for retirement under the Arkansas Teacher Retirement System. The act also requires members who fail to meet the termination requirement and the termination separation period requirement to repay any retirement benefits paid during the period the member did not meet the requirements. The act declares an emergency and became effective on March 22, 2011.

STATE AGENCIES**ADMINISTRATIVE RULES*****Effective Date***

ACT 1015 (SB881) - The act provides that a rule adopted by a state agency is effective thirty (30) days after filing of the final rule unless a later date is specified by law or in the rule. The act also provides that after the expiration of the thirty-day public comment period and before the effective date of the rule, the agency shall take appropriate measures to make the final rule known to the persons who may be affected by the rule, including posting certain information on the agency's website.

Emergency Rule Amending Schedule Of Controlled Substances

ACT 587 (SB386) - The act provides that the Director of the Department of Health may promulgate without action or approval of the State Board of Health an emergency rule under the Arkansas Administrative Procedure Act that adds a substance, deletes a substance, or reschedules a substance on the schedule of controlled substances. An emergency rule amending the schedule of controlled substances may be effective for no longer than one hundred eighty (180) days.

Fees And Penalties

ACT 1159 (SB882) - The act provides that a state agency shall not assess a fee or penalty without specific statutory authority to assess a certain type and amount of fee or penalty or impose a fee or penalty in general. A fee or penalty established in a state agency's rules before the effective date of the act that is not based on specific statutory authority may remain in effect until July 1, 2013, but shall not be increased above the amount established as of the effective date of the act.

Interpretation Of "Sustainable" Agriculture

ACT 1196 (HB2157) - The act defines "sustainable" with respect to agriculture and requires the Arkansas Agriculture Department and the State Plant Board to interpret any administrative rule or regulation promulgated by a state or federal agency that establishes standards for harvesting or producing agricultural crops in accordance with the definition and guidelines provided in the act.

References To Disabilities

ACT 98 (SB206) - The act requires a state agency to review its administrative rules to ensure the use of respectful language regarding disabilities.

Successive Emergency Rules

ACT 1016 (SB883) - The act provides that if, after the expiration of the effective period of an emergency rule, an agency wishes to adopt a successive emergency rule that is identical or substantially similar to the expired emergency rule, the agency shall not adopt the successive emergency rule earlier than thirty (30) days after the expiration of the emergency rule.

AGRICULTURE DEPARTMENT***Conversion Of School Buses To Operate On Natural Gas***

ACT 1165 (HB1050) - The act provides a rebate incentive for the costs of converting diesel-powered and gasoline-powered school buses into dedicated or bi-fuel compressed natural gas school buses. The act requires the Arkansas Agriculture Department to create a rebate application process for an Arkansas school district to obtain a rebate for the conversion. The act also requires the department to prepare an annual progress report on rebates made under the act. The act declares an emergency and is effective on and after July 1, 2011.

Interpretation Of "Sustainable" Agriculture

ACT 1196 (HB2157) - The act defines "sustainable" with respect to agriculture and requires the Arkansas Agriculture Department and the State Plant Board to interpret any administrative rule or regulation promulgated by a state or federal agency that establishes standards for harvesting or producing agricultural crops in accordance with the definition and guidelines provided in the act.

STATE AGENCIES

ALCOHOL AND DRUG ABUSE PREVENTION OFFICE - SCREENINGS AND ASSESSMENTS

ACT 1140 (SB707) - The act provides that a person named in a petition for involuntary commitment who is placed in immediate detention pending a hearing may undergo a screening and assessment within twenty-four (24) hours of the immediate detention. The screening and assessment may be conducted by a contractor with the Office of Alcohol and Drug Abuse Prevention or a qualified professional of the person's choosing. The prosecuting attorney may provide a copy of the screening and assessment to the court, and the court may consider the contents of the screening and assessment as part of its determination regarding whether the standards for involuntary commitment apply to the person.

ARKANSAS DEVELOPMENT FINANCE AUTHORITY

Equity Investment Incentive Act Of 2007 - Administration

ACT 829 (HB1899) - The act provides that administration of the Equity Investment Incentive Act of 2007 shall be by the Arkansas Development Finance Authority, the Arkansas Economic Development Commission, and the Arkansas Science and Technology Authority. The act also clarifies when an equity investment incentive tax credit may be taken.

Exemption From Ad Valorem Taxation For Industrial Facilities

ACT 813 (HB1429) - The act exempts from ad valorem taxation industrial facilities owned and financed by the Arkansas Development Finance Authority and provides for agreements for payments in lieu of taxes as to these facilities. The act also requires a contract for sale of property owned by the authority to include an obligation that the lessee or purchaser make payments in lieu of property taxes in an amount negotiated between the parties, except the aggregate amount of the payments during the initial term of the lease or contract for sale shall be not less than thirty-five percent (35%) of the aggregate amount of ad valorem taxes that would be paid if the property were on the tax rolls unless the Director of the Arkansas Economic Development Commission and the Chief Fiscal Officer of the State approve a lesser amount.

Federal Allocations Of Private Activity And Governmental Volume Cap

ACT 814 (HB1430) - The act recognizes the Arkansas Development Finance Authority as the primary administrator of federal allocations of private activity and governmental volume cap that are and may be allocated to the State of Arkansas by the United States Department of the Treasury. The act declares an emergency and became effective on March 30, 2011.

ARKANSAS ENERGY OFFICE - ENERGY REORGANIZATION AND POLICY ACT

ACT 802 (SB816) - The act amends the Arkansas Energy Reorganization and Policy Act as it pertains to the promulgation of rules by the Arkansas Energy Office.

ARKANSAS HERITAGE DEPARTMENT - GREAT PLACES PROGRAM

ACT 896 (HB2002) - The act creates the Arkansas Great Places Program, which shall be administered and established by the Department of Arkansas Heritage and shall provide planning and financial assistance to a county, municipality, incorporated town, or nonprofit organization for community development.

ARTS COUNCIL - ARTS AND CULTURAL DISTRICTS

ACT 1030 (HB1760) - The act creates the Arkansas Arts and Cultural Districts Act, which authorizes the creation of arts and cultural districts subject to the approval of the Arkansas Arts Council.

STATE AGENCIES

BENEFITS SUBSIDIZED BY STATE FUNDS

ACT 1151 (SB806) - The act removes a person's criminal history as an automatic disqualifier from eligibility for a scholarship, grant, loan forgiveness program, or other benefit subsidized by state funds unless there is a specific statutory reason for denial that relates to the basis of assistance. The Act further requires the Department of Labor to work with other state agencies, the private sector, and other labor organizations to implement placement and training programs for ex-criminal offenders. The act also requires the Department of Correction to provide education as well as training for inmates who want to acquire skills for employment upon release.

CENTRAL SERVICES FUND

ACT 1136 (SB677) - The act provides that during the biennial period ending June 30, 2011, the Chief Fiscal Officer of the State may enforce budget reductions in each agency that receives funding from the State Central Services Fund. The amount of funding is reduced in proportion to each agency's share of total estimated expenditures. The act is temporary and only in effect until June 30, 2011. The act declares an emergency and became effective on April 4, 2011.

DEPARTMENT OF CORRECTION

Benefits Subsidized By State Funds

ACT 1151 (SB806) - The act removes a person's criminal history as an automatic disqualifier from eligibility for a scholarship, grant, loan forgiveness program, or other benefit subsidized by state funds unless there is a specific statutory reason for denial that relates to the basis of assistance. The Act further requires the Department of Labor to work with other state agencies, the private sector, and other labor organizations to implement placement and training programs for ex-criminal offenders. The act also requires the Department of Correction to provide education as well as training for inmates who want to acquire skills for employment upon release.

Issuance Or Sale Of Surplus Items

ACT 182 (HB1320) - The act provides that the Department of Correction may provide a program for the issuance or sale to employees of surplus items produced by the farming operation at the department.

DEPARTMENT OF HUMAN SERVICES - SUBPOENAS

ACT 1139 (SB702) - This Act amends the procedures governing the issuance, service, and quashing of a subpoena in an adjudication by the Department of Human Services.

EMPLOYEES - ACTIVE DUTY MILITARY SERVICE

ACT 1164 (HB1024) - The act clarifies the leaves of absence and reemployment of military personnel called to active duty, including members of the national guard or a reserved component of the armed forces.

ENVIRONMENTAL QUALITY DEPARTMENT - GENERAL PERMITS

ACT 731 (SB764) - The act authorizes the Arkansas Department of Environmental Quality to issue general permits and creates procedures for the issuance, review, renewal, and revocation of general permits.

FEES AND PENALTIES

ACT 1159 (SB882) - The act provides that a state agency shall not assess a fee or penalty without specific statutory authority to assess a certain type and amount of fee or penalty or impose a fee or penalty in general. A fee or penalty established in a state agency's rules before the effective date of the act that is not based on specific statutory authority may remain in effect until July 1, 2013, but shall not be increased above the amount established as of the effective date of the act.

STATE AGENCIES

FINANCE AND ADMINISTRATION DEPARTMENT

Development Of Website To Provide Financial Transparency

ACT 303 (SB221) - The act requires the Department of Finance and Administration to develop a website that will present expenditure data for each state agency. The website shall be operational and able to meet the act's requirements by July 1, 2012.

Marketing And Redistribution Section

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

FINANCIAL TRANSPARENCY

ACT 303 (SB221) - The act requires the Department of Finance and Administration to develop a website that will present expenditure data for each state agency. The website shall be operational and able to meet the act's requirements by July 1, 2012.

HEALTH DEPARTMENT

Emergency Rule Amending Schedule Of Controlled Substances

ACT 587 (SB386) - The act provides that the Director of the Department of Health may promulgate without action or approval of the State Board of Health an emergency rule under the Arkansas Administrative Procedure Act that adds a substance, deletes a substance, or reschedules a substance on the schedule of controlled substances. An emergency rule amending the schedule of controlled substances may be effective for no longer than one hundred eighty (180) days.

Regulation Of Lead-Based Paint Hazards

ACT 1011 (SB833) - The act transfers regulation of lead-based paint hazards to the Department of Health by repealing the Lead-Based Paint-Hazard Act of 1997 and creating the Arkansas Lead-Based Paint-Hazard Act of 2011.

Setoff Of State Income Tax Refunds

ACT 815 (HB1491) - The act amends the definition of "claimant agency" to include the Department of Health for purposes of obtaining a setoff of state income tax refunds for debts owed to the state.

HEALTH INFORMATION TECHNOLOGY

ACT 891 (HB1905) - The act establishes the Office of Health Information Technology. The office will create and oversee the State Health Alliance for Records Exchange, a nonprofit corporation that will coordinate a statewide electronic data collection and exchange program for health and health care information.

HUMAN SERVICES DEPARTMENT

Alcohol And Drug Abuse Prevention Office

ACT 1140 (SB707) - The act provides that a person named in a petition for involuntary commitment who is placed in immediate detention pending a hearing may undergo a screening and assessment within twenty-four (24) hours of the immediate detention. The screening and assessment may be conducted by a contractor with the Office of Alcohol and Drug Abuse Prevention or a qualified professional of the person's choosing. The prosecuting attorney may provide a copy of the screening and assessment to the court, and the court may consider the contents of the screening and assessment as part of its determination regarding whether the standards for involuntary commitment apply to the person.

STATE AGENCIES

HUMAN SERVICES DEPARTMENT

Division Of Volunteerism

ACT 42 (HB1120) - The act changes the name of the Department of Human Services Division of Volunteerism to the Department of Human Services Division of Community Service and Nonprofit Support.

INFORMATION SYSTEMS DEPARTMENT - ACCESSIBILITY STANDARDS FOR THE VISUALLY IMPAIRED

ACT 750 (HB2063) - The act requires the Department of Information Systems to follow federal standards for providing access for the visually impaired to software applications, operating systems, and web-based intranet and Internet information and applications.

LABOR DEPARTMENT

Benefits Subsidized By State Funds

ACT 1151 (SB806) - The act removes a person's criminal history as an automatic disqualifier from eligibility for a scholarship, grant, loan forgiveness program, or other benefit subsidized by state funds unless there is a specific statutory reason for denial that relates to the basis of assistance. The Act further requires the Department of Labor to work with other state agencies, the private sector, and other labor organizations to implement placement and training programs for ex-criminal offenders. The act also requires the Department of Correction to provide education as well as training for inmates who want to acquire skills for employment upon release.

Construction Agreements

ACT 115 (HB1235) - The act repeals obsolete language concerning construction agreements between the Department of Labor and the Arkansas Building Authority Council. The act declares an emergency and became effective on February 23, 2011.

NATURAL AND CULTURAL HERITAGE ADVISORY COMMITTEE - ARKANSAS GREAT PLACES PROGRAM

ACT 896 (HB2002) - The act creates the Arkansas Great Places Program, which shall be administered and established by the Department of Arkansas Heritage and shall provide planning and financial assistance to a county, municipality, incorporated town, or nonprofit organization for community development.

PROCUREMENT

Businesses Of Service-Disabled Veterans

ACT 882 (HB1790) - The act authorizes state agencies to attempt to ensure that five percent (5%) of the total amount expended in state-funded and state-directed public construction programs and in the purchase of goods and services for the state each fiscal year is paid to businesses of service-disabled veterans in the awarding of state contracts.

Exemptions

ACT 794 (SB708) - The act amends Arkansas Code § 19-11-203(14) to exempt from Arkansas procurement law certain proprietary software and services after the initial procurement.

Purchases From Work Centers

ACT 807 (SB890) - The act includes work centers for the blind among the work centers from which state agencies are required to purchase needed available and suitable products and suitable services.

PUBLIC BUILDINGS - STATE FLAG

ACT 1182 (HB1998) - The act clarifies the law regarding the lowering of state flags on public buildings when a member of the armed services is killed in action.

STATE AGENCIES

PUBLIC FINANCE

Electrical Energy Advancement Program Fund

ACT 1232 (HB2219) - The act establishes the Electrical Energy Advancement Program Fund (§ 19-5-1243). The purpose of the fund is to provide funding under the Electrical Energy Advancement Program, § 6-61-1401 et seq., for projects relating to the following: (1) competitive undergraduate scholarships for Arkansas residents in the field of electrical and electronic engineering at the member universities of the consortium to be given in accordance with institutional guidelines and (2) competitive graduate fellowships for master's and doctoral students in electrical and electronic engineering at member universities of the consortium to be given in accordance with institutional guidelines with preference given to Arkansas residents. The act expires six (6) years from its effective date unless extended by the General Assembly.

Technical Corrections - Title 19

ACT 856 (SB251) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 19 of the Arkansas Code.

PUBLIC RECORDS - ACCESS

ACT 168 (SB204) - The act provides that access to inspect and copy public records under the Freedom of Information Act of 1967 shall be denied to a person guilty of a felony and incarcerated in a correctional facility or a representative of that person other than an attorney.

REPORTS - ELECTRONIC FILING OF REPORTS WITH AN ENTITY OF THE STATE

ACT 742 (HB1498) - The act provides that a state agency required by Arkansas law to file a report, including without limitation a written report, with an entity of the state shall file the report in electronic form and, if applicable, post the report on its Internet website. The act defines the term "entity of the state".

SCIENCE AND TECHNOLOGY AUTHORITY - ADMINISTRATION OF EQUITY

INVESTMENT INCENTIVE ACT OF 2007

ACT 829 (HB1899) - The act provides that administration of the Equity Investment Incentive Act of 2007 shall be by the Arkansas Development Finance Authority, the Arkansas Economic Development Commission, and the Arkansas Science and Technology Authority. The act also clarifies when an equity investment incentive tax credit may be taken.

SECURITIES DEPARTMENT - FUND

ACT 294 (HB1068) - The appropriation act amends the Arkansas Code by updating provisions related to the Securities Department Fund and the disposition of fees from the fund. The act declares an emergency and is effective on and after July 1, 2011.

STATE CRIME LABORATORY

Fees

ACT 775 (SB208) - The act provides that the Executive Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and that the executive director may remove the examiner only for cause with the approval of the board. The act also increases the maximum fees that may be charged by the State Crime Laboratory for consultations, scientific or medical research, depositions, expert witness testimony, travel to and from courts, and autopsies requested by non-law enforcement officials.

Membership

ACT 219 (SB263) - The act removes the Dean of the University of Arkansas for Medical Sciences from the State Crime Laboratory Board and replaces the Dean with a physician engaged in the active practice of private or academic medicine.

STATE AGENCIES

STATE CRIME LABORATORY

Medical Examiner

ACT 775 (SB208) - The act provides that the Executive Director of the State Crime Laboratory shall appoint and employ a State Medical Examiner with the approval of the State Crime Laboratory Board and that the executive director may remove the examiner only for cause with the approval of the board. The act also increases the maximum fees that may be charged by the State Crime Laboratory for consultations, scientific or medical research, depositions, expert witness testimony, travel to and from courts, and autopsies requested by non-law enforcement officials.

STATE FLAG

ACT 1205 (HB1546) - The act clarifies the law regarding the specific colors of the state flag and requires that an official state flag be made in the United States.

STATE POLICE

Probationary Period For State Police Officers

ACT 14 (HB1157) - The act changes the probationary period for state police officers from one (1) year to eighteen (18) months for officers hired after the effective date of the act.

Small Municipality Law Enforcement Vehicle Grant Program

ACT 1237 (HB1297) - The act creates the "Small Municipality Law Enforcement Vehicle Grant Program" to provide grants to cities of the second class or incorporated towns for the purpose of purchasing used vehicles from the Marketing and Redistribution Section of the Department of Finance and Administration for use by law enforcement agencies. The act provides that the program shall be administered by the Arkansas State Police, and the awarding of grants is contingent on the appropriation and availability of funding.

STATE REGULATORY OFFICIALS

ACT 1200 (HB2202) - The act provides that a former state regulatory official shall not knowingly act as a principal or agent for anyone other than the state in connection with a proceeding, claim, or contract if the former state regulatory official participated personally and substantially in the proceeding, claim, or contract through decision, approval, disapproval, recommendation, rendering of advice, investigation, or otherwise while serving in that capacity and the state is a party or has a direct or substantial interest. The act also provides that a former state regulatory official shall not knowingly act as a principal or agent for anyone other than the state within one (1) year after cessation of the former state regulatory official's employment with the state agency in connection with a proceeding, claim, or contract if the matters were within the former state regulatory official's official responsibility and the state is a party or has a direct or substantial interest. A violation of the act is a Class A misdemeanor.

SUPPLEMENTAL PERSONAL SERVICES

ACT 1116 (HB1826) - The act repeals provisions of Arkansas law pertaining to supplemental personal services required by a state agency.

TECHNICAL CORRECTIONS - STATE GOVERNMENT - TITLE 25

ACT 1122 (SB257) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 25 of the Arkansas Code.

TRANSFERS - TYPE 4

ACT 603 (HB1437) - The act repeals language requiring the Governor to issue written approval to continue the rules and standards issued by a board, commission, or other governing body after a type 4 transfer.

STATE AGENCIES

USE OF STATE-OWNED MOTOR VEHICLES

ACT 1021 (SB993) - The act amends Arkansas law concerning the use of state-owned motor vehicles by state employees, including constitutional officers. Revisions include providing that a state employee using a state-owned motor vehicle to travel from his or her residence to his or her work station shall reimburse the fund from which the operating expenses of the state-owned motor vehicle are paid at the same rate authorized for reimbursements for private automobile usage, defining the term "state-owned motor vehicle", and providing that the term "state employee" includes a constitutional officer or an employee of a constitutional officer, state agency, board, commission, department, or state-supported institution of higher education

WORKFORCE SERVICES DEPARTMENT - TANF STUDY

ACT 937 (HB1122) – The appropriation act requires the Department of Workforce Services to contract with a vendor to study the best and most appropriate way to address the financial needs of grandparents raising grandchildren through the Temporary Assistance for Needy Families (TANF) Block Grant Program. The act further provides that if the department fails to complete the required study, the department shall immediately begin providing cash assistance payments to grandparents who are the legal guardians of their grandchildren, and whose incomes are below 100% of the Federal Poverty Level (FPL). The act declares an emergency and is effective on and after July 1, 2011, with the exception of Section 26 of the act, which became effective on April 1, 2011.

TAXES

AD VALOREM TAX - EXEMPTION FOR INDUSTRIAL FACILITIES

ACT 813 (HB1429) - The act exempts from ad valorem taxation industrial facilities owned and financed by the Arkansas Development Finance Authority and provides for agreements for payments in lieu of taxes as to these facilities. The act also requires a contract for sale of property owned by the authority to include an obligation that the lessee or purchaser make payments in lieu of property taxes in an amount negotiated between the parties, except the aggregate amount of the payments during the initial term of the lease or contract for sale shall be not less than thirty-five percent (35%) of the aggregate amount of ad valorem taxes that would be paid if the property were on the tax rolls unless the Director of the Arkansas Economic Development Commission and the Chief Fiscal Officer of the State approve a lesser amount.

ADMINISTRATIVE TAX APPEALS

ACT 585 (SB332) - The act provides that if it is not possible for a hearing officer to hold a hearing and issue a decision on a protest of a proposed assessment within one hundred eighty (180) days after the written protest has been filed, the interest for the period from the time the protest is filed until the final assessment shall be waived by the Director of the Department of Finance and Administration. The act also provides that reasonable attorney fees may be awarded if the director revises a decision upon appeal, the taxpayer is the prevailing party in an action for judicial relief, and the court finds that the director's revision was without a reasonable basis in law and fact.

ALTERNATIVE FUELS - DEVELOPMENT PROGRAM

ACT 832 (HB1914) - The act provides rebate incentives for converting a motor vehicle to either a bi-fuel compressed natural gas motor vehicle or a dedicated compressed natural gas motor vehicle. The act declares an emergency and is effective on and after July 1, 2011.

TAXES

ARKANSAS HIGHWAY FINANCING ACT OF 2011 - BONDS

ACT 773 (HB1902) - Subject to approval by the voters, the act authorizes the Arkansas State Highway Commission to issue State of Arkansas Federal Highway Grant Anticipation and Tax Revenue Bonds for the purposes of constructing and renovating roads and highways. The act provides that the bonds shall be guaranteed by the full faith and credit of the state. Subject to approval of the bond issue by the voters, the act establishes an additional tax on distillate special fuel with the revenues to be used to pay off the bonds.

COLLECTION AND ENFORCEMENT

Confirmation Of Tax Sales

ACT 1133 (SB597) - The act clarifies that the state or a purchaser, donee, or redeмпtor of real property may file a suit for confirmation of title by requesting that the title to the real property be confirmed and quieted in the state, in care of the Commissioner of State Lands, or in the purchaser, donee, or redeмпtor of the real property in fee simple. The act provides requirements for the pleadings and procedures concerning the action to quiet and confirm title in the real property and notice requirements and limitations on bringing an action to quiet and confirm title. The act also outlines the notice and procedures required for confirming title in severed mineral interests that are sold for nonpayment of taxes.

Notice Of Sale Of Tax-Delinquent Real Property

ACT 863 (SB595) - The act clarifies the notice requirements and remedies for defective notice regarding the sale of tax-delinquent property. The act states that the Commissioner of State Lands is not required to notify any person whose interest in or title to the tax-delinquent property is expired or barred or was released or otherwise terminated before the date of the sale of the tax-delinquent land regardless of whether a bona fide recorded instrument reflects the termination of the title or interest.

Redemption Of Tax-Delinquent Real Property

ACT 864 (SB596) - The act clarifies that payment to redeem tax-delinquent property shall be made by cash or cashier's check if the redemption occurs within sixty (60) days before the date of the scheduled sale or during the redemption period following the sale.

Sale Of Tax-Delinquent Real Property

ACT 862 (SB594) - The act clarifies that only an owner or interested party that does not receive notice in substantial compliance with statutory requirements may challenge the validity of a publication notice regarding the sale of tax-delinquent property. The act also outlines the procedure for setting aside a sale of tax-delinquent property.

Setoff Against State Tax Refund

ACT 815 (HB1491) - The act amends the definition of "claimant agency" to include the Department of Health for purposes of obtaining a setoff of state income tax refunds for debts owed to the state.

COUNTY COLLECTORS

ACT 617 (HB1584) - The act modifies the law concerning county collector procedures for delinquent assessments and delinquent lands. The act also concerns the time for certain county officials to transfer county and state funds.

COUNTY SALES AND USE TAXES PLEDGED - CAPITAL IMPROVEMENT BONDS

ACT 276 (SB400) - The act permits a local sales and use tax levied by a county to be used for the sole purpose of retiring capital improvement bonds if all collections derived from the local sales and use tax are pledged by the county to pay the principal and interest of the capital improvement bonds.

TAXES

DELINQUENT TAXES, PENALTIES, AND INTEREST

ACT 785 (SB351) - The act authorizes the delinquent taxes, penalties, and interest owed to the Department of Finance and Administration for which certificates of indebtedness have been filed to be deducted from the proceeds of tax-delinquent land sales and paid to the department.

ECONOMIC DEVELOPMENT - EQUITY INVESTMENT INCENTIVE ACT OF 2007

ACT 829 (HB1899) - The act provides that administration of the Equity Investment Incentive Act of 2007 shall be by the Arkansas Development Finance Authority, the Arkansas Economic Development Commission, and the Arkansas Science and Technology Authority. The act also clarifies when an equity investment incentive tax credit may be taken.

INCOME TAX

Credits

ACT 831 (HB1912) - The act extends the tax credit for the rehabilitation of historic structures located in Arkansas until December 31, 2021.

Geotourism Income Tax Credit

ACT 738 (HB1421) - The act extends the expiration date of the Delta Geotourism Incentive Act of 2007 to the 2021 tax year and increases the maximum geotourism income tax credit to two hundred fifty thousand dollars (\$250,000). The act also extends the geotourism income tax credit to investments made within thirty (30) miles of a National Scenic Byway.

Head Of Household

ACT 736 (HB1056) - The act provides additional income tax relief to head of household taxpayers with two (2) or more dependents. This act is effective for tax years beginning on or after January 1, 2011.

Investment Tax Credit

ACT 1166 (HB1118) - The act establishes the Arkansas Central Business Improvement District Rehabilitation and Development Investment Tax Credit Act to encourage rehabilitation and development of structures within central business improvement districts. This act takes effect only if the Chief Fiscal Officer of the State certifies that sufficient funding for this act is available in the General Improvement Fund.

Setoff

ACT 724 (SB316) - The act clarifies the provision concerning a setoff of debts from a taxpayer's state income tax refund to include, among other things, traffic fines, court-imposed fines, and restitution ordered by a court when those debts have been delinquent for more than six (6) months.

Tax Incentives

ACT 631 (HB1773) - The act amends the Water Resource Conservation and Development Incentives Act by, among other things, placing a ninety thousand dollars (\$90,000) cap on the income tax credit for water impoundments and a twenty seven thousand dollars (\$27,000) cap on the income tax credit for the reduction of groundwater use by substitution of surface water for water used for industrial, commercial, agricultural, or recreational purposes. The act declares an emergency and became effective on March 23, 2011.

Technical Corrections

ACT 787 (SB364) - The act makes various technical corrections to the Arkansas Income Tax Laws. The act declares an emergency and became effective on March 30, 2011, and is effective for tax years on and after January 1, 2011.

INSURANCE PREMIUM TAX MONEYS - FIRE DEPARTMENTS

ACT 880 (HB1738) - The act prohibits the distribution of insurance premium tax moneys to inactive fire departments in certain circumstances.

TAXES

LOW-INCOME HOUSING TAX CREDITS - URBAN HOMESTEAD ACT

ACT 1013 (SB836) - The act clarifies the application requirements for low-income housing tax credits under the Commissioner of State Lands Urban Homestead Act.

MOTOR FUEL TAX

ACT 788 (SB377) - The act repeals the distillate special fuel exemption for purchases of sixty (60) gallons or less for other than motor vehicle use, prohibits licensed first receivers of motor fuel from selling untaxed motor fuel to another first receiver unless a specific exemption applies, provides an exemption to allow disclosure of motor fuel, distillate special fuel, and liquefied gas special fuel tax information regarding delinquent taxes to bonding companies, and repeals various provisions of the motor fuel tax provisions of the Arkansas Code that are superseded by the Arkansas Tax Procedure Act.

PERSONAL PROPERTY TAX

ACT 821 (HB1703) - The act provides an additional penalty for failure to satisfy a personal property tax lien following certain purchases. The act also authorizes a county collector to levy and collect taxes with costs by distress and sale if the delinquent taxes are not satisfied in certain circumstances. The act permits a county collector to authorize the county's taxpayers other than a utility or carrier to pay current real property taxes and personal property taxes in installments in any amount between the first business day in March and October 15 inclusive. The act also provides an additional penalty of ten percent (10%) if a taxpayer's delinquent personal property taxes are not satisfied or paid in full by October 15 following certain purchases.

PROPERTY TAX

County Equalization Boards

ACT 569 (HB1601) - The act modifies the date for the county equalization board to forward the resolution of valuation and abstract to the Assessment Coordination Department.

Mineral Interests

ACT 867 (SB849) - The act requires the county assessor to assess all producing mineral interests in land separate from the fee simple interest in the land when the mineral interests are owned by someone different than the owner of the fee simple interest in the land.

Payment

ACT 175 (HB1255) - The act changes the deadline for paying personal property taxes to October 15 and makes technical corrections to the statutes regarding the payment of personal property taxes.

REAL PROPERTY TRANSFER TAX

Clarification Of "Consideration"

ACT 795 (SB728) - The act clarifies that the real property transfer tax is levied only on the consideration given for the lands, tenements, or other realty and not on the consideration given for tangible personal property or intangible personal property.

Documentary Symbols And Affidavits Of Compliance

ACT 700 (HB1767) - The act authorizes the creation of alternative real property transfer tax documentary symbols and electronic affidavits of compliance.

TAXES

SALES AND USE TAX

Affiliated Persons And Referral Agreements

ACT 1001 (SB738) - The act creates a rebuttable presumption that a seller is engaged in the business of selling tangible personal property or taxable services for use in the state if certain affiliated persons are subject to the sales and use tax jurisdiction of the state. The act also creates a rebuttable presumption that a seller is engaged in the business of selling tangible personal property or taxable services for use in the state if the seller enters into an agreement with one (1) or more residents of the state under which the resident, for a commission or other consideration, directly or indirectly refers potential purchasers to the seller and the sales of the seller resulting from the agreement exceed ten thousand dollars (\$10,000) in the preceding twelve (12) months. The provision regarding referral agreements is effective on and after October 26, 2011, with respect to sales made, uses occurring, and services rendered on and after July 27, 2011.

Agricultural Exemption

ACT 824 (HB1802) - The act extends the agricultural exemption to cover water purchased from a public surface-water delivery project to reduce or replace water used for in-ground irrigation or to reduce dependence on ground water used for agriculture. The act is effective on and after October 1, 2011.

Exemption For Arkansas Black Hall Of Fame

ACT 998 (SB692) - The act provides a sales and use tax exemption to the Arkansas Black Hall of Fame Foundation, Inc. The act is effective on and after October 1, 2011.

Exemption For Class Six And Class Seven Trucks And Semitrailers

ACT 1058 (HB2188) - The act exempts from the sales and use tax the gross receipts derived from the sale of Class Six and Class Seven trucks if the vehicle is registered with the International Registration Plan and engaged in interstate commerce. The act also exempts from the sales and use tax the gross receipts derived from the sale of all semitrailers and offsets general revenues lost as a result of the exemption with revenues from distillate motor fuel taxes. The act is effective on and after July 1, 2012.

Exemption For Wholesale Beer Kegs

ACT 1226 (HB2046) - The act exempts a wholesale manufacturer of beer from paying sales and use tax on kegs used to sell beer wholesale.

Food And Food Ingredients

ACT 755 (SB276) - The act reduces the sales and use tax on food and food ingredients to one and three-eighths percent (1.375%). The act declares an emergency and is effective on and after July 1, 2011.

Local Sales And Use Tax Economic Development Project Funding Act

ACT 828 (HB1898) - The act creates the Local Sales and Use Tax Economic Development Project Funding Act, which authorizes cities and counties to levy local sales and use taxes to fund economic development projects. The act permits the abolition of the local sales and use tax and requires that an ordinance levying a local sales and use tax under the act be approved by the voters. The act is effective on and after October 1, 2011.

Streamlined Sales And Use Tax Agreement

ACT 291 (HB1547) - The act makes technical changes to the sales and use tax laws in order to be consistent with the Streamlined Sales and Use Tax Agreement. These changes concern, among other things, electronic payments due on Federal Reserve Bank holidays, situations in which a seller will be relieved from the liability to collect sales and use tax, confidentiality and privacy protections, clarification that the taxability of television and radio applies to sales of digital audio-visual work and digital audio work, blanket exemption certificates, and direct mail sourcing.

TAXES

SALES AND USE TAX

Used Cars

ACT 753 (SB274) - The act increases the amount below which sales and use tax is not due on the purchase of a motor vehicle, trailer, or semitrailer. The amount was increased to four thousand dollars (\$4,000). The act is effective on and after January 1, 2012.

Utilities Used For Manufacturing

ACT 754 (SB275) - The act decreases the sales and use tax on natural gas and electricity used by manufacturers and requires the Director of the Department of Finance and Administration to monitor tax savings and make adjustments to the tax refund to prevent the amount of tax savings from exceeding twenty-seven million dollars (\$27,000,000) during a fiscal year. The act amends the definition of "manufacturer" to include a generator of electric power that uses natural gas to operate a new or existing generating facility that uses combined-cycle gas turbine technology. The act declares an emergency and is effective on and after July 1, 2011.

SALES TAX - HOLIDAY

ACT 757 (HB1369) - The act creates a sales tax holiday for clothing, clothing accessories or equipment, school supplies, school art supplies, and school instructional material. The sales tax holiday period will run each year from 12:01 a.m. on the first Saturday in August until 11:59 p.m. the following Sunday. This act declares an emergency and became effective on March 29, 2011.

SEVERANCE TAX

Reporting And Paying Period

ACT 278 (HB1160) - The act allows taxpayers owing less than one hundred dollars (\$100) per month in severance taxes to report and pay the tax on a quarterly basis. The act also allows taxpayers owing less than twenty-five dollars (\$25) per month in severance taxes to report and pay the tax on an annual basis. The act is effective on and after January 1, 2012.

Saltwater Disposal System

ACT 791 (SB569) - The act makes various changes to clarify the provisions concerning the saltwater disposal system tax credit and includes a provision that the total severance tax credits for natural gas producers for any calendar year shall not exceed three hundred seventy thousand dollars (\$370,000) and repeals various provisions of the code. The act is effective on and after January 1, 2012.

TAX DEBTS - FINANCE AND ADMINISTRATION DEPARTMENT

ACT 789 (SB428) - The act allows the Department of Finance and Administration to offset any tax refund due for any tax collected by the department against a debt for any tax administered by the department. The act is effective on and after January 1, 2012.

TECHNICAL CORRECTIONS - TAXATION - TITLE 26

ACT 983 (SB256) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 26 of the Arkansas Code.

TAXES

TOBACCO PRODUCTS

ACT 836 (HB1950) - The act provides for the disclosure of information relating to tobacco sales and taxation and creates the Tobacco Products Reporting Act, which requires that certain information be provided to the Department of Finance and Administration, the Arkansas Tobacco Control Board, and the Attorney General regarding the sale, transfer, and shipment of cigarette, roll-your-own, and other tobacco products. The act amends the Arkansas Tobacco Products Tax Act of 1977 by regulating the appointment and removal of stamp deputies, reporting by stamp deputies, the possession of unstamped cigarettes by wholesalers and carriers, and the sale, use, possession, or purchase of a cigarette input or cigarette rolling machine. The act also regulates nonparticipating manufacturers, certifications by tobacco product manufacturers, the directory of cigarettes approved for stamping and sale, and the bonding of nonparticipating manufacturers. The provisions concerning the appointment and removal of stamp deputies, reporting by stamp deputies, and the possession of unstamped cigarettes by wholesalers and carriers are effective on and after January 1, 2012.

UNIFORM PRINCIPAL AND INCOME ACT

ACT 132 (SB217) - The act amends the Uniform Principal and Income Act to bring it into compliance with the Internal Revenue Service's position for allocating individual retirement account distributions. It also provides a formula for calculating trust distributions.

UNIFORM RATE OF TAX

ACT 633 (HB1829) - The act amends provisions of the tax code that require county clerks to report revenues from the uniform rate of tax to the Arkansas Coordination Division, and creates instead an annual summary report by county clerks to be filed with the Secretary of State concerning the revenues from the uniform rate of tax. The act also allows the Department of Education to make adjustments in the calculation of state funding for public schools upon receiving evidence of overlapping reporting or irregular distributions of revenues from the uniform rate of tax.

USE TAX - PREPAYMENTS

ACT 1142 (SB731) - The act requires prepayment of Arkansas compensating use tax to be on the same basis as prepayment of Arkansas gross receipts tax. The act declares an emergency and is effective on and after July 1, 2011.

TECHNOLOGY

ACCESSIBILITY STANDARDS - VISUALLY IMPAIRED PERSONS

ACT 750 (HB2063) - The act requires the Department of Information Systems to follow federal standards for providing access for the visually impaired to software applications, operating systems, and web-based intranet and Internet information and applications.

BROADBAND SERVICES

ACT 290 (HB1525) - The act provides that if state or federal regulatory or legislative actions eliminate the publicly available elements used to calculate loop support or local switching support for an eligible telecommunications carrier, the Public Service Commission shall open a rulemaking docket to replace the eliminated elements and shall use the previous elements until the replacement elements are adopted. The act also clarifies support under the Arkansas High Cost Fund for eligible telecommunications carriers with certain numbers of lines or customers on or after December 31, 2010.

CONNECT ARKANSAS BROADBAND PROGRAM

ACT 599 (HB1312) - The act requires the Arkansas Broadband Council to provide a written biennial report to the Governor and the General Assembly and interim reports as requested by the Governor or the General Assembly. The act also repeals the June 30, 2012, expiration date of the Arkansas Broadband Council.

TECHNOLOGY

HEALTH INFORMATION TECHNOLOGY

ACT 891 (HB1905) - The act establishes the Office of Health Information Technology. The office will create and oversee the State Health Alliance for Records Exchange, a nonprofit corporation that will coordinate a statewide electronic data collection and exchange program for health and health care information.

PORTABLE ELECTRONICS - INSURANCE

ACT 1018 (SB938) - The act regulates the sale of insurance for portable electronics.

TOBACCO

TOBACCO PRODUCTS REGULATION

ACT 836 (HB1950) - The act provides for the disclosure of information relating to tobacco sales and taxation and creates the Tobacco Products Reporting Act, which requires that certain information be provided to the Department of Finance and Administration, the Arkansas Tobacco Control Board, and the Attorney General regarding the sale, transfer, and shipment of cigarette, roll-your-own, and other tobacco products. The act amends the Arkansas Tobacco Products Tax Act of 1977 by regulating the appointment and removal of stamp deputies, reporting by stamp deputies, the possession of unstamped cigarettes by wholesalers and carriers, and the sale, use, possession, or purchase of a cigarette input or cigarette rolling machine. The act also regulates nonparticipating manufacturers, certifications by tobacco product manufacturers, the directory of cigarettes approved for stamping and sale, and the bonding of nonparticipating manufacturers. The provisions concerning the appointment and removal of stamp deputies, reporting by stamp deputies, and the possession of unstamped cigarettes by wholesalers and carriers are effective on and after January 1, 2012.

TOURISM

AGRITOURISM ACTIVITIES

ACT 1024 (HB1424) - The act establishes liability protection for agritourism activities and requires a warning notice to be posted for agritourism participants.

ARKANSAS GREAT PLACES PROGRAM

ACT 896 (HB2002) - The act creates the Arkansas Great Places Program, which shall be administered and established by the Department of Arkansas Heritage and shall provide planning and financial assistance to a county, municipality, incorporated town, or nonprofit organization for community development.

ARKANSAS WINE COUNTRY TRAIL

ACT 1052 (HB2122) - The act creates the Arkansas Wine Country Trail and includes provisions that provide for directional signage on highways, roads, and streets to wineries in Arkansas that offer tours, describe what the sign will look like, and outline the language that will be included on the sign.

PARKS, RECREATION, AND TRAVEL COMMISSION

ACT 637 (HB1942) - The act amends the membership of the State Parks, Recreation, and Travel Commission to include a historian having knowledge of Arkansas's historic background. The act declares an emergency and became effective on March 23, 2011.

RECREATIONAL VEHICLE SPECIAL EVENTS

ACT 263 (HB1300) - The act provides an exemption to the Arkansas Motor Vehicle Commission Act for the relevant market area and rules regarding motor vehicle dealers in contiguous counties for recreational vehicle special events to allow recreational vehicle dealers to display and sell recreational vehicles at special events that have a significant positive economic impact on an area. The act sets limits for temporary permit fees for recreational vehicle special events and allows the Arkansas Motor Vehicle Commission to adopt rules for the administration of the act.

TOURISM

SPECIAL LICENSE PLATES - PARKS AND TOURISM DEPARTMENT

ACT 292 (HB1558) - The act authorizes the design and issuance of special license plates featuring state parks for the Department of Parks and Tourism. The act also directs a portion of the revenues generated by the special license plates to a cash fund to be used by the department for sponsoring college scholarships in the state parks profession and state parks education programs.

TRANSPORTATION

COMMERCIAL MOTOR VEHICLES

ACT 352 (HB1820) - The act amends the Arkansas Uniform Commercial Driver License Act to comply with federal commercial driver license regulations. The act requires certain applicants for a commercial driver license to obtain a medical certification. The act also prohibits drivers from texting while operating a commercial motor vehicle.

LIABILITY INSURANCE - MOTORBOAT OR PERSONAL WATERCRAFT

ACT 728 (SB560) - The act requires an owner of a motorboat or personal watercraft registered in another state that allows the operation of the motorboat or personal watercraft in this state to have liability insurance on that motorboat or personal watercraft.

PUBLIC TRANSPORTATION - CITY AND COUNTY TURNBACK FUNDS

ACT 752 (HB1774) - The act defines "public transportation" related to city and county turnback funds under the Arkansas Highway Revenue Distribution Law.

REGIONAL MOBILITY AUTHORITIES

ACT 524 (HB1842) - The act clarifies that a regional mobility authority may enter into public-private partnership agreements for rail, waterways, and trail projects and clarifies the immunity of a regional mobility authority.

TECHNICAL CORRECTIONS - TRANSPORTATION - TITLE 27

ACT 780 (SB255) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 27 of the Arkansas Code.

TOWING AND RECOVERY BOARD - PENALTIES

ACT 732 (SB767) - The act amends the penalty for failure to pay fines or make installment payments to the Arkansas Towing and Recovery Board.

TOWING AND STORAGE

Nonconsent Removal And Storage

ACT 1025 (HB1561) - The act amends the law related to the non-consent removal and storage of unattended or abandoned vehicles for clarification and modernization and defines "impounded or seized vehicle".

Nonjudicial Public Sale

ACT 872 (HB1304) - The act modifies the waiting period concerning excess proceeds from a nonjudicial public sale of a vehicle.

Owner's Preference - Removal Of Disabled Or Inoperative Vehicle

ACT 995 (SB592) - The act clarifies the right of owner's preference concerning the removal of a disabled or inoperative vehicle.

WATERCRAFT

Boat Dock And Marina Safety

ACT 571 (SB317) - The act, to be known as Jesse's Law, establishes minimum state-wide electrical standards for boat docks and marinas. The act also establishes signage requirements for boat docks and marinas that are not located on a federal impoundment owned or managed by the United States Army Corps of Engineers to warn of electric shock hazards in the waters surrounding a boat dock or marina and the risk of swimming in the area.

TRANSPORTATION

WATERCRAFT

Certificate Of Number With Beneficiary For Motorboats

ACT 335 (SB292) - The act allows the transfer on death to a beneficiary of certain vehicles and motorboats that are registered with the Department of Finance and Administration by use of a "certificate of title with beneficiary" for vehicles and a "certificate of number with beneficiary" for motorboats, thus avoiding probate for the property.

Numbering Exceptions

ACT 900 (HB2038) - The act amends the law regarding exceptions for numbering motorboats by repealing the exception for motorboats used for demonstration or testing purposes.

UTILITIES

LIGHT, HEAT, AND POWER UTILITIES - CLEAN ENERGY AND RENEWABLE RESOURCES

ACT 735 (SB876) - The act amends the Arkansas Clean Energy Development Act to include natural gas public utilities. The act also allows biofuel to satisfy the public utility's energy efficiency or conservation goals.

MAJOR UTILITY FACILITIES

ACT 910 (HB1895) - The act amends the Utility Facility Environmental and Economic Protection Act and clarifies the requirements for major utility facilities. The act authorizes the Arkansas Public Service Commission to determine the need for additional energy supply and transmission resources by public utilities in energy resource declaration-of-need proceedings, which may be used to help determine the basis of the need for a major utility facility. The act declares an emergency and became effective on April 1, 2011.

PUBLIC SEWER SYSTEM - APPOINTMENT OF RECEIVER

ACT 703 (HB1943) - The act provides that upon application of the Arkansas Natural Resources Commission, a court may appoint a receiver to take charge of a public water system or public sewer system if the system fails to comply with public health laws or fails to adequately operate the system. The Arkansas Natural Resources Commission may be appointed as the receiver.

PUBLIC WATER SYSTEM - APPOINTMENT OF RECEIVER

ACT 703 (HB1943) - The act provides that upon application of the Arkansas Natural Resources Commission, a court may appoint a receiver to take charge of a public water system or public sewer system if the system fails to comply with public health laws or fails to adequately operate the system. The Arkansas Natural Resources Commission may be appointed as the receiver.

SURCHARGES UPON COMMERCIAL MOBILE RADIO SERVICE PROVIDERS

ACT 173 (HB1062) - The act authorizes the Arkansas Public Service Commission to impose a monthly surcharge upon working subject telephone numbers to be collected by commercial mobile radio service providers from their customers. The proceeds shall fund the equipment distribution program established under § 20-79-401 et seq. The act declares an emergency and is effective on and after July 1, 2011.

TECHNICAL CORRECTIONS - PUBLIC UTILITIES AND REGULATED INDUSTRIES - TITLE 23

ACT 720 (SB259) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 23 of the Arkansas Code.

UTILITIES

TELECOMMUNICATIONS

Arkansas High Cost Fund

ACT 290 (HB1525) - The act provides that if state or federal regulatory or legislative actions eliminate the publicly available elements used to calculate loop support or local switching support for an eligible telecommunications carrier, the Public Service Commission shall open a rulemaking docket to replace the eliminated elements and shall use the previous elements until the replacement elements are adopted. The act also clarifies support under the Arkansas High Cost Fund for eligible telecommunications carriers with certain numbers of lines or customers on or after December 31, 2010.

Broadband Services

ACT 290 (HB1525) - The act provides that if state or federal regulatory or legislative actions eliminate the publicly available elements used to calculate loop support or local switching support for an eligible telecommunications carrier, the Public Service Commission shall open a rulemaking docket to replace the eliminated elements and shall use the previous elements until the replacement elements are adopted. The act also clarifies support under the Arkansas High Cost Fund for eligible telecommunications carriers with certain numbers of lines or customers on or after December 31, 2010.

Exchange - Quality Of Service Rules

ACT 594 (SB755) - The act provides that the Arkansas Public Service Commission does not have jurisdiction to impose any quality of service rules and standards or reporting on any telecommunications provider in an exchange in which an electing company is authorized by law to determine the rates for basic local exchange service and switched-access services.

Telecommunications Regulatory Reform Act Of 1997

ACT 1050 (HB2033) - The act amends the Telecommunications Regulatory Reform Act of 1997 concerning a government entity's ability to provide voice, data, broadband, video, or wireless telecommunication services.

UTILITIES USED FOR MANUFACTURING - SALES AND USE TAX

ACT 754 (SB275) - The act decreases the sales and use tax on natural gas and electricity used by manufacturers and requires the Director of the Department of Finance and Administration to monitor tax savings and make adjustments to the tax refund to prevent the amount of tax savings from exceeding twenty-seven million dollars (\$27,000,000) during a fiscal year. The act amends the definition of "manufacturer" to include a generator of electric power that uses natural gas to operate a new or existing generating facility that uses combined-cycle gas turbine technology. The act declares an emergency and is effective on and after July 1, 2011.

WELFARE AND GOVERNMENTAL ASSISTANCE

DEVELOPMENTAL DISABILITIES - QUALIFYING DIAGNOSIS

ACT 68 (HB1211) - The act clarifies the definition of a qualifying diagnosis that establishes categorical eligibility for developmental disability services.

HUMAN SERVICES WORKERS IN SCHOOLS - FREE AND REDUCED LUNCH POPULATION ELIGIBILITY

ACT 1228 (HB2125) - The act provides that funding for human services workers in schools shall be provided where eighty percent (80%) or more of the student population includes children eligible for the Free and Reduced Lunch Program. The act declares an emergency and became effective on April 15, 2011.

MEDICAID - REWARD FOR INFORMATION REGARDING FRAUD

ACT 1154 (SB838) - The act eliminates the cap of one hundred thousand dollars (\$100,000) on the reward for persons providing information regarding Medicaid fraud. The act declares an emergency and became effective on April 4, 2011.

WELFARE AND GOVERNMENTAL ASSISTANCE

TECHNICAL CORRECTIONS - PUBLIC HEALTH AND WELFARE - TITLE 20

ACT 1121 (SB249) - The act makes technical corrections recommended by the Arkansas Code Revision Commission to Title 20 of the Arkansas Code.

TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAMS - REPORTING REQUIREMENTS

ACT 817 (HB1593) - The act amends the reporting requirements of the Transitional Employment Assistance Program to create one (1) comprehensive annual report on all aspects of the program.

WILLS, ESTATES, AND TRUSTS

GUARDIANSHIPS

Felons

ACT 1027 (HB1628) - The act allows certain convicted felons to be appointed as guardians by circuit courts and provides criteria for appointing guardians under the act.

Temporary Guardianship Of A Minor

ACT 9 (HB1059) - The act allows a court, after a hearing on the merits, to extend the duration of a temporary guardianship of a minor for a period not to exceed ninety (90) days if the court makes a finding of imminent danger to the life or health of the minor if the temporary guardianship is not extended.

Uniform Adult Guardianship And Protective Proceedings Jurisdiction Act

ACT 159 (SB4) - The act adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

PERSONAL REPRESENTATIVES - MEDICAL RECORDS

ACT 722 (SB296) - The act defines the individuals who qualify as personal representatives for purposes of obtaining medical records.

POWER OF ATTORNEY - UNIFORM ACT

ACT 805 (SB887) - The act replaces the existing law on powers of attorney with the Uniform Power of Attorney Act. The Uniform Power of Attorney Act is effective on and after January 1, 2012.

RIGHTS OF THE TERMINALLY ILL OR PERMANENTLY UNCONSCIOUS - LIVING WILL DESIGNATION ON DRIVER'S LICENSE OR IDENTIFICATION CARD

ACT 729 (SB725) - The act allows a person to obtain a living will designation on his or her Arkansas driver's license or identification card.

SMALL ESTATES

Notice Required By Distributee

ACT 761 (HB1888) - The act requires a distributee of a small estate to publish notice of the decedent's death and the filing of an affidavit for collecting the estate within thirty (30) days of the filing of the affidavit. The act also requires that a distributee of a small estate entitled to a transfer of real property deliver notice of the transfer of ownership to the county assessor of each county in which the real property is located.

Probate Clerks

ACT 289 (HB1449) - The act increases the fee from three dollars (\$3.00) to five dollars (\$5.00) for a certified copy of the affidavit required for the collection of small estates by a distributee.

TRANSFER OF PROPERTY - NON-TESTAMENTARY TRANSFERS OF VEHICLES AND MOTORBOATS

ACT 335 (SB292) - The act allows the transfer on death to a beneficiary of certain vehicles and motorboats that are registered with the Department of Finance and Administration by use of a "certificate of title with beneficiary" for vehicles and a "certificate of number with beneficiary" for motorboats, thus avoiding probate for the property.

PROPOSED CONSTITUTIONAL AMENDMENTS

FINANCIAL REFORM FOR COUNTIES AND MUNICIPALITIES (SJR 5)

The resolution proposes to amend the Arkansas Constitution to authorize cities and counties to create districts for development and redevelopment projects and issue bonds payable from an increased amount of city and county sales and use taxes; to authorize a bond issue and tax levy for the purpose of retiring unfunded liabilities of closed local police and fire pension plans; and to amend Amendment 78 of the Arkansas Constitution to provide that annual principal and interest payments on short-term financing obligations are charged against and paid from general revenues for the fiscal year and from special revenues authorized to be used for the property financed.

TEMPORARY SALES AND USE TAX FOR STATE, CITY, AND COUNTY ROADS (HJR1001)

The resolution proposes to levy a temporary sales and use tax of one-half of one percent (0.5%) for the maintenance and creation of state highways and bridges, county roads, bridges, and other surface transportation, and city streets, bridges, and other surface transportation. The resolution authorizes the Governor to refer to the voters of Arkansas the question of allowing the State Highway Commission to issue general obligation highway and construction and improvement bonds for the state's highway system, and the temporary sales and use tax shall not be levied unless the voters approve the bond measure. The total principal amount of the bonds may not exceed one billion three hundred million dollars (\$1,300,000,000) for the purpose of constructing and improving four-lane highways in the state and shall mature and be paid in full in approximately ten (10) years. The resolution prescribes the terms and conditions for the issuance of the bonds upon voter approval, describes the sources of repayment of the bonds, and provides that upon payment in full of the bonds that have been issued, the temporary sales and use tax expires. The resolution also permanently dedicates one cent (1¢) of the proceeds derived from the existing motor fuel and distillate fuel taxes to the State Aid Street Fund.

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. 2009-090 (June 1, 2009), the effective date for acts of the 88th General Assembly that do not contain an emergency clause or a specified effective date is July 27, 2011.

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 *
87 th – Fiscal	2010	February 8 – March 4	6/3/10 *
88 th	2011	January 10 – April 27	7/27/11 *

* Bureau Calculation

** Bureau Calculation, confirmed by Secretary of State

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