

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: S10/4/21  
**A Bill**

SENATE BILL 730

By: Senator T. Garner

### **For An Act To Be Entitled**

AN ACT TO AMEND THE DIVISION OF WORKFORCE SERVICES LAW; TO AMEND THE LAW REGARDING UNEMPLOYMENT BENEFITS TO AUTHORIZE UNEMPLOYMENT BENEFITS FOR AN INDIVIDUAL WHO IS TERMINATED SOLELY DUE TO A REFUSAL TO BE VACCINATED AGAINST CORONAVIRUS 2019 (COVID-19); TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

### **Subtitle**

TO AMEND THE DIVISION OF WORKFORCE SERVICES LAW TO AUTHORIZE UNEMPLOYMENT BENEFITS FOR AN INDIVIDUAL WHO IS TERMINATED SOLELY DUE TO A REFUSAL TO BE VACCINATED AGAINST CORONAVIRUS 2019 (COVID-19); AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 11-10-513(b), concerning the exceptions from disqualification for unemployment benefits due to voluntarily leaving work, is amended to read as follows:

(b) ~~No~~ An individual shall not be disqualified under this section if after making reasonable efforts to preserve his or her job rights he or she left his or her last work:

(1) Due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification;

(2)(A) Because of illness, injury, pregnancy, or disability of



the individual or a member of the individual's immediate family.

(B) As used in subdivision (b)(2)(A) of this section, "immediate family member" means a spouse, child, parent, brother, sister, grandchild, or grandparent of the individual;

(3)(A) Due to domestic violence that causes the individual reasonably to believe that the individual's continued employment will jeopardize the safety of the individual or a member of the individual's immediate family.

(B) As used in subdivision (b)(3)(A) of this section, "immediate family member" means a spouse, child, parent, brother, sister, grandchild, or grandparent of the individual; ~~or~~

(4) To accompany the individual's spouse because of a change in the location of the spouse's employment that makes it impractical to commute; or

(5) Due to a refusal by the individual to be vaccinated against coronavirus 2019 (COVID-19) or its variants.

SECTION 2. Arkansas Code § 11-10-514, concerning disqualification for unemployment benefits generally due to discharge for misconduct, is amended to add an additional subsection to read as follows:

(d) An individual shall not be disqualified for benefits if he or she is terminated solely due to a refusal to be vaccinated against coronavirus 2019 (COVID-19) or its variants.

*SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that employees in Arkansas are being terminated solely due to a refusal to be vaccinated against coronavirus 2019 (COVID-19); that the termination leaves these employees with no income to support themselves and their families; and that immediate action is necessary in order to protect Arkansas employees from the effects of these vaccination mandates. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:*

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

*(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the*

bill; or

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

/s/T. Garner