

State of Arkansas
90th General Assembly
First Extraordinary Session, 2015

A Bill

Call Item 8
HOUSE BILL 1004

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

For An Act To Be Entitled

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

Subtitle

TO AMEND ARKANSAS LAW CONCERNING CERTAIN
ENGROSSMENT ERRORS ARISING FROM THE 2015
REGULAR SESSION OF THE NINETIETH GENERAL
ASSEMBLY; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 14-55-303(b), as created by Section 2 of Act 1036 of 2015 and concerning the form of an ordinance ballot question, is amended to read as follows:

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

"FOR REFERRED MEASURE (OR ORDINANCE OR AMENDMENT)
NO. _____
AGAINST REFERRED MEASURE (OR ORDINANCE OR AMENDMENT)
NO. _____".

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

20-76-702. Definitions.



As used in this subchapter:

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

(A) A parent or stepparent;

(B) A grandparent;

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

(D) An aunt or uncle of any degree;

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

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

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

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

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

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

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

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

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

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

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

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

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