Exhibit D

Proposed Technical Corrections for the 2027 Regular Session

Exhibit D

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 1 OF THE ARKANSAS CODE CONCERNING GENERAL PROVISIONS; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 1 OF THE ARKANSAS CODE CONCERNING GENERAL PROVISIONS.

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

SECTION 1. Arkansas Code § 1-2-303(e)(1), concerning the powers and duties of the Arkansas Code Revision Commission, is amended to read as follows to include fiscal sessions of the General Assembly:

(e)(1) Except as provided in subdivision (e)(2) of this section, the commission shall codify every initiated measure enacted by the people of Arkansas and every act of each regular session, fiscal session, and extraordinary session of the General Assembly.

SECTION 2. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 2 OF THE ARKANSAS CODE CONCERNING AGRICULTURE; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 2 OF THE ARKANSAS CODE CONCERNING AGRICULTURE.

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

SECTION 1. Arkansas Code § 2-16-108(c), concerning the State Plant Board Operations and Facilities Construction Fund, is repealed because it is obsolete.

~~(c) The provisions of §§ 22-3-1402(c) [repealed] and 22-3-1406 [repealed] shall not be applicable in any respect to the acquisition, construction, extension, or renovation of or the equipping of facilities for the board and shall not under any circumstances constitute a limitation on or prohibition to the financing of the capital improvements by the authority.~~

SECTION 2. Arkansas Code § 2-18-102 is amended to read as follows to clarify its application and to make stylistic changes to conform an offense to the style of the Arkansas Criminal Code:

2-18-102. Penalty — Revocation of certificate.

(a)(1) ~~Any person shall be guilty of a violation who~~ It is unlawful to:

(A) Falsely ~~advertises or proclaims~~ advertise or proclaim that seed has been certified by the Department of Agriculture;

(B) ~~Uses~~ Use any emblem, label, or language for the purpose of misleading a person into believing that seed has been certified by the department when it has not;

(C) ~~Misuses~~ Misuse any tag, label, or certificate issued by the department;

(D) ~~Obtains or attempts~~ Obtain or attempt to obtain certification for seed or plants by making false statements or misrepresentations to the department or to the department's inspectors, deputies, or agents;

(E) Having received a certificate, ~~violates~~ violate any of the rules of the State Plant Board made under this chapter; or

(F) ~~Violates~~ Violate any agreement made as a condition for receiving a certificate.

(2) Upon conviction, ~~an offender shall be punished by~~ a person who violates subdivision (a)(1) of this section is guilty of a violation and shall be sentenced to a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500) for each offense.

(b)(1) ~~When the person holds a certificate from the department, the certificate, after a hearing before the Director of the Plant Industries Division of the Department of Agriculture has been given to the person, shall be revoked by the director regardless of whether a prosecution is commenced~~ Regardless of whether a prosecution under subsection (a) of this section is commenced, after a hearing before the Director of the Plant Industries Division of the Department of Agriculture, the director shall revoke a certificate issued to a person by the department if the director finds that the person violated subdivision (a)(1) of this section.

(2)(A) ~~Any~~ A person whose certificate is revoked by the director ~~shall be entitled to an~~ under subdivision (b)(1) of this section may appeal to the board.

(B) The board's decision ~~shall be~~ in an appeal under subdivision (b)(2)(A) of this section is final.

SECTION 3. Arkansas Code § 2-37-111(a), concerning inspection, sampling, and analysis by the Department of Agriculture under the Arkansas

Feed Law of 1997, is amended to read as follows to clarify its application and to make stylistic changes:

(a) For the purpose of enforcement of this chapter and in order to determine whether ~~its provisions have~~ this chapter has been complied with, including whether or not any operations ~~may be subject to such provisions~~ are subject to this chapter, upon presenting appropriate credentials and notice to the owner, operator, or agent in charge, officers or employees designated by the Department of Agriculture~~, upon presenting appropriate credentials and notice to the owner, operator, or agent in charge, are authorized~~ may:

(1) ~~To enter,~~ Enter during normal business hours~~,~~ any factory, warehouse, or establishment within the state in which commercial feeds are manufactured, processed, packed, or held for distribution~~,~~ or ~~to~~ enter any vehicle being used to transport or hold ~~such~~ commercial feeds; and

(2)(A) ~~To inspect~~ Inspect at reasonable times and within reasonable limits and in a reasonable manner~~,~~ ~~such~~ the factory, warehouse, establishment, or vehicle described in subdivision (a)(1) of this section and all pertinent equipment, finished and unfinished materials, containers, and labeling ~~herein~~ inside the factory, warehouse, establishment, or vehicle described in subdivision (a)(1) of this section.

(B) The inspection under subdivision (a)(2)(A) of this section may include the verification of only ~~such~~ the records and production and control procedures as may be necessary to determine compliance with the good manufacturing practice rules established under § 2-37-107(15).

SECTION 4. Arkansas Code § 2-40-106(b)(2)(B), concerning examinations and findings of the Department of Agriculture related to the control of contagious diseases, is amended to read as follows to add clarifying language:

(B) A person who, after notification, fails to comply with the rules of the board shall be:

(i) ~~Guilty~~ Upon conviction, guilty of a violation and subject to a fine not to exceed three hundred dollars ($300); and

(ii) Liable for the damages to others due to infection from his or her stock.

SECTION 5. Arkansas Code § 2-40-804(b)(2), concerning testing

requirements for domiciled equidae, is amended to read as follows to correct a reference error and repeal obsolete language:

(2) ~~After January 1, 1998, failure~~ Failure to furnish proof of a negative current official equine infectious anemia test to an authorized agent of the department may result in quarantine under this subchapter and administrative penalties ~~prescribed by § 2-40-826 and § 2-40-827 [repealed]~~ under § 2-40-802.

SECTION 6. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 3 OF THE ARKANSAS CODE CONCERNING ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 3 OF THE ARKANSAS CODE CONCERNING ALCOHOLIC BEVERAGES.

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

SECTION 1. Arkansas Code § 3-4-205(e)(2)(B), concerning the prohibition on having an interest in multiple retail liquor permits, is amended to read as follows to correct a manifest reference error:

(B) An additional retail liquor permit may be held under this subsection only in a county having a population of two hundred thousand (200,000) or more persons in the most recent <u>federal</u> decennial census.

SECTION 2. Arkansas Code § 3-5-1704(b)(2), concerning the requirements for a wine direct shipper licensee, is amended to read as follows to insert a missing word:

(2) A wine direct shipper licensee located inside the state shall provide the division with any <u>information</u> requested by the division to ensure compliance with this subchapter.

SECTION 3. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT ANS/ANS
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 4 OF THE ARKANSAS CODE CONCERNING COMMERCIAL LAW; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 4 OF THE ARKANSAS CODE CONCERNING COMMERCIAL LAW.

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

SECTION 1. Arkansas Code § 4-27-1530, concerning the grounds for revoking the certificate of authority of a foreign corporation authorized to transact business in this state, is amended to read as follows to correct a grammatical error:

4-27-1530. Grounds for revocation.

The Secretary of State may commence a proceeding under § 4-27-1531 to revoke the certificate of authority of a foreign corporation authorized to transact business in this state if:

(1) the foreign corporation does not deliver its annual franchise tax report to the Secretary of State within sixty (60) days after it is due;

(2) the foreign corporation does not pay within sixty (60) days after they are due any franchise taxes or penalties imposed by this chapter or other law;

(3) the foreign corporation is without a registered agent in

this state for sixty (60) days or more;

(4) the foreign corporation does not file an appropriate notice with the Secretary of State within sixty (60) days of the change or resignation of the foreign corporation's registered agent;

(5) an incorporator, director, officer, or agent of the foreign corporation signed a document he or she knew was false in any material respect with intent that the document be delivered to the Secretary of State for filing; or

(6) the Secretary of State receives a duly authenticated certificate from the Secretary of State or other official having custody of corporate records in the state or country under whose law the foreign corporation is incorporated stating that it has been dissolved or disappeared as the result of a merger.

SECTION 2. Arkansas Code § 4-38-503(d), concerning a charging order under the Uniform Limited Liability Company Act, is amended to read as follows to add clarifying language and to ratify the decision of the Arkansas Code Revision Commission to change "or" to "and" at the end of subdivision (d)(1) resulting from Acts 2025, No. 461, § 1:

(d) This section:

(1) Is specific to a lien created by a charging order; and

(2) Shall not:

(A) Apply to a creditor's secured lien created under the Uniform Commercial Code, § 4-1-101 et seq.; or

(B) Operate to invalidate any provision of any written agreement between a member and a creditor, including without limitation a security agreement, assignment, pledge, hypothecation, or other instrument giving the creditor a security interest in, or assignment of, the transferable interest, where at the time the written agreement, security agreement, assignment, pledge, hypothecation, or other instrument was executed by the member and the creditor, the member's executing such written agreement, security agreement, assignment, pledge, hypothecation, or other instrument did not violate a provision of the limited liability company's certificate of organization or operating agreement.

SECTION 3. Arkansas Code § 4-75-1303(c), concerning the right to

compensation in the Arkansas Student-Athlete Publicity Rights Act, is amended to read as follows to clarify a reference for consistency:

(c)(1) An institution of higher education in this state may revoke or rescind an agreement or commitment to provide compensation, a grant-in-aid, or other benefit to a student-athlete who receives or agrees to receive compensation that conflicts with a term or condition of a contract, policy, rule, regulation, or standard of the student-athlete's committed or enrolled institution of higher education.

(2) The institution of higher education and officers, agents, and employees of the institution of higher education shall not be liable for damages or be subjected to any injunctive relief by a court as a consequence of the revocation or rescission of an agreement or commitment under subdivision (c)(1) of this section.

SECTION 4. Arkansas Code § 4-86-112(a)(7)(A), concerning the regulation of automatic renewal and continuous service offers, is amended to read as follows to clarify a reference:

(7)(A) "Municipal utility" means a utility owned or operated by a municipality that provides:

(i) Electricity;

(ii) Water;

(iii) Wastewater service;

(iv) Cable television; or

(v) Broadband service.

SECTION 5. Arkansas Code § 4-88-1402(d), concerning the reasonable age verification methods on social media platforms, is amended to read as follows to clarify references to the defined term "covered social media platform" and to correct an internal reference error:

(d) A covered social media platform shall:

(1) Consistent with contemporary understanding of addiction, compulsory behavior, and child cognitive development, ensure that the covered social media platform does not engage in practices to evoke any addiction or compulsive behaviors in an Arkansas user who is a minor, including without limitation through notifications, recommended content, artificial sense of accomplishment, or engagement with online bots that appear human;

(2) Ensure that, by default:

(A) Notifications to an Arkansas user who is a minor, other than safety or privacy-related alerts, are ceased between the hours of 10:00 p.m. central standard time (CST) and 6:00 a.m. central standard time (CST) and allow a parent or guardian to modify this setting; and

(B) Privacy and safety settings for an Arkansas user who is a minor on a covered social media platform provide the most protective level of control for privacy and safety offered by the covered social media platform;

(3) Conduct an audit at least one (1) time per quarter to ensure that the covered social media platform's software, application, or other products are not causing minors to engage in compulsory or addiction-driven behavior; and

(4)(A) Develop an easily accessible online dashboard to allow a parent of a minor user to view and understand his or her child's use habits on the covered social media platform.

(B) The online dashboard under subdivision ~~(c)(4)(A)~~ (d)(4)(A) of this section shall also provide tools for a parent to restrict his or her minor child's access to the covered social media platform, or logical portions of the covered social media platform.

SECTION 6. Arkansas Code § 4-88-1403(c)(1), concerning the liability for social media companies, is amended to read as follows to clarify a reference to the defined term "covered social media platform" and to correct a numerical error:

(c)(1) A covered social media platform that permits a minor to access the covered social media platform in violation of this subchapter is liable to an individual for:

(A) A penalty of ten thousand dollars ~~($10,0000)~~ ($10,000) per violation, court costs, and reasonable attorney's fees as ordered by the court; or

(B) Damages resulting from a minor accessing a covered social media platform without his or her parent's or custodian's consent, including court costs and reasonable attorney's fees as ordered by the court.

SECTION 7. Arkansas Code § 4-88-1704(c)(3)(A), concerning privacy

removal requests, is amended to read as follows to add clarifying language:

(3) If the content creator responsible for the content fails to take action after a reasonable time period not to exceed thirty (30) days under this subsection:

(A)(i) The minor or adult who was featured as a minor may commence an action to enforce this subsection.

(ii) If a minor or adult who was featured as a minor prevails in an action brought under subdivision (c)(3)(A)(i) of this section, the court may award:

(a) Injunctive relief;

(b) Actual damages;

(c) Punitive damages; and

(d) The cost of the action, including without limitation attorney's fees and litigation costs; and

SECTION 8. Arkansas Code § 4-119-103(b)(2), concerning the verification required in an online marketplace, is amended to read as follows to make references consistent with the requirements of subdivision (a)(2)(B)(ii)(b) of the section:

(2) If a high-volume third-party seller provides a copy of a valid government-issued record or tax document, then the information contained within the government-issued record or tax document shall be presumed to be verified as of the date of issuance of the government-issued record or tax document.

SECTION 9. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the

Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT CEB/CEB
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 5 OF THE ARKANSAS CODE CONCERNING CRIMINAL OFFENSES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 5 OF THE ARKANSAS CODE CONCERNING CRIMINAL OFFENSES.

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

SECTION 1. Arkansas Code § 5-2-210(d), concerning an affirmative defense to prosecution for a nonviolent criminal offense, is amended to read as follows to clarify references:

(d) If a person is seventeen (17) years of age or younger, it is an affirmative defense to a prosecution for a nonviolent criminal offense if at the time a person engaged in the conduct charged to constitute the offense the person was:

(1) A victim of trafficking of persons, § 5-18-103; and

(2) Engaged in the offense as a direct result of the trafficking of persons, § 5-18-103.

SECTION 2. Arkansas Code § 5-3-203 is amended to read as follows to clarify references:

5-3-203. Classification.

A criminal attempt is a:

(1) Class Y felony if the offense attempted is:

(A) Capital murder, § 5-10-101;

(B) Capital rape, § 5-14-114;

(C) Aggravated death by delivery, § 5-10-202;

(D) Predatory marketing of fentanyl to minors, § 5-64-421; or

(E) Trafficking of fentanyl, § 5-64-440;

(2) Class A felony if the offense attempted is treason, § 5-51-201, or a Class Y felony other than ~~capital murder or capital rape~~ a Class Y felony listed in subdivision (1) of this section;

(3) Class B felony if the offense attempted is a Class A felony other than treason, § 5-51-201;

(4) Class C felony if the offense attempted is a Class B felony;

(5) Class D felony if the offense attempted is a Class C felony;

(6) Class A misdemeanor if the offense attempted is a Class D felony or an unclassified felony other than an unclassified felony listed in subdivision (1) of this section;

(7) Class B misdemeanor if the offense attempted is a Class A misdemeanor;

(8) Class C misdemeanor if the offense attempted is a Class B misdemeanor; or

(9) Violation if the offense attempted is a Class C misdemeanor or an unclassified misdemeanor.

SECTION 3. Arkansas Code § 5-3-301(b), concerning the classification of solicitation offenses, is amended to read as follows to clarify references:

(b) Criminal solicitation is a:

(1) Class Y felony if the offense solicited is:

(A) Capital murder, § 5-10-101;

(B) Capital rape, § 5-14-114;

(C) Aggravated death by delivery, § 5-10-202;

(D) Predatory marketing of fentanyl to minors, § 5-64-421; or

(E) Trafficking of fentanyl, § 5-64-440;

(2) Class A felony if the offense solicited is treason, § 5-51-

201, or a Class Y felony other than ~~capital murder or capital rape~~ a Class Y felony listed in subdivision (b)(1) of this section;

(3) Class B felony if the offense solicited is a Class A felony other than treason, § 5-51-201;

(4) Class C felony if the offense solicited is a Class B felony;

(5) Class D felony if the offense solicited is a Class C felony;

(6) Class A misdemeanor if the offense solicited is a Class D felony or an unclassified felony other than an unclassified felony listed in subdivision (b)(1) of this section;

(7) Class B misdemeanor if the offense solicited is a Class A misdemeanor;

(8) Class C misdemeanor if the offense solicited is a Class B misdemeanor; or

(9) Violation if the offense solicited is a Class C misdemeanor or an unclassified misdemeanor.

SECTION 4. Arkansas Code § 5-3-404 is amended to read as follows to clarify references:

5-3-404. Classification.

Criminal conspiracy is a:

(1) Class Y felony if an object of the conspiracy is commission of:

(A) Capital murder, § 5-10-101;

(B) Capital rape, § 5-14-114;

(C) Aggravated death by delivery, § 5-10-202;

(D) Predatory marketing of fentanyl to minors, § 5-64-421; or

(E) Trafficking of fentanyl, § 5-64-440;

(2) Class A felony if an object of the conspiracy is commission of treason, § 5-51-201, or a Class Y felony other than ~~capital murder or capital rape~~ a Class Y felony listed in subdivision (1) of this section;

(3) Class B felony if an object of the conspiracy is commission of a Class A felony other than treason, § 5-51-201;

(4) Class C felony if an object of the conspiracy is commission of a Class B felony;

(5) Class D felony if an object of the conspiracy is commission

of a Class C felony;

(6) Class A misdemeanor if an object of the conspiracy is commission of a Class D felony or an unclassified felony other than an unclassified felony listed in subdivision (l) of this section;

(7) Class B misdemeanor if an object of the conspiracy is commission of a Class A misdemeanor; or

(8) Class C misdemeanor if an object of the conspiracy is commission of a Class B misdemeanor.

SECTION 5. Arkansas Code § 5-4-321(a), concerning postponed judgments in district court cases, is amended to read as follows to clarify language:

(a) In a case within the criminal or traffic division of a district court, the district court may postpone a judgment for not more than one (1) year, and during the one (1) year period a defendant:

(1) Is in a probation status, supervised or unsupervised;

(2) ~~Is in compliance~~ Shall comply with other orders of the court; and

(3) Remains in a probation status until a final judgment of conviction is entered or the case is dismissed.

SECTION 6. Arkansas Code § 5-4-708(b), concerning enhanced penalties for serious felonies involving violence committed while the person is in the country illegally, is amended to read as follows to make a stylistic change:

(b) A person is subject to an enhanced penalty for committing a serious felony involving violence in this state if the person was illegally or unlawfully in the United States at the time that the serious felony involving violence was committed in this state.

SECTION 7. Arkansas Code § 5-10-104(a)(4), concerning the offense of manslaughter, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "immediate flight from the felony" to "immediate flight from the offense" at the end of subdivision (a)(4)(B) resulting from Acts 2025, No. 599, § 3.

(4) Acting alone or with one (1) or more persons:

(A) The person commits or attempts to commit a felony or a violation of the Uniform Controlled Substances Act, §§ 5-64-101 — 5-64-508,

involving an actual delivery of a controlled substance; and

(B) In the course of and in furtherance of the offense or in immediate flight from the offense:

(i) The person or an accomplice negligently causes the death of any person; or

(ii) Another person who is resisting the offense or flight causes the death of any person.

SECTION 8. Arkansas Code § 5-14-134(a)(2)(B), concerning the offense of a registered offender entering a water park, swimming area, or children's playground within a public park, is amended to read as follows to make a stylistic change:

(B) "Public park" includes without limitation the portion of any privately owned land over which an easement has been granted to the state or a county, city, town, or political subdivision and that is used as part of the public park system of the state or a county, city, ~~or~~ town, or political subdivision;

SECTION 9. Arkansas Code § 5-27-220(a), concerning the offense of contributing to the delinquency of a juvenile, is amended to read as follows to conform the culpable mental state and the style of a criminal offense to the Arkansas Criminal Code:

(a) ~~A~~ Upon conviction, a person is guilty of a Class A misdemeanor if the person ~~willfully~~ knowingly causes, aids, or encourages any minor to do or perform any act which, if done or performed, would make the minor a delinquent juvenile or juvenile in need of supervision within the meaning of this section and the Arkansas Juvenile Code, § 9-35-101 et seq.

SECTION 10. Arkansas Code § 5-36-127(b)(1)(C), concerning the ways in which a person commits the offense of organized retail theft, is amended to read as follows to clarify references:

(C) Removes, destroys, deactivates, or evades any component of an antishoplifting device or inventory control device to prevent the activation of ~~that~~ the antishoplifting device or inventory control device to facilitate the commission of theft of property under § 5-36-103(a) and the property is consumer goods;

SECTION 11. Arkansas Code § 5-36-127(b)(1)(F), concerning the ways in which a person commits the offense of organized retail theft, is amended to read as follows to clarify references:

(F) Uses a ~~rental or stolen motor vehicle or~~ vehicle of another person in the course of committing theft of property under § 5-36-103(a) and the property is consumer goods; and

SECTION 12. Arkansas Code § 5-36-127(b)(2)(B), concerning organized retail theft, is amended to read as follows to clarify references and to correct a grammatical error:

(B) ~~The~~ An unaltered price tag or other marking on the property, ~~or~~ an identified ~~photographs thereof~~ photograph of an unaltered price tag or other marking on the property, or ~~bills~~ a bill of lading or shipping ~~manifests~~ manifest, is prima facie evidence of the value and ownership of the property.

SECTION 13. Arkansas Code § 5-36-127(c), concerning the penalty for organized retail theft, is amended to read as follows to clarify penalties and make the penalties consistent with theft of property under Arkansas Code § 5-36-103:

(c) Organized retail theft is a:

(1) Class B felony if:

(A) The value of the property is twenty-five thousand dollars ($25,000) or more; or

(B) The aggregate value of property stolen within one hundred twenty (120) days is twenty-five thousand dollars ($25,000) or more;

(2) Class C felony if:

(A) The value of the property is less than twenty-five thousand dollars ($25,000) but more than five thousand dollars ($5,000); or

(B) The aggregate value of property stolen within one hundred twenty (120) days is less than twenty-five thousand dollars ($25,000) but more than five thousand dollars ($5,000); or

(3) Class D felony if:

(A) The value of the property is ~~less than~~ five thousand dollars ($5,000) or less but more than one thousand dollars ($1,000); or

(B) The aggregate value of property stolen within one hundred twenty (120) days is ~~less than~~ five thousand dollars ($5,000) or less but more than one thousand dollars ($1,000).

SECTION 14. Arkansas Code § 5-37-219(c), concerning the penalty for unlawful possession of a skimmer, is amended to make a stylistic change:

(c)(1) Unlawful possession of a skimmer is a Class C felony.

(2) A second or subsequent conviction ~~under this section~~ of unlawful possession of a skimmer is an unclassified felony with a mandatory fine of not more than twenty thousand dollars ($20,000) and a mandatory term of imprisonment of at least one (1) year but not more than ten (10) years.

SECTION 15. Arkansas Code § 5-37-229(c), concerning the penalty for gift card fraud, is amended to read as follows to clarify penalties and to make the penalties consistent with theft of property under Arkansas Code § 5-36-103:

(c) Gift card fraud is a:

(1) Class B felony if:

(A) The value of a gift card or gift card redemption information is twenty-five thousand dollars ($25,000) or more; or

(B) The aggregate value of one (1) or more gift cards or gift card redemption information obtained through multiple violations of subsection (b) of this section within one hundred twenty (120) days is twenty-five thousand dollars ($25,000) or more;

(2) Class C felony if:

(A) The value of a gift card or gift card redemption information is less than twenty-five thousand dollars ($25,000) but more than five thousand dollars ($5,000); or

(B) The aggregate value of one (1) or more gift cards or gift card redemption information acquired, retained, obtained, or used in violation of subsection (b) of this section within one hundred twenty (120) days is less than twenty-five thousand dollars ($25,000) but more than five thousand dollars ($5,000);

(3) Class D felony if:

(A) The value of a gift card or gift card redemption information is ~~less than~~ five thousand dollars ($5,000) or less but more than

one thousand dollars ($1,000); or

(B) The aggregate value of one (1) or more gift cards or gift card redemption information acquired, retained, obtained, or used in violation of subsection (b) of this section within one hundred twenty (120) days is ~~less than~~ five thousand dollars ($5,000) or less but more than one thousand dollars ($1,000); or

(4) Class A misdemeanor if:

(A) The value of a gift card or gift card redemption information is ~~less than~~ one thousand dollars ($1,000) or less; or

(B) The aggregate value of one (1) or more gift cards or gift card redemption information acquired, retained, obtained, or used in violation of subsection (b) of this section within one hundred twenty (120) days is ~~less than~~ one thousand dollars ($1,000) or less.

SECTION 16. Arkansas Code § 5-54-102(a)(5), concerning the offense of obstructing governmental operations, is amended to read as follows to clarify an element of the offense:

(5) Having received in person service of a subpoena issued by a judge or a court clerk in a criminal matter, knowingly fails to appear to testify at a trial or court hearing in a criminal matter.

SECTION 17. Arkansas Code § 5-62-103(a)(4), concerning the failure to supply an animal with sufficient food and water under the offense of cruelty to animals, is amended to read as follows to clarify a reference:

(4)(A) Fails to supply an animal in his or her custody with a sufficient quantity of wholesome food and water.

(B) To determine if ~~adequate~~ a sufficient quality of wholesome food and water have been supplied for an equine under subdivision (a)(4)(A) of this section, a body condition score conducted by a licensed veterinarian may be used;

SECTION 18. Arkansas Code § 5-71-220(b), concerning the offense of unlawful use of medical marijuana, is amended to read as follows to conform language to the style of the Arkansas Criminal Code:

(b)~~(1) It is unlawful for a person to knowingly use~~ A person commits unlawful use of medical marijuana if he or she knowingly:

(1) Uses medical marijuana through vapor inhalation in a place prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98, including:

(A) On a school bus;

(B) On the grounds of a daycare center, preschool, primary or secondary school, college, or university;

(C) At a drug or alcohol treatment facility;

(D) At a community or recreation center;

(E) In a correctional facility;

(F) On any form of public transportation;

(G) In a public place as defined in § 20-27-1803; or

(H) On any property that is under control of the Arkansas National Guard or the United States military~~.~~; or

(2) ~~It is unlawful for a person to knowingly smoke~~ Smokes medical marijuana in a place prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98, including:

(A) In a place where smoking tobacco is prohibited by law;

(B) In the presence of a person who is under fourteen (14) years of age;

(C) Inside a motor vehicle, aircraft, motorized watercraft, or any vehicle drawn by power other than muscle power;

(D) Knowingly in the presence of a pregnant woman; or

(E) In a place where the smoking of marijuana for medical use is likely to cause another person not authorized to use marijuana to be under the influence of marijuana.

SECTION 19. Arkansas Code § 5-71-221(b), concerning the offense of possession of uncontained medical marijuana in a motor vehicle, is amended to read as follows to conform language to the style of the Arkansas Criminal Code:

(b) ~~It is unlawful for a person to possess~~ A person commits possession of uncontained medical marijuana in a motor vehicle if:

(1) He or she possesses uncontained medical marijuana in a motor vehicle that is located on a public highway or the right-of-way of a public highway; ~~if:~~ and

~~(1)~~(2) The medical marijuana is: ~~in~~

(A) In a form that can be readily used through smoking; and

~~(2) The medical marijuana is within~~ (B) Within an area of the motor vehicle that is readily accessible to the driver in a seated position.

SECTION 20. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT TNL/TNL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 6 OF THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 6 OF THE ARKANSAS CODE.

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

SECTION 1. Arkansas Code § 6-11-208(a)(4), concerning the multiagency task force for the Regional Educational Career Alternative School System for Adjudicated Youth, is amended to read as follows to remove obsolete language and to clarify a reference:

(4) ~~Beginning on October 1, 2011, the~~ The multiagency task force shall provide status reports to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth one (1) time each quarter.

SECTION 2. Arkansas Code § 6-13-637(f), concerning the recall election and petition for removal of a member of a school district board of directors, is amended to read as follows to clarify a reference:

(f) A member of a school district board of directors may be subject to no more than one (1) ~~recall~~ petition for removal during the member's elected term in office.

SECTION 3. Arkansas Code § 6-13-1419(c)(1), concerning the

establishment of public elementary schools following certain consolidations, is amended to read as follows to clarify a reference:

(c)(1) A local public elementary school or satellite school established in an affected district under subsection (b) of this section shall be part of the receiving district.

SECTION 4. Arkansas Code § 6-14-102(a)(1)(A), concerning the annual school election date, is amended to read as follows to remove obsolete language:

(a)(1)(A) The annual school election shall be held in each school district of the state:

(i) In even-numbered years, on the date of the preferential primary election; and

(ii) ~~(a) Except as provided in subdivision (a)(1)(A)(ii)(b) of this section, in~~ In odd-numbered years, on the first Tuesday after the first Monday in March.

~~(b) An annual school election that is scheduled to occur in a month in which the second Tuesday of the month under subdivision (a)(1)(A)(ii)(a) of this section falls on a state holiday shall be held on the third Tuesday of that month.~~

SECTION 5. Arkansas Code § 6-14-111(e)(1), concerning the school election candidate filing procedures, is amended to read as follows to correct a grammatical error:

(e)(1) The petition, affidavit of eligibility, and the candidate's political practices pledge shall be filed with the county clerk beginning at 12:00 noon on the first day of the party filing period under § 7-7-203 and ~~shall end~~ ending at 12:00 noon on the last day of the party filing period under § 7-7-203.

SECTION 6. Arkansas Code § 6-14-111(j), concerning the school election candidate filing procedures, is amended to read as follows to remove obsolete language:

(j) The county clerk of the county in which the school district is domiciled for administrative purposes shall certify to the county board of election commissioners the names of those candidates who are registered

voters in the school district and the electoral zone, if applicable, and who have qualified for the ballot by petition~~:~~

~~(1) On~~ on the date of the certification deadlines under § 7-7-304(b) in even-numbered years for school elections held concurrently with a preferential primary election~~; or~~

~~(2) On the date of the certification deadline under § 7-5-203(b) in even-numbered years for school elections held concurrently with a general election~~.

SECTION 7. Arkansas Code § 6-15-2914(b)(1)(B), concerning school district improvement and support plans, is amended to read as follows to clarify a reference:

(B)(i) A public school and an open-enrollment public charter school shall include a literacy plan in the annual school-level improvement plan required under subdivision (b)(1)(A) of this section.

(ii) The literacy plan required under subdivision (b)(1)(B)(i) of this section shall include without limitation a curriculum program and a professional development program that are:

(a) Aligned with the literacy needs of the public school and open-enrollment public charter school; and

(b) Based on the science of reading as defined by § 6-17-429.

SECTION 8. Arkansas Code § 6-15-2919(e)(2)(F), concerning the unified application system in district strategic plans, is amended to read as follows to clarify a reference:

(F) Gifted and talented programs under § ~~6-42-109~~ 6-42-106.

SECTION 9. Arkansas Code § 6-16-124(c)(1), concerning a required social studies course, is amended to read as follows to remove obsolete language and to make stylistic changes:

(c)(1) ~~Beginning with the 2025-2026 school year, the division, in~~ In consultation with veterans' organizations, the division shall develop and implement a unit within existing Arkansas history course content guidelines under this section that is dedicated to veterans and their families.

SECTION 10. Arkansas Code § 6-16-165(a), concerning a required social studies course, is amended to read as follows to remove obsolete language:

(a) ~~Beginning with the 2026-2027 school year, the~~ The State Board of Education shall embed into existing social studies standards and courses for grades six through twelve (6-12) information that addresses the founding of the United States, including the Founding Fathers and their religious and moral beliefs and how their religious and moral beliefs influenced the founding documents of the United States.

SECTION 11. Arkansas Code § 6-16-1203(b)(2), concerning teacher skills and training, is amended to read as follows to correct a grammatical error:

(2) The relevant credentials and experience necessary to teach from the syllabus shall be approved by the institution of higher education granting the course credit.

SECTION 12. Arkansas Code § 6-16-2104(c)(1), concerning the monitoring requirements for a Title VI Coordinator, is amended to read as follows to correct a grammatical error and to make a stylistic change:

(1) Establish, maintain, and publicize a formal reporting process whereby the following individuals may submit a complaint of discrimination or harassment:

(A) All students~~,~~ enrolled in a school and parents~~,~~ and legal guardians~~,~~ of and persons standing in loco parentis to students~~, and school~~ enrolled in a school;

(B) All school employees ~~can submit a complaint of discrimination or harassment~~;

~~(B)~~(C) All students enrolled in an institution of higher education; and

~~(C)~~(D) All faculty and staff employed by an institution of higher education;

SECTION 13. Arkansas Code § 6-17-413(d)(2)(C), concerning the National Board for Professional Teaching Standards yearly incentive bonus qualifications for speech-language pathologists, is amended to read as follows to remove obsolete language:

(C) Is not considered a purchased service contractor but may be employed under a teacher contract subject to renewal ~~under § 6-17-1506 [repealed]~~.

SECTION 14. Arkansas Code § 6-17-414(g)(5)(D), concerning waivers from certain disqualifying offenses granted by a board of directors of an educational entity, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "and" to "or" at the end of subdivision (g)(5)(D)(i) resulting from Acts 2025, No. 197, § 1.

(D) A waiver granted by a board of directors of an educational entity under this subdivision (g)(5) shall be valid for the duration of the applicant's employment with the educational entity only if the applicant does not experience:

(i) A break in employment with the educational entity after receiving the waiver; or

(ii) An additional disqualifying conviction under this section after receiving the waiver.

SECTION 15. Arkansas Code § 6-17-429(c)(2), concerning the Right to Read Act, is amended to read as follows to clarify references:

(2) Each public school <u>district</u> or open-enrollment public charter school that does not provide the professional development under subdivision (c)(1) of this section shall:

(A) Be placed in probationary status; and

(B) Provide notice to parents that the public school district <u>or open-enrollment public charter school</u> has not met the requirements of this section.

SECTION 16. Arkansas Code § 6-18-511(f)(2), concerning a discipline removal by the teacher, is amended to read as follows to clarify a reference:

(2) If the public school district, teacher against whom the violent or abusive behavior was directed, parents or legal guardians of or persons standing in loco parentis to the student, and relevant members of the student's individualized education program under § 6-41-217 determine that the student requires a change of placement, then the public school district, teacher against whom the violent or abusive behavior was directed, parents or

legal guardians of or persons standing in loco parentis to the student, and relevant members of the student's individualized education program shall conduct a manifestation determination review, which shall include all relevant information in the student's file, including the student's individualized education program under § 6-41-217, teacher observations, and other relevant information provided by the parent or legal guardian of or person standing in loco parentis to the student.

SECTION 17. Arkansas Code § 6-18-722(d), concerning the definitions of free and reduced-price meals, is repealed because the subsection is obsolete.

~~(d)(1) Arkansas Legislative Audit shall audit the Department of Education Child Nutrition Unit by December 15, 2023, and report the audit findings to the House Committee on Education and the Senate Committee on Education.~~

~~(2) The audit required under subdivision (d)(1) of this section shall determine whether each public school's participation in a child nutrition program effectively:~~

~~(A) Serves the intent of the General Assembly to expand students' access to free meals in public schools; and~~

~~(B) Complies with federal and state law and rules.~~

SECTION 18. Arkansas Code § 6-18-722(f)(1), concerning the definitions of free and reduced-price meals, is amended to read as follows to remove obsolete language:

(f)(1) ~~Beginning with the 2025-2026 school year and each school year thereafter, a~~ A public school student who is not a qualifying student under this section and does not receive a free breakfast through any local, state, or federal program shall be provided one (1) breakfast at no cost during each school day upon his or her request without consideration of his or her eligibility for a federally funded free or reduced-price meal.

SECTION 19. Arkansas Code § 6-20-225 is repealed because it is obsolete.

~~6-20-225. Loan or transfer repayment.~~

~~Notwithstanding the provisions of § 19-24-101 et seq., or any law to the contrary, up to two million dollars ($2,000,000) received by the Public~~

~~School Fund from the Budget Stabilization Trust Fund either by loan or transfer during the 1996-1997 fiscal year, shall be repaid from time to time by transfer by the Treasurer of State from either the Public School Support Fund [repealed] or the Public School Fund, or its appropriate fund account, solely from revenues generated by the income tax surcharge levied by § 6-20-312(c) [repealed] after the provisions of § 19-6-481(b) [repealed] have been achieved.~~

SECTION 20. Arkansas Code 6-23-703 is reenacted to ratify the decision of the Arkansas Code Revision Commission in resolving an engrossing error resulting from Acts 2025, No. 800, § 27.

6-23-703. State Board of Education review.

(a) The Division of Elementary and Secondary Education shall notify in writing the State Board of Education of all recommendations made by the charter authorizing panel before the next regularly scheduled state board meeting after a recommendation is made by the charter authorizing panel.

(b)(1) At its next meeting following notification by the division under subsection (a) of this section, the state board shall vote to accept or reject each recommendation made by the charter authorizing panel.

(2) If the state board votes to reject a recommendation made by the charter authorizing panel, the state board shall:

(A) Provide the specific reasons for its rejection and any additional information used as the basis for its rejection; and

(B)(i) Conduct a hearing at the earlier date of the next regularly scheduled state board meeting or a special state board meeting.

(ii) At the conclusion of a hearing under subdivision (b)(2)(B)(i) of this section, the state board shall issue a final decision regarding a public charter school or an application to become a public charter school under this subchapter.

(c)(1) A public charter school or an applicant to become a public charter school may appeal a recommendation of the charter authorizing panel to the state board by filing a written notice of appeal with the Secretary of the Department of Education within fifteen (15) calendar days of the charter authorizing panel's recommendation.

(2) A written notice of appeal filed with the secretary under subdivision (c)(1) of this section shall state the specific reasons

supporting a review by the state board.

(d)(1) Upon receipt of a notice of appeal under subdivision (c)(1) of this section, the state board shall, upon a motion approved by a majority vote, determine whether to hear or decline to hear an appeal.

(2) If the state board decides to hear an appeal, the hearing shall be conducted at the earlier of:

(A) The next regularly scheduled state board meeting; or

(B) A special meeting called by the state board for the purpose of hearing the appeal.

(e) A decision by the state board under this section is final with no further right to appeal.

(f) The state board may promulgate rules as necessary to implement this section.

SECTION 21. Arkansas Code § 6-28-108(d)(4) and (5), concerning duties of a public school, are reenacted to ratify the decision of the Arkansas Code Revision Commission to change “Notify” to “Shall notify” and “request” to “shall request” resulting from Acts 2025, No. 501, § 3.

(4) Shall notify a prospective student’s family in writing regarding whether the student’s enrollment has been accepted or rejected within fifteen (15) calendar days of receiving the student’s enrollment application and supporting documentation; and

(5) As soon as practicable, shall request that a sending district provide a student’s official education record as specified by § 6-28-107 to confirm the student’s provisional enrollment, placement, and course preregistration conditions.

SECTION 22. Arkansas Code § 6-44-309 is amended to read as follows to clarify a reference and to make stylistic changes:

6-44-309. Rules.

~~The Department of Education, in~~ In consultation with the Office of Skills Development, the Department of Education shall promulgate rules to implement this ~~act~~ subchapter.

SECTION 23. Arkansas Code § 6-61-112(g)(2), concerning a student or student’s spouse called into military service, is amended to correct a

reference and to repeal obsolete language:

(2) The division shall report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth regarding the type and amount of compensatory options provided under this section by each state-supported institution of higher education no later than October 1 of each year ~~beginning in 2006 and each year thereafter~~.

SECTION 24. Arkansas Code § 6-62-305(a)(6), concerning the authorization to issue bonds or notes for postsecondary facilities, is amended to read as follows to correct a grammatical error:

(6) Any other revenues derived from the operation of the board and the campuses ~~governed thereby~~ the board governs, excluding any moneys that are derived from tax collections.

SECTION 25. Arkansas Code § 6-64-1013(c), concerning diagnostic laboratory services of the Division of Agriculture of the University of Arkansas, is repealed because it is obsolete.

~~(c) Effective July 1, 2005, all duties, functions, records, property, obligations, personnel, and authority to levy and collect diagnostic and laboratory fees, pursuant to § 2-33-111 and § 2-33-112 [repealed], for the Springdale Laboratory of the Arkansas Livestock and Poultry Commission are hereby transferred by a Type 2 transfer from the Arkansas Livestock and Poultry Commission to the Division of Agriculture of the University of Arkansas.~~

SECTION 26. Arkansas Code § 6-65-220 is repealed because the section is obsolete due to the Arkansas State Technical Institute being abolished by Acts 2021, No. 18, § 14.

~~6-65-220. Arkansas State Technical Institute — Courses of study and training.~~

~~(a) The Arkansas State Technical Institute shall provide educational programs which combine academic skills and vocational training in highly technical employment fields.~~

~~(b) The institute shall offer courses of study leading to certificates and associate degrees and shall also offer such short-term programs as~~

~~needed.~~

SECTION 27. Arkansas Code § 6-81-722 is repealed because the section is obsolete.

~~6-81-722. Sunset clause.~~

~~(a) Loan recipients enrolled in the Community Match Rural Physician Recruitment Program on or before the day before April 4, 2007, shall not have their loan contracts impaired by the amendments to the community match program.~~

~~(b)(1) Subject to the availability of funds, the loan for the academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts not to exceed sixteen thousand five hundred dollars ($16,500).~~

~~(2) However, all subsequent loans shall be granted only upon application by the recipient and a finding by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that the applicant:~~

~~(A) Has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;~~

~~(B) Is enrolled or participating in a medically underserved and rural practice curriculum; and~~

~~(C) Continues to be a resident of Arkansas.~~

~~(c) This section expires on August 31, 2014.~~

SECTION 28. Arkansas Code § 6-85-704(b)(1), concerning the funding for ACCESS to Acceleration Scholarship Program, is amended to read as follows to repeal obsolete language:

(b)(1) A scholarship under this subchapter shall not be awarded for an academic year if~~:~~

~~(A) Less~~ less than two hundred fifty thousand dollars ($250,000) is available under subsection (a) of this section~~; or~~

~~(B) The division received a loan from the Scholarship Shortfall Reserve Trust Account under § 23-115-802 [repealed] for the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., for the previous academic year~~.

SECTION 29. Arkansas Code 26-51-315 is amended to read as follows to correct a reference to an Arkansas Code section repealed by Section 27 of this act:

26-51-315. Community Match Rural Physician Recruitment Program incentives.

There is allowed an exemption from the income tax imposed by the Income Tax Act of 1929, § 26-51-101 et seq., for a community match income incentive received by a taxpayer under the Community Match Rural Physician Recruitment Program, §§ 6-81-701 ~~— 6-81-722~~ et seq.

SECTION 30. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
96th General Assembly

A Bill

DRAFT SSS/SSS
SENATE BILL

By: Senator NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 7 OF THE ARKANSAS CODE CONCERNING ELECTIONS; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 7 OF THE ARKANSAS CODE CONCERNING ELECTIONS.

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

SECTION 1. Arkansas Code § 7-5-202(c)(1)(H), concerning the public notice of elections, is amended to read as follows to clarify references:

(H)(i) One (1) printout from each voting machine, terminal, or ballot tabulator showing that the candidate and question counters register zero (0).

(ii) A poll worker shall produce one (1) printout from each <u>voting</u> machine<u>, terminal, or ballot tabulator</u> showing whether the candidate and question counters register zero (0), and all poll workers present shall sign the printout.

SECTION 2. Arkansas Code § 7-5-403(a)(7), concerning designated bearers, authorized agents, and administrators involved in absentee voting, is amended to read as follows to clarify references:

(7) When providing an absentee ballot to a designated bearer or receiving an absentee ballot from a designated bearer, the county clerk shall

provide to the designated bearer a written notice informing the designated bearer that:

(A) A designated bearer may obtain absentee ballots for no more than two (2) voters per election;

(B) A designated bearer shall at no time have more than two (2) absentee ballots in his or her possession;

(C) A designated bearer shall not deliver absentee ballots to the county clerk for more than two (2) voters per election; and

(D) Possession of an absentee ballot with the intent to defraud a voter or an election official is a felony under § 7-1-104.

SECTION 3. Arkansas Code § 7-5-504(8), concerning voting machine specifications, is amended to read as follows to repeal obsolete language:

(8) If it is a direct recording electronic voting machine, it shall include a voter-verified paper audit trail~~, except as provided under § 7-5-301(b)~~;

SECTION 4. Arkansas Code § 7-7-203(h)(2)(A)(ii), concerning the dates of primary elections, is amended to read as follows to clarify a reference:

(ii) Upon written agreement by the chairs of the county committees of the respective political parties, the county clerk may ~~notify~~ make the notification under subdivision (h)(2)(A)(i) of this section to the chairs and secretaries of the county committees of the respective political parties by email with a read receipt requested.

SECTION 5. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the

Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JMB/JMB
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 8 OF THE ARKANSAS CODE CONCERNING ENVIRONMENTAL LAW; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 8 OF THE ARKANSAS CODE CONCERNING ENVIRONMENTAL LAW.

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

SECTION 1. Arkansas Code § 8-6-904(a)(2), concerning the membership of the Solid Waste Licensing Committee, is amended to read as follows:

(2) The committee shall be composed of five (5) voting members and two (2) nonvoting members as follows:

(A) Two (2) voting members, to be appointed by the commission, shall be solid waste management facility operators licensed by the division;

(B) One (1) voting member, to be appointed by the commission, shall be an employee of a county operating a solid waste management facility who holds the position of solid waste management facility on-site operator or supervisor or an employee of a municipality operating a sanitary landfill who holds the position of landfill on-site operator or supervisor;

(C) One (1) voting member, to be appointed by the commission, shall be a representative of one (1) of the duly constituted regional solid waste management boards;

(D) One (1) voting member, to be appointed by the commission, shall be an on-site operator or supervisor of a nonsegregated materials recovery, transfer, or composting facility;

(E) One (1) nonvoting member, to be appointed by the commission, shall be a representative of a designated solid waste operator training academy and shall serve ex officio ~~with no vote~~; and

(F) One (1) nonvoting member, to be appointed by the Director of the Division of Environmental Quality, shall be a qualified member of ~~his or her~~ the director's staff who shall serve ex officio ~~with no vote~~ as executive secretary of the committee.

SECTION 2. Arkansas Code § 8-7-907(d)(1)(A), concerning the deductible for payment for corrective action from the Petroleum Storage Tank Trust Fund, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "rule by the division" to "rule by the commission" resulting from Acts 2025, No. 706, § 2.

(d)(1)(A) The amount of the deductible incurred by the owner or operator before the owner or operator is eligible to receive payment for corrective action shall be established by rule by the commission with the advice and input of the Advisory Committee on Petroleum Storage Tanks.

SECTION 3. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 9 OF THE ARKANSAS CODE CONCERNING FAMILY LAW; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 9 OF THE ARKANSAS CODE CONCERNING FAMILY LAW.

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

SECTION 1. Arkansas Code § 9-4-110 is amended to read as follows to correct the name of a legislative committee:

9-4-110. Reports.

The Arkansas Child Abuse/Rape/Domestic Violence Commission or its designee shall provide an annual report by October 1 of each year to the Chair of the Senate Interim Committee on Children and Youth and the Chair of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs containing the following information:

(1) The incidence of domestic violence in this state based on information obtained from shelters under this chapter;

(2) A description of shelters that meet the requirements of and receive funding from the commission or its designee under this chapter; and

(3) The number of persons assisted by the shelters that receive funding from the commission or its designee under this chapter.

SECTION 2. Arkansas Code § 9-5-113 is amended to read as follows to correct the name of a legislative committee:

9-5-113. Reports.

The Children's Advocacy Centers of Arkansas or its designee shall provide an annual report by March 1 of each year to the Department of Human Services, Division of Arkansas State Police, Chair of the Senate Interim Committee on Children and Youth, and the Chair of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs containing the following information:

(1) The incidence of child abuse in this state based on information obtained from child safety centers under this chapter;

(2) A description of child safety centers that meet the requirements of the Department of Finance and Administration and the Children's Advocacy Centers of Arkansas and receive funding from the Department of Finance and Administration;

(3) The number of children receiving investigative services by the child safety centers that receive funding from the Department of Finance and Administration under this chapter; and

(4) Outcome data provided by the child safety centers.

SECTION 3. Arkansas Code § 9-6-110 is amended to read as follows to correct the name of a legislative committee:

9-6-110. Reports.

The Secretary of the Department of Finance and Administration or his or her designee shall provide an annual report by October 1 of each year to the Chair of the Senate Interim Committee on Children and Youth and the Chair of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs containing the following information:

(1) The incidence of domestic violence in this state based on information obtained from shelters that receive funds under this chapter;

(2) A description of shelters that meet the requirements of and receive funds under this chapter; and

(3) The number of persons assisted by the shelters that receive funds under this chapter.

SECTION 4. Arkansas Code § 9-15-207(b)(1), concerning the information

required to be in the notice included in an order of protection, is amended to read as follows to correct the penalties for a Class A misdemeanor:

(1) A violation of the order of protection is a Class A misdemeanor carrying a maximum penalty of one (1) year's imprisonment ~~in the county jail~~ or a fine of up to ~~one thousand dollars ($1,000)~~ two thousand five hundred dollars ($2,500), or both;

SECTION 5. Arkansas Code § 9-15-407 is amended to read as follows to correct the name of a legislative committee:

9-15-407. Reporting.

The Arkansas Child Abuse/Rape/Domestic Violence Commission shall report annually to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth regarding:

(1) The status of the implementation and administration of this subchapter and its purposes; and

(2) Any recommended changes in the law to improve the prevention of or intervention into spousal abuse situations.

SECTION 6. Arkansas Code § 9-25-105(b)(12), concerning the membership of the Child Death and Near Fatality Multidisciplinary Review Committee, is amended to read as follows to correct the name of a legislative committee:

(12) One (1) member appointed by the Chair of the Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs;

SECTION 7. Arkansas Code § 9-25-105(m), concerning the annual report of the Child Death and Near Fatality Multidisciplinary Review Committee, is amended to read as follows to correct the name of a legislative committee:

(m) The annual report produced by the Child Death and Near Fatality Multidisciplinary Review Committee shall be presented to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and shall be made available on the public disclosure of child deaths and near fatalities website of the department.

SECTION 8. Arkansas Code § 9-28-111(c)(13)(A), concerning case plans

in dependency-neglect cases and family-in-need-of-services cases, is amended to read as follows to repeal an obsolete reference:

(13)(A) A plan for ensuring the placement of the child in foster care that takes into account the appropriateness of the current educational setting and the proximity of the school in which the child is enrolled at the time of placement~~, as required under § 9-27-103 [repealed]~~; and

SECTION 9. Arkansas Code § 9-28-205(f), concerning the annual report on the state of the Division of Youth Services' system of education, is amended to read as follows to correct the name of a legislative committee and to repeal obsolete language:

(f) The Department of Human Services and the Division of Elementary and Secondary Education shall report annually~~, beginning on March 1, 2010,~~ to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and to the Senate Interim Committee on Children and Youth on the state of the Division of Youth Services' system of education.

SECTION 10. Arkansas Code § 9-28-216(b), concerning rules of the Division of Youth Services requiring the separation of juvenile offenders committed to a facility operated by the division, is amended to read as follows to correct the name of a legislative committee and to make stylistic changes:

(b) ~~No~~ A rule pertaining to the separation of juvenile offenders promulgated ~~hereafter~~ by the division shall not be effective until reviewed by the Legislative Council, the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs, and the Senate Interim Committee on Children and Youth, or appropriate subcommittees ~~thereof, of the General Assembly~~ of the Legislative Council, the House Committee on Aging, Children and Youth, and Legislative Affairs, and the Senate Interim Committee on Children and Youth.

SECTION 11. Arkansas Code § 9-28-217(a)(19)(B)(iii)(b), concerning the Department of Corrections' submission to certain committees for review of rules to prescribe the procedure for requesting confidential juvenile records and the manner in which the records shall be used, is amended to read as follows to correct the name of a legislative committee:

(b) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs; and

SECTION 12. Arkansas Code § 9-28-301(e)—(g), concerning inspections of juvenile facilities operated by or under contract with the Division of Youth Services, are amended to read as follows to correct the name of a legislative committee:

(e)(1) The Secretary of the Department of Health shall present a list of findings of the random health inspections to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth within one (1) month after completing the random health inspections.

(2)(A) In the event the General Assembly is in session, the Secretary of the Department of Health shall provide the report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

(B) The complete report, including, but not limited to, statistics shall be made available to the public.

(f)(1) The Secretary of the Department of Human Services or the division shall file the report, along with a response not to exceed two (2) pages, to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth within thirty (30) days after receiving an inspection report prepared by the Department of Health.

(2) In the event the General Assembly is in session, the Secretary of the Department of Human Services shall provide the response to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

(3) The response shall include a plan of correction and suggest a means by which the Department of Human Services or the division will correct any deficiencies within thirty (30) days of the filing of the report or within the time frame determined by the Department of Health to ensure the health and safety of the juveniles housed at the facility.

(g)(1) The Department of Human Services or the division shall develop an internal audit and review to evaluate and monitor all facilities of the

division.

(2) The Department of Health will cooperate in training or assisting the Department of Human Services or the division in developing the process as it relates to health concerns.

(3) Included in its quarterly performance reports, the Department of Human Services or the division shall report on its progress to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

(4) In the event the General Assembly is in session, the Secretary of the Department of Human Services shall provide the report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

SECTION 13. Arkansas Code § 9-28-302(e)—(g), concerning security inspections of juvenile facilities operated by or under contract with the Division of Youth Services, are amended to read as follows to correct the name of a legislative committee:

(e)(1) The Secretary of the Department of Corrections shall present a list of findings of the random security inspections to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth within one (1) month after conducting the random security inspections.

(2) In the event the General Assembly is in session, the Secretary of the Department of Corrections shall provide the report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

(3) The complete report including, but not limited to, statistics shall be made available to the public.

(f)(1) The Secretary of the Department of Human Services or the division shall file the report, along with a response not to exceed two (2) pages, to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth within thirty (30) days of receiving an inspection report prepared by the Department of Corrections.

(2) In the event the General Assembly is in session, the Secretary of the Department of Human Services shall provide the response to

the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

(3) The response shall include a plan of correction and suggest a means by which the Department of Human Services or the division will correct any deficiencies within thirty (30) days of the filing of the report or within the time frame determined by the Department of Corrections to ensure the health and safety of the juveniles housed at the facility.

(g)(1)(A) The Department of Human Services or the division shall develop an internal audit and review to evaluate and monitor all facilities of the division.

(B) The internal audit and review shall include without limitation monitoring of all facilities for security concerns.

(2) The Department of Corrections will cooperate in training or assisting the Department of Human Services or the division in developing this process as it relates to security concerns.

(3)(A) In its quarterly performance reports, the Department of Human Services or the division shall report on its progress to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

(B) In the event the General Assembly is in session, the Secretary of the Department of Human Services shall provide the report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

SECTION 14. Arkansas Code § 9-28-405(m), concerning rules promulgated by the Child Welfare Agency Review Board, is amended to read as follows to correct the name of a legislative committee:

(m) All rules promulgated under this section and all public comment received in writing by the department in response shall be made available for review by the Senate Interim Committee on Children and Youth and the Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs, and by the Governor or his or her designee from among the Governor's staff.

SECTION 15. Arkansas Code § 9-28-417(b)(2)(B), concerning the

prohibition of discrimination against a child welfare agency based on the sincerely held religious or moral beliefs of the child welfare agency, is amended to read as follows to use consistent terminology:

(B) The state government shall not establish or enforce any per se standard, rule, or policy that precludes consideration of a current or prospective foster or preadoptive parent for any particular placement based in whole or in part on the ~~person's~~ current or prospective foster or preadoptive parent's sincerely held religious beliefs regarding sexual orientation or gender identity.

SECTION 16. Arkansas Code § 9-28-603(b)(6), concerning the annual report by independent living programs, is amended to read as follows to correct the name of a legislative committee:

(6) Provide an annual report to the division and the Senate Interim Committee on Children and Youth and the Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs summarizing outcome data in areas related to educational achievement, employment, and criminal justice contact of the participants and other information as requested by the division.

SECTION 17. Arkansas Code § 9-30-105(c)(7), concerning the annual report prepared by the Department of Human Services concerning the One Percent to Prevent Fund, is amended to read as follows to correct the name of a legislative committee:

(7) On or before October 1 of each year, provide an annual report to the Chair of the Senate Interim Committee on Children and Youth and the Chair of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs summarizing the evaluations of the One Percent to Prevent Fund.

SECTION 18. Arkansas Code § 9-34-201(4), concerning the definitions to be used in relation to the voluntary delivery of a child, is amended to read as follows to correct grammatical errors and to clarify a reference:

(4) "Emergency medical services provider" means~~:~~

~~(A) An~~ an entity ~~or individual~~ licensed to provide emergency medical services, including without limitation an ambulance service

provider~~; and~~

~~(B) That~~ that is staffed twenty-four (24) hours per day.

SECTION 19. Arkansas Code § 9-34-202(b)(2), concerning the voluntary delivery of a child to a medical provider, law enforcement agency, emergency medical services provider, fire department, or newborn safety device, is amended to read as follows to correct a grammatical error and to clarify a reference:

(2) A medical provider, law enforcement agency, emergency medical services provider, or fire department shall:

(A) Keep the identity of a parent who relinquishes a child under this section confidential; and

(B) Not release or otherwise make the identity of the parent available except to a:

(i) Law enforcement agency investigating abuse or neglect of the child that was committed before the child was delivered to the medical provider, ~~or~~ law enforcement agency, ~~or~~ emergency medical services provider, or fire department; or

(ii) Prosecuting attorney pursuing charges against a parent for abuse or neglect of the child that was committed before the child was delivered to the medical provider, law enforcement agency, emergency medical services provider, or fire department.

SECTION 20. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of

the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 10 OF THE ARKANSAS CODE CONCERNING THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 10 OF THE ARKANSAS CODE CONCERNING THE GENERAL ASSEMBLY.

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

SECTION 1. Arkansas Code § 10-3-203(3)(A)(vi), concerning the interim committees of the House of Representatives, is amended to read as follows to correct the name of a legislative committee:

(vi) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs – matters pertaining to the aged and problems of aging; children and youth, ~~military, veterans,~~ legislative affairs, memorials, other matters whenever the subject matter is not germane to the subject matter of any other standing committee, and resolutions germane to the subject matter of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs;

SECTION 2. Arkansas Code § 10-3-3202(b)(1)(M)-(P), concerning the membership of the Child Maltreatment Investigations Oversight Committee, are amended to read as follows to correct the name of a legislative committee:

(M)(i) The Chair of the House Committee on Aging, Children

and Youth, and Legislative ~~and Military~~ Affairs or his or her designee.

(ii) The Chair of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs shall be a nonvoting ex officio member of the Child Maltreatment Investigations Oversight Committee if he or she appoints a designee under subdivision (b)(1)(M)(i) of this section;

(N)(i) The Chair of the Senate Interim Committee on Children and Youth or his or her designee.

(ii) The Chair of the Senate Interim Committee on Children and Youth shall be a nonvoting ex officio member of the Child Maltreatment Investigations Oversight Committee if he or she appoints a designee under subdivision (b)(1)(N)(i) of this section;

(O) Two (2) members of the General Assembly who are members of the:

(i) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs; or

(ii) Senate Interim Committee on Children and Youth;

(P)(i) One (1) current or former member of the General Assembly who is a current or former member of the:

(a) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs; or

(b) Senate Interim Committee on Children and Youth.

(ii) The current or former member of the General Assembly under subdivision (b)(1)(P)(i) of this section shall be appointed by the Governor;

SECTION 3. Arkansas Code § 10-3-3202(b)(2), concerning the membership of the Child Maltreatment Investigations Oversight Committee, is amended to read as follows to correct the name of a legislative committee:

(2) Unless otherwise provided under this section, the members listed under subdivisions (b)(1)(A)-(S) of this section shall be selected by the Chair of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth in consultation with members of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs

and the Senate Interim Committee on Children and Youth.

SECTION 4. Arkansas Code § 10-3-3204(a), concerning the annual report of the Child Maltreatment Investigations Oversight Committee, is amended to read as follows to correct the name of a legislative committee:

(a) The Child Maltreatment Investigations Oversight Committee shall submit its findings and recommendations contained in a report at least annually to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

SECTION 5. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 11 OF THE ARKANSAS CODE CONCERNING LABOR AND INDUSTRIAL RELATIONS; TO AMEND PORTIONS OF THE ARKANSAS CODE THAT RESULTED FROM INITIATED ACTS 1914, NO. 1, INITIATED ACTS 1948, NO. 4, INITIATED ACTS 2014, NO. 1, AND INITIATED ACTS 2018, NO. 5; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 11 OF THE ARKANSAS CODE CONCERNING LABOR AND INDUSTRIAL RELATIONS; AND TO AMEND PORTIONS OF THE ARKANSAS CODE THAT RESULTED FROM INITIATED ACTS.

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

SECTION 1. Arkansas Code § 11-2-109(a), concerning the Secretary of the Department of Labor and Licensing's intervention in and arbitration of labor disputes, is amended to read as follows to add a necessary conjunction and make stylistic changes:

(a) In addition to such other duties and powers as may be conferred upon him or her by law, the Secretary of the Department of Labor and Licensing or his or her designee ~~shall have the power, jurisdiction, and authority~~ may:

(1)(A) ~~To intervene~~ Intervene or authorize his or her

representative to intervene in any labor dispute in a strictly conciliatory or mediatory capacity whenever he or she is extended a written invitation to do so by either party to the controversy.

(B) However, the Division of Labor may proffer its services to both parties when a work stoppage is threatened and neither party requests intervention; and

(2) ~~To do~~ Do all in his or her power to promote the voluntary arbitration of disputes between employers and employees and to avoid the necessity of resorting to lockouts, boycotts, blacklists, discriminations, and legal proceedings in matters of employment.

SECTION 2. Arkansas Code § 11-2-110(a) and (b), concerning the rulemaking authority of the Secretary of the Department of Labor and Licensing, are amended to read as follows to reorganize the language for clarity and to make stylistic changes:

(a) In addition to such other powers and duties as may be conferred upon him or her by law, the Secretary of the Department of Labor and Licensing or his or her designee ~~shall have the power to~~ may make, modify, and repeal reasonable rules: ~~for~~

(1) For the prevention of accidents or industrial or occupational diseases in every employment or place of employment; ~~and to make, modify, and repeal reasonable rules for~~

(2) For the construction, repair, and maintenance of places of employment, places of public assembly, and public buildings ~~which shall~~ that render them safe~~.~~; and

~~(b) The secretary or his or her designee shall have the power to make, modify, or repeal such rules, or changes in rules, as~~

(3) As he or she ~~may deem~~ deems necessary to carry out ~~the provisions of~~ this subchapter.

SECTION 3. Arkansas Code § 11-2-111(a), concerning the office and employees of the Department of Labor and Licensing, is amended to read as follows to clarify language and make stylistic changes:

(a)(1) The Secretary of the Department of Labor and Licensing ~~is authorized to~~ may appoint a deputy director, ~~a secretary~~ an administrative assistant, the heads of divisions, and such other employees as may be

necessary. ~~He or she is authorized to~~

(2) The secretary may assign ~~them~~ the employees appointed under subdivision (a)(1) of this section to their duties and recommend to the General Assembly the salaries that are to be fixed by appropriation.

SECTION 4. Arkansas Code § 11-2-114(b)(2), concerning judicial review of rules promulgated by the Secretary of the Department of Labor and Licensing, is amended to read as follows to clarify its application:

(2) All rules shall be conclusively presumed to be lawful and reasonable if the action is not commenced within thirty (30) days from the effective date of the rule as provided in this section.

SECTION 5. Arkansas Code § 11-2-122(a), concerning the disclosure to employees regarding the health benefits that are available, is amended to read as follows to clarify its application, provide a federal citation, and make stylistic changes:

(a) Any employer or owner who ~~does make~~ makes available any health benefits to employees, excluding workers' compensation, shall inform and notify the employees ~~of the nature of those benefits as to those benefits being~~ whether the health benefits are self-insured, fully insured, or ~~Employee Retirement Income Security Act-qualified~~ qualified under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq., and shall provide the necessary information to enable the employees to contact the authority regulating ~~those~~ the health benefits.

SECTION 6. Arkansas Code § 11-4-206(a)(1), concerning penalties for violations of the Minimum Wage Act of the State of Arkansas, is amended to read as follows to reorganize the subdivision for clarity and to make stylistic changes:

(a)(1) ~~Any employer who~~ An employer violates this subchapter and is subject to a civil penalty of not less than fifty dollars ($50.00) and not more than one thousand dollars ($1,000) for each violation if the employer: ~~willfully~~

(A) Willfully hinders or delays the Secretary of the Department of Labor and Licensing or his or her authorized representative in the performance of his or her duties in the enforcement of this subchapter~~,~~

~~willfully;~~

(B) Willfully refuses to admit the secretary or his or her authorized representative to any place of employment~~, willfully~~;

(C) Willfully fails to make, keep, and preserve any records as required under ~~the provisions of~~ this subchapter~~, willfully~~;

(D) Willfully falsifies any ~~such~~ record~~, willfully~~ required under this subchapter;

(E) Willfully refuses to make ~~the~~ a record required under this subchapter accessible to the secretary or his or her authorized representative upon demand~~, willfully~~;

(F) Willfully refuses to furnish a sworn statement of ~~the~~ a record required under this subchapter or any other information required for the proper enforcement of this subchapter to the secretary or his or her authorized representative upon demand~~, willfully~~;

(G) Willfully fails to post a summary of this subchapter or a copy of any applicable rules as required by § 11-4-216~~, pays~~;

(H) Pays or agrees to pay minimum wages at a rate less than the rate applicable under this subchapter~~,~~; or ~~otherwise~~

(I) Otherwise willfully violates ~~any provision of~~ this subchapter or ~~of~~ any rule issued under this subchapter ~~shall be deemed in violation of this subchapter and shall be subject to a civil penalty of not less than fifty dollars ($50.00) and not more than one thousand dollars ($1,000) for each violation~~.

SECTION 7. Arkansas Code § 11-4-210(a), derived from Initiated Acts 2014, No. 1, and Initiated Acts 2018, No. 5, and concerning the minimum wage under the Minimum Wage Act of the State of Arkansas, is amended to read as follows to repeal temporary and obsolete provisions:

~~(a)(1) Beginning October 1, 2006, every employer shall pay each of his or her employees wages at the rate of not less than six dollars and twenty-five cents ($6.25) per hour except as otherwise provided in this subchapter.~~

~~(2) Beginning January 1, 2015, every employer shall pay each of his or her employees wages at the rate of not less than seven dollars and fifty cents ($7.50) per hour, beginning January 1, 2016, the rate of not less than eight dollars ($8.00) per hour, and beginning January 1, 2017, the rate of not less than eight dollars and fifty cents ($8.50) per hour, except as~~

~~otherwise provided in this subchapter.~~

~~(3) Beginning January 1, 2019, every~~

(a) Every employer shall pay each of his or her employees wages at the rate of not less than ~~nine dollars and twenty-five cents ($9.25) per hour, beginning January 1, 2020 the rate of not less than ten dollars ($10.00) per hour and beginning January 1, 2021 the rate of not less than~~ eleven dollars ($11.00) per hour except as otherwise provided in this subchapter.

SECTION 8. Arkansas Code § 11-4-216 is amended to read as follows to use the defined term "employee", clarify references, and make stylistic changes:

11-4-216. Posting of law.

(a) Every employer subject to ~~any provisions of~~ this subchapter or of any rules issued under this subchapter shall keep a summary of this subchapter, approved by the Secretary of the Department of Labor and Licensing or his or her designee, and copies of any applicable rules issued under this subchapter, or a summary of the rules approved by the secretary or his or her designee, posted in a conspicuous and accessible place in or about the premises ~~wherein any person subject thereto~~ where an employee is employed.

(b) Employers shall be furnished copies of the summaries of this ~~statute~~ subchapter and rules issued under this subchapter by the secretary or his or her designee on request without charge.

SECTION 9. Arkansas Code § 11-4-221(e), concerning relief from liability under the Minimum Wage Act of the State of Arkansas for failure to pay minimum wage or overtime compensation, is repealed because the subsection is obsolete.

~~(e) This section applies only to conduct occurring on or after April 5, 2017.~~

SECTION 10. Arkansas Code § 11-4-608 is amended to read as follows to reorganize the offense for clarity, clarify that the offense is an unclassified misdemeanor under § 5-1-107 of the Arkansas Criminal Code, and make stylistic changes:

11-4-608. Penalties for violation of this section, §§ 11-4-607, and

11-4-609 — 11-4-612.

~~Any~~ (a) It is unlawful for an employer ~~who violates any provision of~~ to:

(1) Violate this section, §§ 11-4-607, and 11-4-609 — 11-4-612~~,~~; or ~~who discharges~~

(2) Discharge or in any other manner ~~discriminates~~ discriminate against any employee because the employee has: ~~made~~

(A) Made a complaint to his or her employer, the Secretary of the Department of Labor and Licensing, or any other person~~,~~; ~~has instituted~~

(B) Instituted or caused to be instituted ~~any proceedings~~ a proceeding under or related to this section, §§ 11-4-607, and 11-4-609 — 11-4-612~~,~~; or ~~has testified~~

(C) Testified or is about to testify in ~~any such~~ a proceeding under or related to this section, §§ 11-4-607, and 11-4-609 — 11-4-612.

(b) An employer who violates subdivision (a)(1) of this section upon conviction is guilty of an unclassified misdemeanor and shall be fined not more than five hundred dollars ($500) nor imprisoned more than one (1) year, or both.

SECTION 11. Arkansas Code § 11-6-103(j), derived from Initiated Acts 1914, No. 1, § 13, and concerning penalties for the violation of child labor laws, is amended to read as follows to correct an inaccurate conjunction:

(j) An employer that willfully engages in any of the following actions is in violation of this subchapter and subject to a civil penalty of not less than one hundred dollars ($100) and not more than five thousand dollars ($5,000) for each violation:

(1) Hinders or delays the secretary or his or her authorized representative in the performance of his or her duties in the enforcement of this subchapter; ~~and~~ or

(2) Falsifies records related to child labor.

SECTION 12. Arkansas Code § 11-9-102(9)(C), derived from Initiated Acts 1948, No. 4, and concerning the definition of "employee" under the Workers' Compensation Law, is amended to read as follows to clarify

references:

(C) Any individual holding from the commission a current ~~certification~~ certificate of noncoverage under this chapter shall be conclusively presumed not to be an employee for purposes of this chapter or otherwise during the term of his or her ~~certification~~ certificate of noncoverage or any renewals ~~thereof~~ of his or her certificate of noncoverage or until he or she elects otherwise, whichever time period is shorter.

SECTION 13. Arkansas Code § 11-9-105, derived from Initiated Acts 1948, No. 4, § 4, is amended to read as follows to clarify references and make stylistic changes:

11-9-105. Remedies exclusive — Exception.

(a)(1) The rights and remedies granted to an employee subject to ~~the provisions of~~ this chapter, on account of injury or death, shall be exclusive of all other rights and remedies of the employee, his or her legal representative, dependents, next of kin, or anyone otherwise entitled to recover damages from the employer, or any principal, officer, director, stockholder, or partner acting in his or her capacity as an employer, or prime contractor of the employer, on account of the injury or death, and the negligent acts of a coemployee shall not be imputed to the employer. ~~No~~

(2) A role, capacity, or persona of any employer, principal, officer, director, or stockholder other than that existing in the role of employer of the employee shall not be relevant for consideration for purposes of this chapter, and the remedies and rights provided by this chapter shall in fact be exclusive regardless of the multiple roles, capacities, or personas the employer may be deemed to have.

(b)(1) However, if an employer fails to secure the payment of compensation as required by this chapter, an injured employee, or his or her legal representative in case death results from the injury, may, at his or her option, elect to claim compensation under this chapter or to maintain a ~~legal~~ civil action in court for damages on account of the injury or death.

(2) In ~~such~~ a civil action under subdivision (b)(1) of this section, it shall not be necessary to plead or prove freedom from contributory negligence, nor may the defendant-employer plead as a defense that the injury or death was caused by the negligence of a fellow servant, that the employee assumed the risk of his or her employment, or that the

injury or death was due to the contributory negligence of the employee.

SECTION 14. Arkansas Code § 11-9-402(c)(1)(B)(i), derived from Initiated Acts 1948, No. 4, § 10, and concerning the liability of prime contractors and subcontractors under the Workers' Compensation Law, is amended to read as follows to clarify references and make stylistic changes:

(B)(i) A sole proprietor or the partners of a partnership who do not elect to be covered by this chapter and be deemed employees ~~thereunder~~ under this chapter and who deliver to the prime contractor a current ~~certification~~ certificate of noncoverage issued by the Workers' Compensation Commission shall be conclusively presumed not to be covered by ~~the law~~ this chapter or to be employees of the prime contractor during the term of his or her ~~certification~~ certificate of noncoverage or any renewals ~~thereof~~ of his or her certificate of noncoverage.

SECTION 15. Arkansas Code § 11-9-402(c)(2) and (3), derived from Initiated Acts 1948, No. 4, § 10, and concerning the liability of prime contractors and subcontractors under the Workers' Compensation Law, is amended to read as follows to clarify references, conform offenses to the Arkansas Criminal Code, and make stylistic changes:

(2) Furthermore, the prime contractor's insurance carrier is not liable for injuries to the sole proprietor or partners described in this section who have provided a current ~~certification~~ certificate of noncoverage, and the insurance carrier shall not include compensation paid by the prime contractor to the sole proprietor or partners described ~~above~~ in this section in computing the insurance premium for the prime contractor.

(3)(A) Any prime contractor who after being presented with a current ~~certification~~ certificate of noncoverage by a sole proprietor or partnership nonetheless compels the sole proprietor or partnership to pay or contribute to workers' compensation coverage of that sole proprietor or partnership ~~shall be~~ upon conviction is guilty of a Class D felony.

(B) Furthermore, any prime contractor who compels a sole proprietor or partnership to obtain a ~~certification~~ certificate of noncoverage when the sole proprietor or partnership does not desire to ~~do so~~ obtain a certificate of noncoverage upon conviction is guilty of a Class D felony.

(C) Furthermore, any applicant who makes a false statement when applying for a ~~certification~~ certificate of noncoverage or any renewals ~~thereof shall be~~ of a certificate of noncoverage upon conviction is guilty of a Class D felony.

SECTION 16. Arkansas Code § 11-9-402(d), derived from Initiated Acts 1948, No. 4, § 10, and concerning the liability of prime contractors and subcontractors under the Workers' Compensation Law, is amended to read as follows to repeal obsolete language and make stylistic changes:

(d)(1) A ~~certification~~ certificate of noncoverage issued by the commission ~~after July 1, 2001, shall be~~ is valid for two (2) years after the effective date stated ~~thereon~~ on the certificate of noncoverage. Both the effective date and the expiration date ~~must~~ shall be listed on the face of the certificate of noncoverage by the commission. The certificate of noncoverage ~~must expire~~ expires at midnight two (2) years from its issue date, as noted on the face of the certificate of noncoverage.

(2) ~~Any certification of noncoverage that is in effect on July 1, 2001, shall expire as follows:~~

~~(A) A certification of noncoverage issued in the years 1993 or 1994 shall expire at midnight on September 30, 2001;~~

~~(B) A certification of noncoverage issued in the years 1995 or 1996 shall expire at midnight on December 31, 2001;~~

~~(C) A certification of noncoverage issued in the years 1997 or 1998 shall expire at midnight on March 31, 2002; and~~

~~(D) A certification of noncoverage issued in the years 1999 or 2000 shall expire at midnight on June 30, 2002.~~

~~(3)~~ The commission may assess a fee not to exceed fifty dollars ($50.00) with each application for a ~~certification~~ certificate of noncoverage or any renewals ~~thereof~~ of a certificate of noncoverage.

~~(4)~~(3) Any ~~certification~~ certificate of noncoverage issued by the commission shall contain the Social Security number and notarized signature of the applicant. The notarization shall be in a form and manner prescribed by the commission.

~~(5)~~(4) The commission may prescribe by rule forms and procedures for issuing or renewing a ~~certification~~ certificate of noncoverage.

SECTION 17. Arkansas Code § 11-9-404(c), derived from Initiated Acts 1948, No. 4, § 10 and concerning security for compensation under the Workers' Compensation Law, is amended to read as follows to conform an offense to the Arkansas Criminal Code and make stylistic changes:

(c) Any person who knowingly files a false or fraudulent financial statement under ~~the provisions of~~ this chapter ~~shall,~~ upon conviction~~,~~ is guilty of an unclassified felony and shall be fined not more than ten thousand dollars ($10,000) or imprisoned not more than five (5) years, or both.

SECTION 18. Arkansas Code § 11-9-518(c), concerning weekly wages as the basis for compensation under the Workers' Compensation Law, is amended to read as follows to clarify references:

(c) If, because of exceptional circumstances, the average weekly wage cannot be fairly and justly determined by the ~~above~~ formulas in subsections (a) and (b) of this section, the ~~commission~~ Workers' Compensation Commission may determine the average weekly wage by a method that is just and fair to all parties concerned.

SECTION 19. Arkansas Code § 11-10-534(7), concerning the definitions and terminology to be used in relation to extended benefits under the Division of Workforce Services Law, is amended to read as follows to repeal obsolete language:

(7) There is a state "on" indicator for a week if the rate of insured unemployment under this chapter for the period consisting of such week and the immediately preceding twelve (12) weeks:

(A) Equalled or exceeded one hundred twenty percent (120%) of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two (2) calendar years; and

(B) Equalled or exceeded ~~four percent (4%), provided that for periods beginning on and after September 25, 1982, such rate equalled or exceeded five percent (5%); except that effective July 1, 1991, the rate of insured unemployment equalled or exceeded~~ six percent (6%) even though the provisions of subdivision (7)(A) of this section were not met;

SECTION 20. Arkansas Code § 11-10-609(a), concerning eligibility for

compensation under the Division of Workforce Services Law, is amended to read as follows to correct a grammatical error and make stylistic changes:

(a) An individual is eligible to receive shared work unemployment compensation benefits with respect to any week only if, in addition to monetary entitlement, the Director of the Division of Workforce Services finds that during the week the individual is:

(1) ~~During the week, the individual is employed~~ Employed as a member of an affected group under an approved shared work compensation plan that was approved before that week, and the plan is in effect with respect to the week for which the benefits are claimed; and

(2)(A) ~~During the week, the individual is able~~ Able to work and is available for the normal work week with the shared work employer.

(B) However, an otherwise eligible individual shall not be denied benefits with respect to any week in which he or she is in training to enhance job skills, including employer-sponsored training and worker training funded under the Arkansas Workforce Innovation and Opportunity Act, § 15-4-3701 et seq., if the training has been approved by the director.

SECTION 21. Arkansas Code § 11-10-717(e)(2)(A)(i)(b), concerning liability for contributions on wages paid by an employer under the Division of Workforce Services Law, is repealed as obsolete.

~~(b) For the period beginning on or after January 1, 1998, through June 30, 2005, a bonded lessor employing unit shall report all clients' wages on the lessor employing unit's quarterly contribution and wage report using its contribution rate, account number, and federal identification number.~~

SECTION 22. Arkansas Code § 11-10-803(d)(1), effective until the contingency in Acts 2021, No. 283, § 3 is met and concerning withdrawals from federal Unemployment Trust Fund moneys provided to the state, is amended to read as follows to repeal obsolete language and make stylistic changes:

(d)(1) Money credited to the account of this state in the federal Unemployment Trust Fund by the United States Secretary of the Treasury pursuant to section 903 of the Social Security Act, 42 U.S.C. § 1103, may not be requisitioned from this state's account or used except for the payment of benefits and for the payment of expenses incurred for the administration of

this chapter. ~~However, the money may not be used for Job Training Partnership Act [repealed] programs and activities.~~ The money may be requisitioned ~~pursuant to the provisions of~~ under this chapter for the payment of benefits. The money may also be requisitioned and used for the payment of expenses incurred in the administration of this chapter. The money may be used only ~~pursuant to~~ under a specific appropriation by the General Assembly and only if the expenses are incurred and the money is requisitioned after the enactment of an appropriation ~~law~~ act that:

(A) Specifies the purposes for which money is appropriated and the amounts appropriated ~~therefor~~ for those purposes;

(B) Limits the period within which the money may be obligated to a period ending not more than two (2) years after the date of the enactment of the appropriation ~~law~~ act; and

(C) Limits the amount which may be obligated to an amount that does not exceed the amount by which the aggregate of the amounts transferred to the account of this state pursuant to section 903 of the Social Security Act, 42 U.S.C. § 1103, exceeds the aggregate of the amounts used by this state pursuant to this chapter and charged against the amounts transferred to the account of this state~~; and~~

~~(D) Notwithstanding subdivisions (d)(1)(A)-(C) of this section, moneys credited with respect to federal fiscal years 1999, 2000, and 2001 shall be used solely for the administration of the unemployment compensation program or in a manner allowable by the enabling legislation~~.

SECTION 23. Arkansas Code § 11-10-803(d)(1), effective if the contingency in Acts 2021, No. 283, § 3 is met and concerning withdrawals from federal Unemployment Trust Fund moneys provided to the state, is amended to read as follows to repeal obsolete language and make stylistic changes:

(d)(1) Money credited to the account of this state in the federal Unemployment Trust Fund by the United States Secretary of the Treasury pursuant to section 903 of the Social Security Act, 42 U.S.C. § 1103, may not be requisitioned from this state's account or used except for the payment of benefits and for the payment of expenses incurred for the administration of this chapter. ~~However, the money may not be used for Job Training Partnership Act [repealed] programs and activities.~~ The money may be requisitioned ~~pursuant to the provisions of~~ under this chapter for the payment of benefits.

The money may also be requisitioned and used for the payment of expenses incurred in the administration of this chapter. The money may be used only pursuant to a specific appropriation by the General Assembly and only if the expenses are incurred and the money is requisitioned after the enactment of an appropriation ~~law~~ act that:

(A) Specifies the purposes for which money is appropriated and the amounts appropriated ~~therefor~~ for those purposes;

(B) Limits the period within which the money may be obligated to a period ending not more than two (2) years after the date of the enactment of the appropriation ~~law~~ act; and

(C) Limits the amount which may be obligated to an amount that does not exceed the amount by which the aggregate of the amounts transferred to the account of this state pursuant to section 903 of the Social Security Act, 42 U.S.C. § 1103, exceeds the aggregate of the amounts used by this state pursuant to this chapter and charged against the amounts transferred to the account of this state~~; and~~

~~(D) Notwithstanding subdivisions (d)(1)(A)-(C) of this section, moneys credited with respect to federal fiscal years 1999, 2000, and 2001 shall be used solely for the administration of the unemployment compensation program or in a manner allowable by the enabling legislation~~.

SECTION 24. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT CEB/CEB
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 12 OF THE ARKANSAS CODE CONCERNING LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND MILITARY AFFAIRS; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 12 OF THE ARKANSAS CODE CONCERNING LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND MILITARY AFFAIRS.

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

SECTION 1. Arkansas Code § 12-8-130(c), concerning the requirements to activate the missing endangered child advisory system, is amended to read as follows to add clarifying language:

(c) The missing endangered child advisory system shall be activated for a child under eighteen (18) years of age <u>who is missing</u> under the following circumstances:

(1) When the disappearance of the child appears to be unexplained, involuntary, or suspicious;

(2) When it is suspected but not confirmed that the child was abducted;

(3) When the child has been diagnosed with a:

(A) Developmental disability or pervasive developmental disorder; or

(B) Physical, mental, or cognitive impairment; or

(4) When the child may otherwise be in danger due to age, health, weather conditions, presence with a potentially dangerous person, or other circumstance.

SECTION 2. Arkansas Code § 12-8-504(c), concerning the review of a transition plan for the transfer of child abuse investigations, is amended to read as follows to correct a reference:

(c) The Department of Human Services and the ~~Department~~ Division of Arkansas State Police shall submit for review any transition plan developed under this section to the ~~House~~ Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

SECTION 3. Arkansas Code § 12-8-509(a)(2)(A)(ii), concerning additional reporting requirements for certain state agencies or entities, is amended to read as follows to correct a reference:

(ii) The House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs;

SECTION 4. Arkansas Code § 12-12-919(a)(6), concerning lifetime registration for sex offenders, is amended to read as follows to correct references to a defined term:

(6) At the time of the sex offense was more than twenty-four (24) years of age and the victim of the sex offense was less than fifteen (15) years of age.

SECTION 5. Arkansas Code § 12-18-713 is amended to read as follows to correct references:

12-18-713. Reports on overturned true determinations.

(a)(1) The Department of Human Services and the Division of Arkansas State Police shall submit two (2) reports annually on true determinations made under this chapter that are administratively or judicially overturned to the Senate Interim Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs.

(2) The first report shall be submitted on June 1 and the second report shall be submitted on December 1.

(b) A report submitted under subsection (a) of this section shall include:

(1) Data on overturned true determinations by county; and

(2) Any other information requested by the Senate Interim Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs.

SECTION 6. Arkansas Code § 12-18-801(a)(2), concerning a failure to comply with the time to begin an administrative hearing, is amended to read as follows to correct references:

(2)(A) The Department of Human Services shall report any failures to comply with this subsection for each quarter to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

(B) The quarterly report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth shall include a written explanation of the failure of the Department of Human Services.

SECTION 7. Arkansas Code § 12-18-908(f), concerning the review and adoption of rules, is amended to read as follows to correct a reference:

(f) The Secretary of the Department of Human Services shall adopt rules necessary to carry out this chapter pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., except that the secretary shall not begin the process under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., until the proposed rules have been reviewed by the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

SECTION 8. Arkansas Code § 12-19-202(b)(9), concerning the duties of the human trafficking coordinator, is amended to read as follows to correct a reference:

(9) Prepare and submit the annual report of the Human Trafficking Operations Unit to the Game and Fish/State Police Subcommittee of the Legislative Council, the Senate Interim Committee on Children and Youth, and the House Committee on Aging, Children and Youth, and Legislative ~~and~~

~~Military~~ Affairs;

SECTION 9. Arkansas Code § 12-27-115(b), concerning claims made by counties for expenses associated with legal proceedings involving an inmate of a secured facility operated or contracted by the Department of Corrections, is amended to read as follows to clarify language:

(b) All claims by counties ~~against the fund pursuant to~~ under this section shall be itemized, and the claims shall be verified by the county judge and presented to the department within ninety (90) days after the expense is incurred.

SECTION 10. Arkansas Code § 12-27-140(b), concerning the Division of Community Correction's reporting requirements to the Legislative Council, is amended to read as follows to correct references:

(b) The division shall report quarterly to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, the:

(1) Number of ~~parole or probation~~ community supervision officer positions currently vacant in the division;

(2) Number of ~~parole or probation~~ community supervision assistant area manager positions currently vacant in the division;

(3) Number of ~~parole or probation~~ community supervision area manager positions currently vacant in the division; and

(4) Average case load being assigned to each ~~parole or probation~~ community supervision officer.

SECTION 11. Arkansas Code § 12-29-117(b)(3), concerning an assessment by the Department of Corrections of programs available to inmates, is repealed because it is obsolete due to the referenced report and the associated duty to provide the referenced report being repealed.

~~(3) The results of the assessments required under subdivision (b)(1) of this section shall be incorporated into the report on the state of the department required under § 25-43-403(d) [repealed]~~.

SECTION 12. Arkansas Code § 12-41-112(a)(2)(A), concerning safety and privacy in local correctional facilities, is amended to read as follows to delete language regarding state correctional facilities that is codified at

Arkansas Code § 12-28-110:

(2)(A) "Correctional facility" means a local correctional facility that has the power to detain or restrain a person under the laws of the state~~, including without limitation facilities operated by the Division of Correction or the Division of Community Correction~~.

SECTION 13. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 13 OF THE ARKANSAS CODE CONCERNING LIBRARIES, ARCHIVES, AND CULTURAL RESOURCES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 13 OF THE ARKANSAS CODE CONCERNING LIBRARIES, ARCHIVES, AND CULTURAL RESOURCES.

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

SECTION 1. Arkansas Code § 13-11-102(a), concerning the administration of the Senior Arkansans Hall of Fame, is amended to read as follows to correct the name of a legislative committee:

(a) The Senior Arkansans Hall of Fame shall be administered by the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services, in consultation with the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs.

SECTION 2. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the

regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
96th General Assembly

A Bill

DRAFT SSS/SSS
SENATE BILL

By: Senator NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 14 OF THE ARKANSAS CODE CONCERNING LOCAL GOVERNMENT; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 14 OF THE ARKANSAS CODE CONCERNING LOCAL GOVERNMENT.

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

SECTION 1. Arkansas Code § 14-16-601 is transferred to Title 14, Chapter 1, Subchapter 1, to more appropriately locate the subject matter in the General Provisions chapter of Title 14 because the subject matter applies to both cities and counties.

~~14-16-601.~~ 14-1-117. Rent, rental application fee, and rental deposit control preemption — Definition.

(a) As used in this section, "local governmental unit" means a political subdivision of this state, including without limitation a county, city, village, or township, if the political subdivision provides local government services for residents in a geographically limited area of this state as its primary purpose and has the power to act primarily on behalf of that area.

(b)(1) As to leasing private residential or commercial property, and except as provided under § 18-16-304, a local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the

effect of controlling the amount charged for:

(A) Rent;

(B) Rental application fees; or

(C) Rental deposits.

(2) The preemption against rent, rental application fees, and rental deposit control in subdivision (b)(1) of this section applies to all:

(A) Landlords;

(B) Property owners;

(C) Property managers;

(D) Tenants;

(E) Prospective tenants; and

(F) Real estate companies doing business in the State of Arkansas.

(c) This section does not impair the right of any local governmental unit to manage and control residential property in which the local governmental unit has a property interest.

SECTION 2. Arkansas Code § 14-42-112(a)(3), concerning municipal attorneys for cities of the second class and incorporated towns, is amended to read as follows so that terms are used consistently:

(3)(A) An attorney elected or appointed to the office of the municipal attorney or an attorney contracted with under this section shall be a regularly licensed attorney of this state.

(B) An attorney elected or appointed under this section shall:

(i) Hold the office of the municipal attorney; and

(ii) Reside within the ~~municipal boundaries~~ limits of the city of the second class or incorporated town.

(C) An attorney contracted for legal representation under this section is not required to reside within the limits of the city of the second class or incorporated town.

SECTION 3. Arkansas Code § 14-52-107(d), concerning uniform sick leave for municipal fire departments, is amended to read as follows to clarify a defined term:

(d)(1) A city of the first class, a city of the second class, and an

incorporated town may adopt a catastrophic leave program by ordinance under § 14-42-123 to include a "presumptive illness list for municipal police department" under this section.

(2) As used in this section, ~~a~~ "presumptive illness list for municipal police department" means ~~an illness that is~~ a list of illnesses that are chronic or fatal.

SECTION 4. Arkansas Code § 14-54-1402(b), concerning local regulation of business on Sundays, is repealed because it is obsolete:

~~(b) The provisions of this section shall not in any manner amend, repeal, or otherwise affect the provisions of § 5-60-119 permitting motion picture shows on Sundays.~~

SECTION 5. Arkansas Code § 14-54-1409 is repealed because the section is also codified at § 14-16-601, which is being transferred to § 14-1-117 by Section 1 of this act.

~~14-54-1409. Rent, rental application fee, and rental deposit control preemption — Definition.~~

~~(a) As used in this section, "local governmental unit" means a political subdivision of this state, including without limitation a county, city, village, or township, if the political subdivision provides local government services for residents in a geographically limited area of this state as its primary purpose and has the power to act primarily on behalf of that area.~~

~~(b)(1) As to leasing private residential or commercial property, and except as provided under § 18-16-304, a local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the effect of controlling the amount charged for:~~

~~(A) Rent;~~

~~(B) Rental application fees; or~~

~~(C) Rental deposits.~~

~~(2) The preemption against rent, rental application fees, and rental deposit control in subdivision (b)(1) of this section applies to all:~~

~~(A) Landlords;~~

~~(B) Property owners;~~

~~(C) Property managers;~~

~~(D) Tenants;~~

~~(E) Prospective tenants; and~~

~~(F) Real estate companies doing business in the State of Arkansas.~~

~~(c) This section does not impair the right of any local governmental unit to manage and control residential property in which the local governmental unit has a property interest.~~

SECTION 6. Arkansas Code § 14-54-1510 is amended to read as follows to conform a criminal offense to the requirements of the Arkansas Criminal Code:

14-54-1510. Criminal violations — Penalties.

A violation of or disobedience of the injunction or order for abatement is an unclassified misdemeanor punishable as contempt of court by a fine of not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000) or by imprisonment ~~in the county jail~~ for not less than one (1) month nor more than six (6) months, or both.

SECTION 7. Arkansas Code § 14-56-421(a)(1), concerning enforcement of ordinances and regulations for municipal planning, is amended to read as follows to clarify that the offense is a Class A misdemeanor under the Arkansas Criminal Code under § 5-1-107:

(a)(1) ~~Violations of any provision of ordinances and regulations~~ A violation of an ordinance or regulation adopted to carry out the intent of plans ~~shall be considered~~ is a Class A misdemeanor.

SECTION 8. Arkansas Code § 14-56-605(a)(1), concerning enforcement of ordinances and regulations for municipal planning, is amended to read as follows to clarify that the offense is a Class A misdemeanor under the Arkansas Criminal Code under § 5-1-107:

(a)(1) ~~Violation of any provision~~ A violation of an ordinance adopted as authorized by this subchapter ~~shall be considered~~ is a Class A misdemeanor.

SECTION 9. Arkansas Code § 14-57-502 is amended to read as follows to clarify a reference to a provision of the Arkansas Constitution and to make stylistic changes:

14-57-502. Ordinances subject to initiative and referendum.

(a) ~~Any~~ A municipal ordinance authorizing the installation of parking meters ~~shall not be~~ is not subject to an emergency clause.

(b) ~~Nothing in this subchapter shall~~ This subchapter does not limit the rights of the people under ~~the Initiated and Referendum Amendment to the State of Arkansas~~ Arkansas Constitution, Article 5, § 1.

SECTION 10. Arkansas Code § 14-58-103(b)(1), concerning withholding municipal employee membership dues for union or professional associations, is to read as follows to repeal obsolete language:

(b)(1) ~~Effective January 1, 2006, upon~~ Upon receipt of a written request signed by a full-time municipal employee who is represented by a union or professional association, the municipality shall withhold membership dues of the union or professional association from the salary of the employee.

SECTION 11. Arkansas Code § 14-86-1304 is repealed because it is obsolete.

~~14-86-1304. Fee for recording abolished.~~

~~The fee of the former chancery clerk for filing and recording the delinquent lists of assessments of any improvement district certified to the former chancery clerk's office by any person, board, or officer is abolished.~~

SECTION 12. Arkansas Code § 14-86-2102(a)(1)(A), concerning annual improvement district or protection district filings, is amended to read as follows to repeal obsolete language:

(a)(1)(A) ~~Beginning April 1, 2022, or upon~~ Upon the creation of an improvement district or protection district and on April 1 of each year thereafter, an improvement district or protection district that uses or intends to use the county collector for collection of improvement district assessments or protection district assessments shall file an annual report with the county clerk in any county in which a portion of the improvement district or protection district is located.

SECTION 13. Arkansas Code § 14-86-2205(b), concerning minimum standards for water and sewer improvements made by districts, is amended to

read as follows to repeal obsolete language:

(b)~~(1)~~ The department shall promulgate rules necessary to implement this section.

~~(2)(A) When adopting the initial rules to implement this section, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):~~

~~(i) On or before January 1, 2020; or~~

~~(ii) If approval under § 10-3-309 has not occurred by January 1, 2020, as soon as practicable after approval under § 10-3-309.~~

~~(B) The department shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2020, so that the Legislative Council may consider the rule for approval before January 1, 2020.~~

SECTION 14. Arkansas Code § 14-88-309(b), concerning interest in contracts for municipal improvement districts, is amended to read as follows to clarify the offense and make it consistent with the Arkansas Criminal Code:

(b) Any person violating ~~the provisions of~~ this section ~~commits a~~ upon conviction is guilty of an unclassified felony and shall be sentenced to:

(1) ~~Fined~~ Pay a fine in any sum not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000); and

(2) ~~Imprisoned in the state penitentiary~~ Imprisonment for not less than one (1) year nor more than ten (10) years.

SECTION 15. Arkansas Code § 14-88-310(b), concerning interest in loans for municipal improvement districts, is amended to read as follows to clarify the offense and make it consistent with the Arkansas Criminal Code:

(b) Any person violating ~~the provisions of~~ this section ~~commits a~~ upon conviction is guilty of an unclassified felony and shall be sentenced to:

(1) ~~Fined~~ Pay a fine in any sum not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000); and

(2) ~~Imprisoned in the state penitentiary~~ Imprisonment not less than one (1) year nor more than ten (10) years.

SECTION 16. Arkansas Code § 14-88-401 is amended to read as follows to

clarify the offense and make it consistent with the Arkansas Criminal Code:

14-88-401. Penalty for misuse of funds generally.

Any commissioner, treasurer, attorney, or other subordinate officer appointed by a municipal board of improvement who uses or lends, or who participates, directly or indirectly, in any loan or use of funds belonging to the improvement district, for other than district purposes, ~~shall be~~ upon conviction is guilty of ~~a~~ an unclassified felony~~. Upon conviction, he or she shall be confined in the penitentiary for a period~~ and shall be sentenced to imprisonment of not more than five (5) years nor less than two (2) years.

SECTION 17. Arkansas Code § 14-88-402(b), concerning unlawful actions by subordinate officers of municipal improvement districts, is amended to read as follows to clarify the offense and make it consistent with the Arkansas Criminal Code:

(b) Any person violating ~~the provisions of~~ this section ~~commits a~~ upon conviction is guilty of an unclassified felony and shall be sentenced to:

(1) ~~Fined~~ Pay a fine in any sum not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000); and

(2) ~~Imprisoned in the state penitentiary~~ Imprisonment for not less than one (1) year nor more than ten (10) years.

SECTION 18. Arkansas Code § 14-89-201(b)(2)(B), concerning borrowing authority of municipal improvement districts, is amended to read as follows to clarify the offense and make it consistent with the Arkansas Criminal Code:

(B)~~(i) It shall be a felony for any~~ An officer of the district or any other person ~~to use~~ who uses the proceeds of the funding or refunding bonds for any other purpose than that for which ~~they~~ the funding or refunding bonds are issued upon conviction is guilty of an unclassified felony and shall be sentenced to:

(i) Pay a fine in any sum not less than five hundred dollars ($500) nor more than five thousand ($5,000); and

(ii) Imprisonment for not less than one (1) year nor more than ten (10) years.

~~(ii) The party guilty of such a felony shall be punished as provided in §§ 14-88-309, 14-88-310, and 14-88-402~~.

SECTION 19. Arkansas Code § 14-89-1101 is amended to read as follows to clarify the offense and make it consistent with the Arkansas Criminal Code:

14-89-1101. Penalties.

Every member of any municipal improvement board who fails or refuses to make settlement as required by this subchapter ~~shall be~~ upon conviction is guilty of ~~a~~ an unclassified misdemeanor ~~and, on conviction thereof, shall be fined in any sum not exceeding five hundred dollars ($500). In addition thereto, he or she may be imprisoned for a period not exceeding sixty (60) days~~ and:

(1) Shall be sentenced to pay a fine not exceeding five hundred dollars ($500); and

(2) May be sentenced to imprisonment for a term not exceeding sixty (60) days.

SECTION 20. Arkansas Code § 14-92-203 is amended to read as follows to clarify the offense and make it consistent with the Arkansas Criminal Code:

14-92-203. Penalty.

(a) It ~~shall not be lawful~~ is unlawful for the board of commissioners of any suburban improvement district or any officer, member, or agent thereof to appropriate or use any money arising from the sale of any bonds authorized to be issued under this subchapter to any use or purpose whatever other than is specified and expressly directed.

(b) ~~And any~~ An officer, member, or agent of the board of commissioners of a suburban improvement district who ~~shall violate~~ violates ~~any of the provisions of~~ this subchapter as prescribed in this section ~~shall be deemed~~ upon conviction is guilty of ~~a~~ an unclassified felony and~~, upon conviction~~ shall be ~~punished by~~ sentenced to imprisonment ~~in the penitentiary~~ for not less than one (1) year nor more than five (5) years.

SECTION 21. Arkansas Code § 14-117-107 is amended to read as follows to clarify that districts formed under the Arkansas Irrigation, Drainage, and Watershed Improvement District Act of 1949 are under the jurisdiction of the circuit court:

14-117-107. ~~Change of jurisdiction~~ Jurisdiction.

~~(a) All districts formed prior to June 13, 1963, the jurisdiction over which was vested in the chancery court, upon approval of a majority of its board of directors, may petition the circuit court to assume jurisdiction.~~

~~(b) If the circuit court deems the action to be in the best interests of the landowners of the petitioning district, an order shall be entered upon the circuit court's records to that effect. Jurisdiction shall therefore vest to the exclusion of chancery court.~~

~~(c) However, nothing in this chapter is intended to affect the validity of existing districts heretofore created under the jurisdiction of chancery court~~ Jurisdiction over a district established under this chapter is vested in the circuit court.

SECTION 22. Arkansas Code § 14-117-304(e), concerning powers and duties of the board of commissioners for irrigation, drainage, and watershed improvement districts, is amended to read as follows to clarify the culpable mental state of the offense to be consistent with the Arkansas Criminal Code, to clarify that the offense is a violation because no jail time is imposed, and to make stylistic changes:

(e)(1)(A) In order to protect the improvements of the district from damage, the board may make and prescribe necessary regulations.

(B) The board may make regulations to define and set the rate and location of any withdrawal of waters owned, acquired, or developed by the district and transferred by natural or man-made channels.

(C) The board may also make regulations governing the operation of the works of the district and the delivery of water owned or acquired by it to users and the performance of any of its other functions.

(2) ~~The willful violation of these regulations shall constitute a misdemeanor under the laws of this state punishable by~~ A person who knowingly violates a regulation made under this subsection upon conviction is guilty of a violation and is subject to a sentence of a fine not to exceed one thousand dollars ($1,000).

SECTION 23. Arkansas Code § 14-117-419(g), concerning records and reports for operation of irrigation, drainage, and watershed improvement districts, is amended to read as follows to clarify that the offense is a violation because no jail time is imposed and repeal language concerning

perjury because perjury is a separate offense under § 5-53-102:

(g) The failure of any of the officials named in this section to perform the duties and acts required ~~herein shall be a misdemeanor punishable by~~ in this section is a violation subject to a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) for each offense. ~~For the making of a false or fraudulent report, the person so making shall be guilty of perjury and punished accordingly.~~

SECTION 24. Arkansas Code § 14-117-426(a), concerning trial procedure for operation of irrigation, drainage, and watershed improvement districts, is amended to read as follows to clarify language and repeal obsolete language:

(a) Suits for collection of taxes shall be conducted in the name of the district and in accordance with the practice and proceedings of circuit courts in this state, except as ~~herein~~ otherwise provided in this chapter, and ~~neither~~ attorneys ad litem ~~nor~~ and guardians ad litem~~, nor any of the provisions of § 16-65-403 [repealed] shall be~~ are not required.

SECTION 25. Arkansas Code § 14-118-202 is amended to read as follows to revise obsolete language concerning the Red River Commission, which was abolished and had its powers and duties transferred to the Department of Agriculture by Acts 2023, No. 691, and to make stylistic changes:

14-118-202. ~~Red River Commission -- Creation, powers,~~ Department of Agriculture — Powers and duties.

~~(a) There is created as a committee of the Arkansas Natural Resources Commission the Red River Commission [abolished] with~~ The Department of Agriculture has the following powers, duties, and responsibilities under this subchapter:

(1) To cooperate with the appropriate state and federal agencies for the study and planning of needed improvements to and along the main stem of the Red River in Little River County, Hempstead County, Miller County, and Lafayette County, Arkansas;

(2) To review, study, and examine any plan by the State of Arkansas or the United States Government, or any agency ~~thereof~~ of the State of Arkansas or the United States Government, for the improvement of the main stem of the Red River in Arkansas and to ascertain the nature and purpose of

the improvement, the benefits to be expected ~~therefrom~~ from the improvement, and the necessity, feasibility, and estimated cost ~~thereof~~ of the improvement;

(3) To determine the local, nonfederal costs necessary for the construction, operation, and maintenance of any Red River improvement project along and upon the main stem ~~thereof~~ of the Red River; and

(4) To delineate the area to be benefited by improvement of the main stem of the Red River.

~~(b) If the Red River Commission ceases to exist, all of the powers and responsibilities of the Red River Commission under this section shall automatically transfer to the Department of Agriculture.~~

SECTION 26. Arkansas Code § 14-118-203 is repealed because it is obsolete due to the abolition of the Red River Commission by Acts 2023, No. 691.

~~14-118-203. Commission members.~~

~~(a)(1) The Red River Commission shall be composed of eight (8) members, appointed by the Governor as follows: Two (2) who are residents and electors of Little River County, two (2) who are residents and electors of Hempstead County, two (2) who are residents and electors of Miller County, and two (2) who are residents and electors of Lafayette County.~~

~~(2) The Governor's appointments shall be by and with the advice and consent of the Senate.~~

~~(b) Before entering upon commission duties, each member of the commission shall take and subscribe and file in the office of the Secretary of State an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter.~~

~~(c) For each member of the commission, the term of office shall commence on January 15 following the January 14 expiration date, and shall end on January 14 of the seventh year following the year in which the term commenced.~~

~~(d) Any vacancies arising in the membership of the commission for any reason other than expiration of the regular terms for which the members were appointed shall be filled by appointment by the Governor, and to be thereafter effective until the expiration of the regular terms, subject,~~

~~however, to the confirmation of the Senate.~~

~~(e) Members of the commission shall receive no pay for their services, but whenever the General Assembly shall have appropriated funds to the Arkansas Water Development Fund administered by the Department of Agriculture, they may, upon proper application to the department, be reimbursed for expenses in accordance with § 25-16-901 et seq.~~

SECTION 27. Arkansas Code § 14-118-204(a), concerning petition for establishment of a Red River Improvement Districts, is amended to read as follows to reflect the abolition of the Red River Commission and the transfer of its powers and duties to the Department of Agriculture by Acts 2023, No. 691:

(a) ~~Whenever~~ When the United States Congress has enacted a law adopting and authorizing a project for the improvement of the main stem of the Red River in Little River County, Hempstead County, Miller County, or Lafayette County in Arkansas, ~~the Red River Commission,~~ after performing the ~~commission's~~ Department of Agriculture's duties ~~as outlined and prescribed by~~ under § 14-118-202, the department may petition the circuit court in the judicial district in which the largest portion of the lands to be benefited are situated and within a county in which some part or portion of lands in the proposed district are situated for the establishment of an improvement district to embrace the property within the area to be benefited.

SECTION 28. Arkansas Code § 14-118-206(a), concerning boards of commissioners for Red River Improvement Districts, is amended to read as follows to reflect the abolition of the Red River Commission and the transfer of its powers and duties to the Department of Agriculture by Acts 2023, No. 691:

(a) When the circuit court has established the improvement district upon the petition of the ~~Red River Commission~~ Department of Agriculture under this subchapter, ~~it~~ the circuit court shall proceed for the appointment of a board of commissioners in the same manner as provided by § 14-118-106.

SECTION 29. Arkansas Code § 14-118-206(e), concerning boards of commissioners for Red River Improvement Districts, is amended to read as follows to reflect the abolition of the Red River Commission and the transfer

of its powers and duties to the Department of Agriculture by Acts 2023, No. 691:

(e) Appointments by the circuit court shall be made upon petition by the ~~commission~~ department under this subchapter.

SECTION 30. Arkansas Code § 14-118-208 is amended to read as follows to reflect the abolition of the Red River Commission and the transfer of its powers and duties to the Department of Agriculture by Acts 2023, No. 691:

14-118-208. Additional powers.

(a) The ~~Red River Commission~~ Department of Agriculture may receive and use any federal, state or private funds, donations, and grants made available for the development, use and expansion of the Red River.

(b) The ~~commission~~ department may share in costs associated with the Red River Valley Association.

SECTION 31. Arkansas Code § 14-120-232(a), concerning trial procedure for agreements with the United States Government for drainage and levee districts, is amended to read as follows to clarify language and repeal obsolete language:

(a)(1) The suit shall be conducted in accordance with the practice and procedure of circuit courts in this state, except as provided in this subchapter.

(2) However, ~~no affidavit shall be~~ an affidavit is not required for the publication of the notice, and ~~neither~~ attorneys ad litem ~~nor~~ and guardians ad litem~~, nor any provision of § 16-65-403 [repealed] shall be~~ are not required, and the suits may be disposed of on oral testimony, as in proceedings at law.

SECTION 32. Arkansas Code § 14-120-324(a), concerning trial procedure for consolidation of drainage and levee districts, is amended to read as follows to clarify language and repeal obsolete language:

(a)(1) The suit shall be conducted in accordance with the practice and procedure of circuit courts in this state, except as provided in this subchapter.

(2) However, ~~no affidavit shall be~~ an affidavit is not required for the publication of the notice, and ~~neither~~ attorneys ad litem ~~nor~~ and

guardians ad litem~~, nor any provision of § 16-65-403 [repealed] shall be~~ are not required, and the suits may be disposed of on oral testimony, as in proceedings at law.

SECTION 33. Arkansas Code § 14-120-409 is repealed because it is obsolete due to the referenced statutes either being repealed or no longer requiring a written statement.

~~14-120-409. Business interest exemption for districts with land in four or more counties.~~

~~The members of the board of directors of any improvement district consolidated pursuant to the provisions of § 14-120-301 et seq., which encompasses lands located in four (4) or more counties, shall not be required to file the written statement required by §§ 21-8-301 — 21-8-309.~~

SECTION 34. Arkansas Code § 14-121-101(2), concerning definitions of drainage improvement districts generally, is amended to read as follows to clarify its meaning and to make stylistic changes:

(2) "Real property" ~~shall have the same meaning as when~~ means the same as "real property and lands" as used in § 26-1-101 ~~and shall embrace~~ and includes all railroads and tramroads within the district.

SECTION 35. Arkansas Code § 14-121-203(d), concerning establishment of drainage improvement districts, is amended to read as follows to clarify the subsection:

(d) All notices ~~in that event~~ when more than one (1) county is embraced in the proposed district shall be published in newspapers published and having bona fide circulation in each county in which the proposed district embraces lands.

SECTION 36. Arkansas Code § 14-121-311(e), concerning records and reports of financial transactions of drainage improvement districts, is amended to read as follows to clarify that the offense is a violation because no jail time is imposed and repeal language concerning perjury because perjury is a separate offense under § 5-53-102:

(e)~~(1) The failure of any of the officials named in this section to perform the duties and acts required herein shall be a misdemeanor,~~

~~punishable by~~ An official named in this section who fails to perform the duties and acts required in this section upon conviction is guilty of a violation and subject to a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) for each offense.

~~(2) For the making of a false or fraudulent report, the person or persons so making shall be guilty of perjury and punished accordingly.~~

SECTION 37. Arkansas Code § 14-121-430(a)(3)(B), concerning sale of land for drainage improvement districts, is amended to read as follows to correct a reference in conformity with the respectful language provisions of § 1-2-124 to read as follows:

(B) The title to the lands, railroads, and tramroads shall thereupon become vested in the purchaser as against all others whomsoever, saving to infants and to ~~insane persons~~ individuals with mental illness having no guardian or curator, the right they now have by law to appear and except to the proceedings within three (3) years after their disabilities are removed.

SECTION 38. Arkansas Code § 14-121-440(b), concerning bonds for drainage improvement districts, is amended to read as follows to clarify that the offense is an unclassified felony and to conform the offense to the Arkansas Criminal Code:

(b) Any member, officer, or agent of the board of the district who ~~shall violate any of the provisions of~~ violates this section ~~shall be deemed~~ upon conviction is guilty of ~~a~~ an unclassified felony and upon conviction shall be ~~punished by~~ sentenced to imprisonment ~~in the penitentiary~~ for not less than one (1) year nor more than five (5) years.

SECTION 39. Arkansas Code § 14-121-807(b), concerning regulation of construction for drainage improvement districts, is amended to read as follows to clarify that the offense is a violation because no jail time is imposed:

(b) The construction of any fences, bridges, or other construction and the digging of any lateral ditches into the ditches of the district in a manner contrary to that specified by the commissioners ~~shall be a misdemeanor, punishable by~~ is a violation subject to a fine of not to exceed

one hundred dollars ($100).

SECTION 40. Arkansas Code § 14-123-418(a), concerning trial procedure for levee improvement districts, is amended to read as follows to clarify language and repeal obsolete language:

(a) Suits shall be conducted in accordance with the practice and proceedings of circuit courts in this state, except as ~~herein~~ otherwise provided in this chapter, and except:

(1) ~~Neither attorneys~~ Attorneys for nonresident defendants ~~nor~~ and guardians ad litem~~, nor any provision of § 16-65-403 [repealed] shall be~~ are not required;

(2) Suits may be disposed of on oral testimony as in ordinary suits at law; and

(3) This ~~law~~ chapter shall be liberally construed to give the assessment lists the effect of bona fide mortgages for a valuable consideration, and a first lien upon the lands as against all persons having any interest ~~therein~~ in the lands.

SECTION 41. Arkansas Code § 14-125-109(d)(2)(B), concerning payments made to conservation districts by the Arkansas Natural Resources Commission, is amended to read as follows to clarify that the offense is a Class A misdemeanor under the Arkansas Criminal Code under § 5-1-107:

(B) Any member of the board of directors of any soil conservation district or any other person who violates ~~any of the provisions of~~ this section ~~shall be~~ upon conviction is guilty of a Class A misdemeanor.

SECTION 42. Arkansas Code § 14-169-703(b), concerning urban renewal projects, is amended to read as follows to repeal obsolete language and make a stylistic change:

(b) Notwithstanding any other provisions of this subchapter, ~~where~~ when the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of tornado, flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the Governor has certified the need for disaster assistance under ~~Public Law No. 81-875 [repealed] or other~~ federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area

without regard to any provisions of this subchapter requiring that the urban renewal area is a slum area, or a blighted, deteriorated, or deteriorating area, or that the urban renewal area be predominantly residential in character or be developed or redeveloped for residential uses.

SECTION 43. Arkansas Code § 14-171-101 is repealed because it is obsolete.

~~14-171-101. Restrictions on funds.~~

~~Nothing in § 22-3-1009 shall prohibit the use of funds provided under the City-County Tourist Meeting and Entertainment Facilities Assistance Law, § 14-171-201 et seq., for eligible facilities as defined in § 14-171-203.~~

SECTION 44. Arkansas Code § 14-171-218 is amended to read as follows to repeal obsolete language:

14-171-218. Future applicants.

Any applications submitted ~~after January 1, 2001,~~ for state aid for the expansion of eligible facilities or for new facilities shall be submitted to the General Assembly and any appropriation for the expansion or new facility shall be made from the ~~General Improvement Fund or its successor fund or fund accounts, including~~ the Development and Enhancement Fund.

SECTION 45. Arkansas Code § 14-173-201 is amended to read as follows to insert language of limitation so it is clear to what the defined terms apply to:

14-173-201. Definitions.

<u>As used in this subchapter:</u>

(1) “Applicant” means an entity applying for a talent recruitment grant under this subchapter;

(2) “Individual” means a person who:

(A) Resides outside of the state at the time he or she applies for an incentive under this subchapter; and

(B) Either:

(i) Receives an annual salary of at least fifty-five thousand dollars ($55,000) for a remote work position in which the person will continue to be employed after relocating to the state; or

(ii) Has been offered and has accepted an offer of full-

time employment in the state; and

(3) "Individual goal" means the total number of individuals an applicant seeks to successfully incentivize to relocate to a municipality in the state through a talent recruitment program.

SECTION 46. Arkansas Code § 14-184-104(6), concerning definitions under the Central Business Improvement District Act, is amended to read as follows to correct obsolete language because § 14-184-107 no longer has a population requirement:

(6) "Municipality" means any city ~~having the population required by § 14-184-107~~ of the first class or city of the second class;

SECTION 47. Arkansas Code § 14-184-107 is amended to read as follows to conform language to the defined term "municipality" and to make stylistic changes:

14-184-107. Authority to create districts.

The governing body of any ~~first-class or second-class~~ municipality ~~of the state is authorized to~~ may create, by ordinance, one (1) or more central business improvement districts in the manner and for the purposes provided in this subchapter.

SECTION 48. Arkansas Code § 14-188-109(8)(B), concerning powers of rural development authorities, is amended to read as follows to delete obsolete language:

(B) A rural development authority ~~in existence on and after January 1, 2021,~~ may conduct any of the activities under subdivision (8)(A) of this section using the notice and voting procedures for the creation of a rural development authority under this chapter; and

SECTION 49. Arkansas Code § 14-189-104(d), concerning organization of industrial development authorities, is amended to read as follows to clarify a reference:

(d) After the entry of the order of the circuit court establishing the industrial development authority and after the appointments of ~~its~~ the members of the board of directors of the industrial development authority, the industrial development authority shall be in existence and thereafter

exist as a separate entity and body corporate as set forth in this chapter.

SECTION 50. Arkansas Code § 14-201-125(b), concerning rules and regulations for operating municipal board and commissions in cities of the first class, is amended to read as follows to clarify a reference:

(b) The commission may obtain prohibitive and mandatory injunctions against any person for refusal to comply with the rules and regulations of the commission.

SECTION 51. Arkansas Code § 14-232-116(b), concerning waste disposal sites or facilities in another county, is amended to read as follows to clarify an offense is a violation under the Arkansas Criminal Code under § 5-1-108:

(b) Any official of a county or a municipality that violates ~~the provisions of~~ this section upon conviction is guilty of a violation and shall be subject to a fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000), and the conviction shall be grounds for removal from office.

SECTION 52. Arkansas Code § 14-234-402 is amended to read as follows to clarify that the offense is a violation under the Arkansas Criminal Code under § 5-1-108 and to conform the offense to the style of the Arkansas Criminal Code:

14-234-402. Penalty.

The violation of this subchapter or of any rule or regulation adopted by the operating authority ~~shall constitute a misdemeanor~~ is a violation, and upon conviction the ~~offender~~ defendant shall be fined not less than fifty dollars ($50.00) nor more than two hundred dollars ($200) for each offense.

SECTION 53. Arkansas Code § 14-235-227(b), concerning service to county property within the boundaries of a municipality for municipal sewage systems, is amended to read as follows to insert a reference that was inadvertently omitted:

(b) The county shall provide payment for:

(1) Costs associated with the connection to the sewage collection system or sewage treatment plant operated by the municipality for

the property owned by the county; and

(2) Services at the rates charged to other customers of the sewage collection system or sewage treatment plant.

SECTION 54. Arkansas Code § 14-235-301(a), concerning penalties for municipal sewage systems, is amended to read as follows to clarify that the offense is an unclassified misdemeanor and to conform the offense to the style of the Arkansas Criminal Code:

(a)(1) It is ~~declared a misdemeanor~~ unlawful for any person to:

(A) Injure, damage, or destroy any public sewer; or

(B) Fail or refuse to connect with or tap the sewers of a municipality within the time prescribed by an ordinance of the municipality.

(2)(A) ~~Any person so offending shall be punished on~~ Upon conviction for violating subdivision (a)(1) of this section, a defendant is guilty of an unclassified misdemeanor and subject to ~~by~~ fine or imprisonment, or both, ~~at the discretion of the court,~~ in any sum not more than five hundred dollars ($500) and for a period not longer than six (6) months.

(B)(i) ~~An offender shall also be~~ The defendant is also liable for all damages that ~~shall be~~ are found by the ~~jury~~ finder of fact.

(ii) The sum so found, judgment shall be rendered in favor of the municipality, and execution shall issue on it as on other judgments at law.

SECTION 55. Arkansas Code § 14-236-106(c)(1), concerning penalties under the Arkansas Sewage Disposal Systems Act, is amended to read as follows to clarify that the offense is a violation under the Arkansas Criminal Code under § 5-1-108 and to conform the offense to the style of the Arkansas Criminal Code:

(c)(1) Any person, firm, corporation, or association who violates ~~any of the provisions of~~ this chapter or any rules promulgated under the authority of this chapter ~~shall, upon conviction, be deemed guilty of a misdemeanor~~ upon conviction is guilty of a violation and shall be ~~punished by~~ sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000).

SECTION 56. Arkansas Code § 14-249-103(c), concerning procedure for

tapping service of suburban sewer districts, is amended to read as follows to clarify that the offense is a violation under the Arkansas Criminal Code under § 5-1-108, to conform the offense to the style of the Arkansas Criminal Code, and to make stylistic changes:

(c)(1) Any party who makes an excavation for a connection or a connection to the lines of a sanitary sewer district coming under the provisions of this section, §§ 14-249-101, and ~~14-249-103~~ 14-249-104 — 14-249-106 and who fails to obtain a permit shall be:

(A) ~~required~~ Required to pay to the sanitary sewer district double the regular connection charge; ~~and shall be required~~

(B) Required to remove the earth so that the inspector can see the connection made~~.~~; and

(C) Subject to prosecution under subdivision (c)(2) of this section.

(2) ~~Furthermore, the person shall be subject to prosecution and~~ A person who violates subdivision (c)(1) of this section upon conviction is guilty of a violation and subject to a fine of not less than ten dollars ($10.00) for the first offense and one hundred dollars ($100) for the second offense.

SECTION 57. Arkansas Code § 14-251-103 is amended to read as follows to clarify that the offense is a violation under the Arkansas Criminal Code under § 5-1-108 and to conform the offense to the style of the Arkansas Criminal Code:

14-251-103. Penalty.

The violation of this chapter or of any rule or regulation adopted by the operating authority ~~shall constitute a misdemeanor~~ is a violation, and upon conviction the ~~offender~~ defendant shall be fined not less than fifty dollars ($50.00) nor more than two hundred dollars ($200) for each offense.

SECTION 58. Arkansas Code § 14-262-101(a), concerning penalties for local health authorities, is amended to read as follows to clarify that the offense is an unclassified misdemeanor and to conform the offense to the style of the Arkansas Criminal Code:

(a) Every firm, person, or corporation violating ~~any of the provisions of~~ this chapter, or any of the orders, rules, or regulations made and

promulgated ~~in pursuance of this chapter, shall be deemed~~ under this chapter upon conviction is guilty of ~~a~~ an unclassified misdemeanor and ~~upon conviction thereof~~ shall be ~~punished by~~ sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or by imprisonment not exceeding one (1) month, or both. Each day of violation shall constitute a separate offense.

SECTION 59. Arkansas Code § 14-268-103(a), concerning penalties for violations under the flood loss prevention chapter, is amended to read as follows to clarify that the is a violation under the Arkansas Criminal Code under § 5-1-108 and to conform the offense to the style of the Arkansas Criminal Code:

(a) Any person or corporation who violates any measure adopted under this chapter that prohibits the development of land by improvements that are exposed to flood damage or that are threatened by flood hazards upon conviction is guilty of a violation and may be fined not more than five hundred dollars ($500) for each offense.

SECTION 60. Arkansas Code § 14-268-106(b), concerning floodplain administrators, is amended to read as follows to repeal obsolete language:

(b) ~~Beginning July 1, 2004, each~~ Each floodplain administrator shall become accredited by the Arkansas Natural Resources Commission under the commission's authority regarding flood control under §§ 15-24-102 and 15-24-109.

SECTION 61. Arkansas Code § 14-271-103(a), concerning applicability of the Arkansas Underground Facilities Damage Prevention Act, is amended to read as follows to repeal obsolete and superfluous language:

(a) The Arkansas Public Service Commission shall~~, after public comment and hearing as provided below,~~ promulgate rules providing for a One Call Center to be established and maintained by all operators subject to the jurisdiction of the commission.

SECTION 62. Arkansas Code § 14-271-104(g)(2), concerning penalties under the Arkansas Underground Facilities Damage Prevention Act, is amended to read as follows to correct a reference:

(2) The report required under subdivision (g)(1) of this section shall include:

(A) The number of complaints submitted;

(B) The number of the submitted complaints that were settled or prosecuted; and

(C) The amount of ~~fines~~ civil penalties collected under this section during the previous quarter.

SECTION 63. Arkansas Code § 14-284-218(d)(2), concerning bonds and certificates of indebtedness for fire protection districts outside cities and towns, is amended to read as follows to correct a reference:

(2) If the bonds are sold at public sale on sealed bids, notice of the sale shall be published one (1) time a week for at least two (2) consecutive weeks in a newspaper having a general circulation throughout the State of Arkansas, with the first publication to be at least twenty (20) days prior to the date of sale, and may be published in such other publications as the ~~director~~ board may determine.

SECTION 64. Arkansas Code § 14-284-410 is amended to read as follows to repeal obsolete language and to make stylistic changes:

14-284-410. Certification of fire department required.

~~No~~ A fire department shall not receive funds under this subchapter ~~after January 1, 1998,~~ unless the fire department is certified by the Arkansas Fire Protection Services Board.

SECTION 65. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the

Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 15 OF THE ARKANSAS CODE CONCERNING NATURAL RESOURCES AND ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 15 OF THE ARKANSAS CODE CONCERNING NATURAL RESOURCES AND ECONOMIC DEVELOPMENT.

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

SECTION 1. Arkansas Code § 15-3-405(a), concerning the rules of the Arkansas Economic Development Commission, is amended to read as follows to clarify a reference and make stylistic changes:

(a) ~~The Arkansas Economic Development Commission, through~~ Through the promulgation of rules in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., the Arkansas Economic Development Commission shall establish procedures consistent with this subchapter to carry out the intent of this ~~legislation~~ subchapter.

SECTION 2. Arkansas Code § 15-4-607 is amended to read as follows to correct word usage and make stylistic changes:

15-4-607. Power to accept grants.

The Arkansas Economic Development Council ~~is authorized to~~ may accept grants to ~~its~~ the council's Revenue Bond Guaranty Reserve Account from any

federal agencies, municipalities, corporations, foundations, individual ~~donees~~ donors, or authorities.

SECTION 3. Arkansas Code § 15-4-1907(b), concerning verification by the Department of Finance and Administration of businesses that have entered into a financial incentive plan with the Arkansas Economic Development Commission, is amended to read as follows to delete obsolete language and make stylistic changes:

(b) The department may promulgate rules ~~and regulations~~ necessary for the proper administration of ~~the provisions of~~ this subchapter.

SECTION 4. Arkansas Code § 15-5-108 is amended to read as follows to clarify a reference:

15-5-108. Regular salaries.

There are established for the Arkansas Development Finance Authority the following titles and grades for each position. The salary for the positions assigned to each grade shall be determined in accordance with the pay level for the grade assigned in this section as established in § 21-5-209.

Class Code	Title	No. of Employees	Grade
EEX20A	FINANCE AUTHORITY ~~DIRECTOR~~ PRESIDENT	1	EXE02
FAC05P	ACCOUNTING SUPERVISOR/EXPERT	1	SPC04
FAC06C	ASSISTANT CONTROLLER	1	SPC05
FAU08P	INTERNAL AUDITOR	1	SPC05
FFS02P	FISCAL SUPPORT COORDINATOR	1	SGS06
FIN03P	FINANCE SUPERVISOR/EXPERT	1	SPC06
HDH05P	HR COORDINATOR	1	SGS07
LAT04P	ATTORNEY II	1	SPC05
LAT06C	ATTORNEY IV	1	SPC09
PAS01P	ADMINISTRATIVE ANALYST	2	SGS05
PAS08I	EXECUTIVE ASSISTANT	3	SGS07
PCO01P	COMMERCE PROGRAM COORDINATOR	13	SGS07
PCO03P	COMMERCE PROGRAM SPECIALIST	15	SGS06
PCO04P	COMMERCE PROGRAM SUPERVISOR/EXPERT	1	SGS08
PPE12C	STUDENT LOAN DIRECTOR	1	SPC09
PPF01P	PUBLIC FINANCE OFFICER	8	SPC05

PPF02P PUBLIC FINANCE OFFICER SUPERVISOR/EXPERT 3 SPC07

SECTION 5. Arkansas Code § 15-5-411 is amended to read as follows to correct word usage and make stylistic changes:

15-5-411. Grants to fund.

The Arkansas Development Finance Authority ~~is authorized to~~ may accept grants to ~~its~~ the Arkansas Development Finance Authority's Bond Guaranty Reserve Account from any state or federal agencies, municipalities, corporations, foundations, individual ~~donees~~ donors, or authorities, specifically including~~, but not limited to,~~ without limitation allocations from the Treasurer of State as ~~hereinafter~~ provided in this subchapter.

SECTION 6. Arkansas Code § 15-11-1003(e), concerning the duties and responsibilities of persons engaged in outdoor recreation activities, is amended to read as follows to correct a grammatical error and make stylistic changes:

(e) This subchapter ~~shall not be construed to~~ does not extend liability to a tramway operator for injury to or death of a participant or other individual or damage to property resulting from a passenger who:

(1) Is unfamiliar with the use of a recreational tramway; or

(2) Believes he or she does not:

(A) Have sufficient knowledge to embark on, disembark from, or negotiate a recreational tramway~~;~~,

~~(B) Ask~~ and the passenger does not ask the tramway operator for instruction on the use of the recreational tramway or to provide the knowledge to embark on, disembark from, or negotiate the recreational tramway; and

~~(C)~~(B) Have the ability or physical dexterity to embark on, disembark from, or negotiate a recreational tramway.

SECTION 7. Arkansas Code § 15-20-309(l)(B), concerning the power of the Arkansas Natural Heritage Commission to receive gifts of property and to acquire real estate for trade or exchange, is amended to read as follows to repeal a reference to an obsolete fund and clarify a reference:

(B) Any funds and income from any property described in subdivision (l)(A) of this section shall be deposited into the State Treasury

into the ~~Department of Arkansas Heritage Endowment Trust Fund [abolished]~~ Division of Arkansas Heritage Fund Account and expended in the same manner as other state moneys are expended upon ~~vouchers~~ warrants drawn by the ~~Director~~ disbursing officer of the Arkansas Natural Heritage Commission; and

SECTION 8. Arkansas Code § 15-20-1107(e)(2), concerning the nutrient management plan under the Arkansas Soil Nutrient Application and Poultry Litter Utilization Act, is amended to read as follows to correct word usage:

(2) An alleged violation of this section is not a basis for a private right of action or any other action other than enforcement of the terms of the nutrient management plans with the exception that the commission may collect administrative ~~fines~~ penalties as authorized under § 15-20-1113.

SECTION 9. Arkansas Code § 15-20-1108(f)(2), concerning the poultry litter management plan under the Arkansas Soil Nutrient Application and Poultry Litter Utilization Act, is amended to read as follows to correct word usage:

(2) An alleged violation of this section is not a basis for a private right of action or any other action other than enforcement of the terms of the poultry litter management plans with the exception that the commission may collect administrative ~~fines~~ penalties as authorized under § 15-20-1113.

SECTION 10. Arkansas Code § 15-21-311(d)(2)(A), concerning superseded legacy Arkansas plane coordinate systems, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "thirty-four degrees forty minutes (34° 46’ north)" to "thirty-four degrees forty-six minutes (34° 46’ north)" resulting from Acts 2025, No. 214, § 9.

(2)(A) Both the Arkansas Coordinate System 1983 and the Arkansas Coordinate System 1927 south zone have standard parallels at north latitudes of thirty-three degrees eighteen minutes (33° 18’ north) and thirty-four degrees forty-six minutes (34° 46’ north), along which parallels the scale shall be exact.

SECTION 11. Arkansas Code § 15-22-904(6), concerning the powers of the Arkansas Natural Resources Commission, is amended to read as follows to

delete obsolete language:

(6) Issue orders to implement or enforce any of the provisions of this subchapter ~~or regulations~~ or rules under this subchapter;

SECTION 12. Arkansas Code Title 15, Chapter 45, Subchapter 3, is repealed because it is obsolete.

~~Subchapter 3 — Nongame Preservation~~

~~15-45-301. Legislative intent.~~

~~(a) The General Assembly declares that it is the public policy of the State of Arkansas to promote sound management, conservation, and public awareness of Arkansas' rich diversity of native plants and nongame animals. Many of these species, subspecies, or populations of animals and plants are rare, threatened, or endangered or are of special significance to the state, and it is in the best interest of the state to provide for their conservation both for present and future generations. So, too, it is in the state's interest to provide for the protection of natural areas harboring significance or having unusual importance to the survival of Arkansas' native animals and plants in their natural environments.~~

~~(b) It is the purpose of this subchapter and § 26-51-434 [repealed] to provide a means by which the protection of nongame species of animals and native plants may be financed in part through a voluntary checkoff designation on state income tax return forms, whereby an individual taxpayer may designate a portion or all of his or her income tax refund to be withheld and contributed for the purposes set forth in this subchapter and § 26-51-434 [repealed]. It is the intent of the General Assembly that this program of income tax checkoff is supplemental to any funding and in no way is intended to take the place of funding that would otherwise be appropriated for this purpose.~~

~~15-45-303. Expenditures generally.~~

~~(a) All moneys contributed for Nongame Preservation Program purposes pursuant to the state income tax refund check-off system authorized by this subchapter and § 26-51-434 [repealed] and the interest earned thereon shall be expended for the purpose of protecting, preserving, and restoring the nongame resources of this state, and shall include such activities as the~~

~~development and implementation of management programs, the acquisition of lands, public education, or other activities appropriate to the furtherance of the purposes of this subchapter upon appropriation therefor by the General Assembly, but for no other purpose.~~

~~(b) All state agencies are authorized to make application to the Arkansas State Game and Fish Commission for a grant from the Nongame Preservation Fund [abolished] to effectuate the purposes of this subchapter.~~

~~(c) No expenditure shall be made without the approval and authorization of the Governor.~~

~~(d) Funds from this source may be used for restoring and protecting nongame animals and plants, both terrestrial and aquatic, but the highest priority shall be accorded to populations of rare, endangered, or threatened native organisms or organisms of special interest to this state.~~

~~15-45-304. Purchase of land.~~

~~(a) When the purchase of lands by state agencies is considered as an appropriate strategy for the protection of certain nongame species, the lands considered shall be restricted to:~~

~~(1) Natural communities, both terrestrial and aquatic, that exhibit the highest degree of integrity and least evidence of disturbance; and~~

~~(2) Habitats of Arkansas's rarest and most severely endangered or threatened native organisms.~~

~~(b) Decisions for land purchase under the Nongame Preservation Program will take into account the availability and preservation status of all Arkansas lands known to represent whatever particular value may be under consideration. In accordance with the same system of priorities, funds from this source may be used for restoring and protecting natural communities, both terrestrial and aquatic, and populations of rare, endangered, or threatened native organisms.~~

~~15-45-305. Balance of funds carried forward annually.~~

~~All balances in the Nongame Preservation Program shall be carried forward each year so that no part thereof shall revert to the General Fund of this state.~~

~~15-45-306. Costs of administration transferred to Constitutional Officers Fund and State Central Services Fund.~~

~~The incremental costs of administration of the contributions, not to exceed five percent (5%) of the Nongame Preservation Fund [abolished] during the first fiscal year of the Nongame Preservation Program and not to exceed one percent (1%) of the Nongame Preservation Fund [abolished] for each year after that, shall be transferred out of the Nongame Preservation Fund [abolished] provided in §§ 15-45-303 and 15-45-304, upon certification by the Chief Fiscal Officer of the State for credit by the Treasurer of State to the Constitutional Officers Fund and State Central Services Fund, before any funds are expended as provided in this section.~~

SECTION 13. Arkansas Code § 15-72-325(d)(2), concerning the obligation of operators and working interest owners to mineral owners, is amended to read as follows to clarify a reference:

(2) If deductions or expenses are taken by the operator or the nonoperating working interest owner or owners that is or are a party to the lease that are not in accordance with the lease terms, including deductions and expenses pertaining to royalty gas, then the deductions or expenses not specifically allowed by the applicable lease shall be reimbursed to the royalty owner within thirty (30) days of the ~~deduction~~ deductions or expenses being taken from the royalty payment of the royalty owner.

SECTION 14. Arkansas Code § 15-74-401(a), concerning the penalty for a dealer in relation to the sale of oil and gas, is amended to read as follows to clarify that a criminal offense is a violation under § 5-1-108 of the Arkansas Criminal Code:

(a) ~~A~~ Upon conviction, a dealer ~~shall be~~ is guilty of a ~~misdemeanor~~ violation and ~~upon conviction~~ shall be fined in any sum not less than fifty dollars ($50.00) nor more than five hundred dollars ($500), if ~~that~~ the dealer:

(1) Offers for sale any of the oils or fluids mentioned in this subchapter that:

(A) Have not been tested; or

(B) Having been tested, fail to comply with the specifications set out in this subchapter; or

(2) Fails to comply with all the requirements of any section of this subchapter or rules promulgated by the Secretary of the Department of Finance and Administration under authority of this subchapter.

SECTION 15. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT CEB/CEB
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 16 OF THE ARKANSAS CODE CONCERNING PRACTICE, PROCEDURE, AND COURTS; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 16 OF THE ARKANSAS CODE CONCERNING PRACTICE, PROCEDURE, AND COURTS.

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

SECTION 1. Arkansas Code Title 16, Chapter 10, Subchapter 1, is amended to add an additional section to read as follows that contains language being repealed from Arkansas Code § 16-98-303(f) by Section 15 of this act:

16-10-145. Division of Specialty Court Programs — Creation — Powers and Duties.

(a) A Division of Specialty Court Programs is created within the Administrative Office of the Courts.

(b) The position of Specialty Court Coordinator is created within the Division of Specialty Court Programs, and the Specialty Court Coordinator shall:

(1) Provide assistance, counsel, and advice to the Specialty Court Program Advisory Committee;

(2) Serve as a coordinator between drug court program judges, the Division of Community Correction, the Division of Aging, Adult, and

Behavioral Health Services of the Department of Human Services, private treatment provider representatives, and public health advocates;

(3) Establish, manage, and maintain a uniform statewide drug court information system to track information and data on drug court program participants to be reviewed by the committee;

(4) Train and educate drug court program judges and drug court program staff in those judicial circuits maintaining a drug court program; and

(5) Develop guidelines to be reviewed by the committee to serve as a framework for developing effective local drug court programs and to provide a structure for conducting research and evaluation for drug court program accountability.

SECTION 2. Arkansas Code § 16-13-327, concerning juvenile probation officers, is amended to add the following subsection being repealed from Arkansas Code § 16-13-328 in Section 3 of this act:

(e) In order for the General Assembly to make an informed decision on any appropriation increase request, the office shall include with any request for an appropriation increase for juvenile probation officers that is over the previous fiscal year total appropriation the following information:

(1) A letter explaining the purpose or reason for the requested appropriation increases along with the total dollar amount requested, the change level or increase requested, and the funding source of the increase; and

(2) For all juvenile probation officers, a report that includes:

(A) Current salaries and previous fiscal years' salaries;

(B) Current years of service; and

(C) Listing of salary increases received by an employee during the current or previous fiscal year.

SECTION 3. Arkansas Code § 16-13-328(e), concerning juvenile probation officers, is repealed because the subsection is being moved to Arkansas Code § 16-13-327 in Section 2 of this act.

~~(e) In order for the General Assembly to make an informed decision on any appropriation increase request, the office shall include with any request for an appropriation increase for juvenile probation officers that is over~~

~~the previous fiscal year total appropriation the following information:~~

~~(1) A letter explaining the purpose or reason for the requested appropriation increases along with a total dollar amount requested, the change level or increase requested, and the funding source of the increase; and~~

~~(2) For all juvenile probation officers, a report that includes:~~

~~(A) Current salaries and previous fiscal years salaries;~~

~~(B) Current years of service; and~~

~~(C) Listing of salary increases received by an employee during the current or previous fiscal year.~~

SECTION 4. Arkansas Code § 16-13-3002(j)(1), concerning the creation of an additional judgeship in the Nineteenth Judicial District-West, is amended to read as follows to delete obsolete language:

(j)(1) ~~Effective April 1, 2025, there~~ There is created in the Nineteenth Judicial District-West an additional circuit judgeship that shall have jurisdiction in law, equity, probate, and juvenile matters.

SECTION 5. The introductory language of Arkansas Code § 16-22-501(a), concerning the offense of the unauthorized practice of law, is amended to read as follows to conform a culpable mental state to the Arkansas Criminal Code:

(a) A person commits an offense if, with ~~intent~~ purpose to obtain any economic benefit for himself or herself, the person:

SECTION 6. Arkansas Code § 16-22-501(a)(6), concerning the offense of the unauthorized practice of law, is amended to read as follows to clarify a reference:

(6) Contacts any person by telephone or in person for the purpose of soliciting business which is legal in nature, as set forth ~~above~~ in subdivisions (a)(1)–(5) of this section.

SECTION 7. Arkansas Code § 16-56-106 [Effective if contingency in Acts 2021, No. 1032, § 2, is met.] is repealed because the contingency, the Consumer Protection for Medical Debt Collections Practices Act, H.R. 5330, 116th Congress, becoming law on or before January 1, 2026, did not occur and

the section is obsolete.

~~16-56-106. Recovery of charges for medical services. [Effective if contingency in Acts 2021, No. 1032, § 2, is met.]~~

~~(a) No action shall be brought to recover charges for medical services performed or provided prior to April 1, 1985, by a physician or other medical service provider after the expiration of a period of eighteen (18) months from the date the services were performed or provided.~~

~~(b) An action shall not be brought to recover charges for medical services performed or provided after March 31, 1985, by a physician or other medical service provider after the expiration of a period of five (5) years from the date the services were performed or provided or from the date of the most recent partial payment for the services, whichever is later.~~

SECTION 8. Arkansas Code § 16-82-101(b)(1)(A), concerning human immunodeficiency virus testing for persons charged with certain sexual offenses, is amended to read as follows to add the offense of capital rape and to make stylistic changes:

(b)(1)(A) A person arrested and charged with ~~violating~~ committing rape, § 5-14-103, sexual indecency with a child, § 5-14-110, if the offense is a felony, capital rape, § 5-14-114, sexual assault in the first degree, § 5-14-124, sexual assault in the second degree, § 5-14-125, sexual assault in the third degree, § 5-14-126, sexual assault in the fourth degree, § 5-14-127 ~~§§ 5-14-124 — 5-14-127~~, incest, § 5-26-202, or prostitution, § 5-70-102, may be required by the court having jurisdiction of the criminal prosecution, upon a finding of reasonable cause to believe that the person committed the offense and subject to constitutional limitations, to be tested for the presence of human immunodeficiency virus (HIV) or an antibody to human immunodeficiency virus (HIV) unless the court determines that testing the defendant would be inappropriate and documents the reasons for that determination in the court record.

SECTION 9. Arkansas Code § 16-90-1304(b)(4), concerning applications for earned discharge credits while on community supervision, is amended to read as follows to clarify its application:

(4) The parolee, ~~or~~ probationer, or person on post-release supervision may file a petition for review in the sentencing court.

SECTION 10. Arkansas Code § 16-90-1304(c), concenring applications for earned discharge credits while on community supervision, is amended to read as follows to clarify its application:

(c) If the prosecuting attorney or the board does not file an objection, upon the filing of a petition in the sentencing court by the parolee, ~~or~~ probationer, or person on post-release supervision stating that no objections have been filed, the court may discharge the ~~person~~ parolee, probationer, or person on post-release supervision immediately if the date upon which the completion of the sentence has passed.

SECTION 11. Arkansas Code § 16-92-118(b)(1), concerning collection and deposit of fines, is amended to read as follows to delete obsolete language regarding city courts:

(b)(1) Notwithstanding § 16-13-709, the governing body or, if applicable and by mutual agreement, each governing body of a political subdivision that contributes to the expenses of a district court ~~or the governing body of the city in which a city court is located~~ may designate the responsibility for the electronic collection of fines assessed in that district court ~~or that city court~~ to the Administrative Office of the Courts.

SECTION 12. Arkansas Code § 16-92-118(c), concerning collection and deposit of fines in city courts, is repealed because it is obsolete.

~~(c) Fines collected in each city court by the Administrative Office of the Courts shall be disbursed by the fifth working day of the following month to the city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in that city court to be disbursed to the general fund or other city fund, state agency, or state entity as provided by law.~~

SECTION 13. Arkansas Code § 16-92-118(e)(1) and (2), concerning collection and deposit of fines, is amended to read as follows to delete obsolete language regarding city courts:

(e)(1) This section does not prohibit the county or city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in a circuit court~~,~~ or district court~~,~~

~~or city court~~ of this state from the electronic collection of fines. The quorum court of each county may establish a transaction fee to be charged by the county official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in a circuit court within that county for any electronic payment of a court-ordered fine by an approved credit card or debit card.

(2) The governing body or, if applicable and by mutual agreement, each governing body of a political subdivision that contributes to the expenses of a district court ~~or the governing body of the city in which a city court is located~~, may establish a transaction fee to be charged by the city or county official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in that district court ~~or city court~~ for any electronic payment of a court-ordered fine by an approved credit card or debit card.

SECTION 14. Arkansas Code § 16-92-118(f)(1), concerning collection and deposit of fines, is amended to read as follows to delete obsolete language regarding city courts:

(f)(1) The procedures established by this section apply to the assessment and collection of all monetary fines, however designated, imposed by circuit courts~~,~~ or district courts~~, or city courts~~ for criminal convictions, traffic convictions, civil violations, and juvenile delinquency adjudications and shall be used to obtain prompt and full payment of all such fines.

SECTION 15. Arkansas Code § 16-98-303(f), concerning the creation of the Division of Specialty Court Programs and the Specialty Court Coordinator, is repealed because the subsection is being transferred to Arkansas Code § 16-10-145 by Section 1 of this act.

~~(f) A Division of Specialty Court Programs is created within the Administrative Office of the Courts. The position of Specialty Court Coordinator is created within the Division of Specialty Court Programs, and the Specialty Court Coordinator shall:~~

~~(1) Provide assistance, counsel, and advice to the Specialty Court Program Advisory Committee;~~

~~(2) Serve as a coordinator between drug court program judges,~~

~~the Division of Community Correction, the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services, private treatment provider representatives, and public health advocates;~~

~~(3) Establish, manage, and maintain a uniform statewide drug court information system to track information and data on drug court program participants to be reviewed by the Specialty Court Program Advisory Committee;~~

~~(4) Train and educate drug court program judges and drug court program staff in those judicial circuits maintaining a drug court program; and~~

~~(5) Develop guidelines to be reviewed by the Specialty Court Program Advisory Committee to serve as a framework for developing effective local drug court programs and to provide a structure for conducting research and evaluation for drug court program accountability.~~

SECTION 16. Arkansas Code Title 16, Chapter 111, is amended to add an additional section to read as follows to give the chapter a title consistent with the Uniform Declaratory Judgments Act:

16-111-116. Short title.

This chapter may be cited as the Uniform Declaratory Judgments Act.

SECTION 17. Arkansas Code § 16-123-606(d), concerning the prohibition of a public educational institution from requiring a license-seeking student to engage in activity that would conflict with the license-seeking student's sincerely held religious belief, is amended to read as follows to clarify a reference:

(d) A public educational institution within the state shall not require a license-seeking student to assist or provide services to a client or potential client in pursuit of goals, outcomes, or behaviors that conflict with the license-seeking student's sincerely held religious belief unless it is demonstrated that the requirement that the ~~person~~ license-seeking student assist or provide services in this particular instance is:

(1) Essential to further a compelling governmental interest; and

(2) The least restrictive means of furthering that compelling governmental interest.

SECTION 18. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JMB/JMB
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 17 OF THE ARKANSAS CODE CONCERNING PROFESSIONS, OCCUPATIONS, AND BUSINESSES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 17 OF THE ARKANSAS CODE CONCERNING PROFESSIONS, OCCUPATIONS, AND BUSINESSES.

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

SECTION 1. Arkansas Code § 17-20-303(d)(1), concerning the application for licensure as a barber, is amended to make a stylistic change to read as follows:

(d)(1) An unlicensed person applying for a license who has at least one thousand five hundred (1,500) hours of barber training may be granted registration by examination upon proof of training by the ~~state board in the~~ proper authorities of the state in which the person received the training or by another appropriate authority and upon making application as required by law and upon payment of an application fee and examination fee.

SECTION 2. Arkansas Code Title 17, Chapter 35, Subchapter 6, is repealed as obsolete as interior designers are licensed and regulated by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers under § 17-35-101 et seq. and § 17-35-301 et seq.

~~Subchapter 6 — Arkansas Residential Interior Designers Title Registration Act~~

~~17-35-601. Title.~~

~~This subchapter, §§ 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 may be cited as the "Arkansas Residential Interior Designers Title Registration Act".~~

~~17-35-602. Purpose.~~

~~The purpose of this subchapter, §§ 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 is to register and regulate persons known as registered residential interior designers, in the public interest, and to prohibit the use of the title of "registered residential interior designer" by persons who are not registered.~~

~~17-35-603. Definitions.~~

~~As used in §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803:~~

~~(1) "Board" means the State Board of Registered Residential Interior Designers; and~~

~~(2)(A) "Registered residential interior designer" means a person registered under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803.~~

~~(B)(i) The registered residential interior designer is a design professional who is qualified by education, experience, and examination as authorized by an authority.~~

~~(ii) In general, a registered residential interior designer performs services including preparation of working drawings and documents relative to nonload-bearing interior construction, materials, finishes, space planning, furnishings, fixtures, and equipment.~~

~~(C) Except as provided herein, residential interior design services do not include services that constitute the practice of architecture as defined in the Arkansas Architectural Act, § 17-15-101 et seq., or the practice of engineering as defined in the Arkansas Engineering Act, § 17-30-101 et seq.~~

~~17-35-604. Exemptions — Use of the title.~~

~~(a) Sections 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 shall not apply to persons holding themselves out as "interior decorators" or offering "interior decorating services", such as selection or assistance in selecting surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted lighting, or loose furnishings not subject to regulation under applicable building codes.~~

~~(b) Sections 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 shall not apply to architects licensed by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers, provided that such architects do not refer to themselves as "registered residential interior designers" unless registered under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803.~~

~~(c) Nothing contained in §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 shall prevent any person from rendering residential interior design services, provided such a person does not use the title of "registered residential interior designer" unless registered under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803.~~

~~17-35-605. Penalties.~~

~~Effective January 1, 1994, it shall be a Class A misdemeanor for any person to:~~

~~(1) Use the title of "registered residential interior designer", unless registered under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803;~~

~~(2) Present as his or her own the registration of another;~~

~~(3) Give false or forged evidence to the State Board of Registered Residential Interior Designers or any member thereof in obtaining a registration;~~

~~(4) Falsely impersonate any other practitioner of like or different name;~~

~~(5) Use or attempt to use a registration that has been revoked;~~ ~~or~~

~~(6) Otherwise violate any of the provisions of §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803.~~

~~17-35-606. Funds.~~

~~(a) All moneys collected by the State Board of Registered Residential Interior Designers under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 shall be deposited into a financial institution in this state designated by the board.~~

~~(b) No general revenues of this state shall be appropriated to the board.~~

SECTION 3. Arkansas Code Title 17, Chapter 35, Subchapter 7, is repealed as obsolete as interior designers are licensed and regulated by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers under § 17-35-101 et seq. and § 17-35-301 et seq.

~~Subchapter 7 — State Board of Registered Residential Interior Designers~~

~~17-35-701. Creation.~~

~~(a) There is created the State Board of Registered Residential Interior Designers.~~

~~(b)(1) The State Board of Registered Residential Interior Designers shall consist of seven (7) members. Of the seven (7) members of the State Board of Registered Residential Interior Designers:~~

~~(A) Five (5) shall be registered residential interior designers, one (1) of whom may be a professional full-time design educator, registered or unregistered;~~

~~(B) One (1) shall be an architect licensed by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers who provides design services; and~~

~~(C) One (1) shall be a consumer.~~

~~(2) Members shall be appointed for terms of five (5) years.~~

~~(3) Vacancies shall be filled by appointment by the Governor for the unexpired term.~~

~~(4) No State Board of Registered Residential Interior Designers member shall serve consecutive terms.~~

~~(c)(1) A majority of the members on the State Board of Registered Residential Interior Designers shall constitute a quorum.~~

~~(2) Decisions of the State Board of Registered Residential Interior Designers shall be made by a majority vote of a quorum.~~

~~(d) The State Board of Registered Residential Interior Designers shall~~

~~hold at least two (2) regular meetings each year and such other meetings as are deemed necessary.~~

~~(e)(1) The State Board of Registered Residential Interior Designers shall elect annually from its members a chair and vice chair to hold office for one (1) year and an executive secretary who may or may not be a member of the State Board of Registered Residential Interior Designers.~~

~~(2) The executive secretary shall hold the office at the pleasure of the State Board of Registered Residential Interior Designers and may receive a salary determined by the State Board of Registered Residential Interior Designers.~~

~~(f)(1) State Board of Registered Residential Interior Designers members shall serve without compensation but may receive expense reimbursement in accordance with § 25-16-901 et seq.~~

~~(2) The State Board of Registered Residential Interior Designers shall fix the compensation of its employees by resolution adopted at a regular meeting of the State Board of Registered Residential Interior Designers.~~

~~17-35-702. Powers and duties of the board.~~

~~The State Board of Registered Residential Interior Designers:~~

~~(1) Shall administer, coordinate, and enforce the provisions of this section and §§ 17-35-601 — 17-35-606, 17-35-701, and 17-35-801 — 17-35-803;~~

~~(2) May investigate allegations of misconduct and suspend registrations concerning the provisions of this section and §§ 17-35-601 — 17-35-606, 17-35-701, and 17-35-801 — 17-35-803;~~

~~(3) Shall adopt rules in the manner prescribed by the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to carry out the purposes and policies of this section and §§ 17-35-601 — 17-35-606, 17-35-701, and 17-35-801 — 17-35-803, including rules relating to professional conduct, standards of performance and professional examination and registration, registration renewal requirements, application, renewal, and late fees, suspension and revocation of registrations, and the establishment of a code of ethics for persons registered under this section and §§ 17-35-601 — 17-35-606, 17-35-701, and 17-35-801 — 17-35-803;~~

~~(4) Shall set fees for registration, registration renewals,~~

~~examinations, and all other administrative expenses;~~

~~(5) May require a registrant, as a condition of the renewal of his or her registration, to satisfy continuing education requirements;~~

~~(6) Shall maintain an official roster showing the name, address, and registration number of each interior designer registered under this section and §§ 17-35-601 — 17-35-606, 17-35-701, and 17-35-801 — 17-35-803;~~

~~(7) Shall require registrants to display their registration numbers on all business and advertising instruments, including business cards, stationery, and contracts;~~

~~(8) Shall conduct hearings and keep records and minutes necessary to carry out its functions;~~

~~(9) May, to the extent moneys are appropriated therefor, employ an executive secretary and other employees and fix their compensation; and~~

~~(10) Shall do all things reasonable and necessary to carry out the purposes of this section and §§ 17-35-601 — 17-35-606, 17-35-701, and 17-35-801 — 17-35-803.~~

SECTION 4. Arkansas Code Title 17, Chapter 35, Subchapter 8, is repealed as obsolete as interior designers are licensed and regulated by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers under § 17-35-101 et seq. and § 17-35-301 et seq.

~~Subchapter 8 — Registration Requirements~~

~~17-35-801. Registration of residential interior designers.~~

~~(a) It is unlawful for any person who, after January 1, 1994, is not registered under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803 as a residential interior designer to advertise as a registered residential interior designer, to use the title of "registered residential interior designer" or any other words, letters, figures, or other devices for the purpose of implying, directly or indirectly, that the person is registered under §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803.~~

~~(b) It is unlawful for any company, partnership, association, corporation, or other similar organization to advertise that it is in the position to provide the services of a registered residential interior designer unless the persons providing such services are in the responsible~~

~~charge of a registered residential interior designer.~~

~~(c) An applicant for registration as a registered residential interior designer shall establish to the satisfaction of the State Board of Registered Residential Interior Designers that the applicant:~~

~~(1) Is at least twenty-one (21) years of age;~~

~~(2) Has not been convicted of an offense that bears directly on the fitness of the applicant to be registered;~~

~~(3) Has passed or supplied proof of passage of the examination required by §§ 17-35-601 — 17-35-606, 17-35-701, 17-35-702, and 17-35-801 — 17-35-803; and~~

~~(4) Meets any other requirements established by the board.~~

~~17-35-802. Requirements for registration.~~

~~(a) Each applicant for registration shall provide substantial evidence to the State Board of Registered Residential Interior Designers that the applicant:~~

~~(1) Has taken and passed the Council for Qualification of Residential Interior Designers examination; and~~

~~(2)(A) Is a graduate of a five-year interior design program from an accredited institution and has completed at least one (1) year of diversified and appropriate residential interior design experience;~~

~~(B) Is a graduate of a four-year interior design program or a master's degree program in interior design from an accredited institution and has completed at least two (2) years of diversified and appropriate residential interior design experience; or~~

~~(C) Is a licensed architect certified by the Arkansas State Board of Architects, Landscape Architects, and Interior Designers.~~

~~(b) Each interior design program must be an interior design program of an institution accredited by the North Central Association of Colleges and Schools, or a program determined by the State Board of Registered Residential Interior Designers to be substantially equivalent to such an accredited program.~~

~~(c) Six (6) years from the date of passage, completion of a monitored internship development program may be required as part or all of the residential interior design experience requirement.~~

~~(d) The State Board of Registered Residential Interior Designers shall~~

~~waive examination requirements for an individual who provides proof of passage of the Council for Qualification of Residential Interior Designers examination and who is registered, licensed, or certified as an interior designer in another state, the District of Columbia, or a foreign country, provided that that jurisdiction's requirements for registration are substantially equivalent to those required for registration in this state.~~

~~(c) Every registration shall expire annually on a day designated by the State Board of Registered Residential Interior Designers.~~

~~17-35-803. Registration renewal.~~

~~(a) Every registered residential interior designer shall annually renew his or her registration, submit proof of completion of continuing education units as required by the State Board of Registered Residential Interior Designers, and pay the renewal fee established by the board.~~

~~(b) It is unlawful for any residential interior designer who fails to renew his or her registration to continue to use the title of "registered residential interior designer".~~

SECTION 5. Arkansas Code § 17-42-515(3), concerning violations for purposes of the Real Estate License Law, § 17-42-101 et seq., is reenacted to ratify the decision of the Arkansas Code Revision Commission to add language from Acts 2019, No. 990, § 47, omitted by Acts 2025, No. 392, § 38.

(3) Committing an act, a felony listed under § 17-3-102, or a crime involving violence, fraud, dishonesty, untruthfulness, or untrustworthiness regardless of whether the imposition of the sentence has been deferred or suspended;

SECTION 6. Arkansas Code § 17-46-304 is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "subchapter" to "chapter" resulting from Acts 2025, No. 435, § 1.

17-46-304. Rules.

The Department of Health may promulgate rules relating to the certification and regulation of community health workers under this chapter.

SECTION 7. Arkansas Code § 17-81-107(c)(4)(A), concerning a civil action against a chiropractic physician for certain actions related to the

use of a procurer, is amended to make a stylistic change to read as follows:

(4)(A) A private civil action in any court of competent jurisdiction if the person suffered a pecuniary loss because of the chiropractic physician's violation of this section.

SECTION 8. Arkansas Code § 17-81-107(i), concerning unlawful actions by a chiropractic physician related to the use of a procurer, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "motor vehicle accident" to "accident, disaster, or other event" in subdivision (i)(2) resulting from Acts 2025, No. 309, § 5.

(i) A chiropractic physician, including his or her employee, agent, independent contractor, or procurer, shall not solicit an individual who has been involved in an accident, disaster, or other event that causes injury for the purpose of treating injuries that the individual sustained or may have sustained in the accident, disaster, or other event unless:

(1) The chiropractic physician has a family or prior professional relationship with the individual; or

(2) The chiropractic physician solicits the individual more than fourteen (14) days after the date of the accident, disaster, or other event.

SECTION 9. Arkansas Code § 17-92-101(27), concerning the definition of "hospital campus" relating to the practice of pharmacy, is amended to correct a grammatical error to read as follows:

(27) "Hospital campus" means the main buildings of the hospital, including areas and structures that are not strictly contiguous to the main ~~building~~ buildings, but excluding parking lots and other parcels dedicated to the public's use.

SECTION 10. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth

General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 18 OF THE ARKANSAS CODE CONCERNING PROPERTY; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 18 OF THE ARKANSAS CODE CONCERNING PROPERTY.

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

SECTION 1. Arkansas Code § 18-15-201(b)(2)(B), concerning the power of local governments to condemn for parks, boulevards, and public buildings and the organization of improvement districts to aid in acquiring parks and boulevards, is amended to read as follows to correct an obsolete reference:

(B) The improvement districts may embrace territory benefited outside of the municipal corporations if a majority in value of the owners of real property in the adjacent territory and a majority in value of the owners of real property in that portion of the district within the municipal corporation shall file with the city or town council a petition thereof in the manner provided by ~~Acts 1889, No. 18, § 2 [repealed]~~ § 14-88-201 et seq.

SECTION 2. Arkansas Code § 18-16-407(b)(1)(B), concerning the notice required before the sale or removal of personal property when the occupant is in default for more than forty-five days, is amended to read as follows to

correct a reference:

(B) Except as provided in subdivision ~~(a)(1)(D)~~ (b)(1)(D) of this section, notice shall be sent by first class mail with certificate of mailing to the occupant at the occupant's last known address.

SECTION 3. Arkansas Code § 18-16-407(b)(1)(D), concerning the notice required before the sale or removal of personal property when the occupant is in default for more than forty-five days, is amended to read as follows to correct a reference:

(D) If an occupant provides an email address and gives permission to the storage facility to use the email address as a legal notification for the occupant's last known address, then the operator may use the email address to send the notice required by subdivision ~~(a)(1)(C)~~ (b)(1)(C) of this section instead of sending the notice by first class mail with certificate of mailing;

SECTION 4. Arkansas Code § 18-49-103(d), concerning judgment in an action on a mortgage or lien, is amended to read as follows to repeal an obsolete reference and make stylistic changes:

(d) Whenever a mortgagee reasonably believes that mortgaged property has or will be affected by a release or threatened release of any hazardous substance including~~, but not limited to, those~~ without limitation as defined by 42 U.S.C. § 9601(14) and (22)~~, or § 8-7-403(a)(8) [repealed],~~ or § 8-7-503, the mortgagee may proceed against the mortgagor personally to recover the debt, without need to first seek a sale of the mortgaged property.

SECTION 5. Arkansas Code § 18-50-115(c), concerning implied powers in mortgages, is amended to read as follows repeal an obsolete reference:

(c) The mortgagee shall comply with §§ 18-50-103 – 18-50-107~~,~~ and 18-50-109, ~~and 18-50-110 [repealed],~~ and the mortgagee's deed shall comply with § 18-50-111.

SECTION 6. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-

Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 19 OF THE ARKANSAS CODE CONCERNING PUBLIC FINANCE; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 19 OF THE ARKANSAS CODE CONCERNING PUBLIC FINANCE.

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

SECTION 1. Arkansas Code § 19-22-103(g)(2), concerning institutions of higher education funds, is amended to read as follows to delete obsolete language due to the abolishment of the Arkansas State Technical Institute by Acts 2021, No. 18, § 14:

(2) The Arkansas State University – Beebe Fund shall be used for the maintenance, operation, and improvement of Arkansas State University-Beebe, including ~~Arkansas State Technical Institute [abolished],~~ Arkansas State University-Searcy~~,~~ and Arkansas State University-Heber Springs.

SECTION 2. Arkansas Code § 19-26-218(d)(1), concerning the Red River Waterways Project Trust Fund, is amended to read as follows to revise obsolete language concerning the Red River Commission, which was abolished and had its powers and duties transferred to the Department of Agriculture by Acts 2023, No. 691:

(d)(1) Investment of the funds available shall be by the Treasurer of

State in such amounts and in such manner as may be directed by the ~~Red River Commission~~ Department of Agriculture.

SECTION 3. Arkansas Code § 19-42-201(212), concerning the enumeration of special revenues, is amended to read as follows to correct a reference:

(212) Revenue-generating technology system contract taxes and fees, ~~§ 19-60-107(d)~~ 19-60-107(b);

SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JMB/JMB
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 20 OF THE ARKANSAS CODE CONCERNING PUBLIC HEALTH AND WELFARE; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 20 OF THE ARKANSAS CODE CONCERNING PUBLIC HEALTH AND WELFARE.

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

SECTION 1. Arkansas Code § 20-6-409(a)(2)(C), concerning informational materials within the No Patient Left Alone Act, is amended to correct an obsolete reference to read as follows:

(C) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs.

SECTION 2. Arkansas Code § 20-9-106(b), concerning electronic medical records by healthcare providers, is amended to clarify a reference to read as follows:

(b) Notwithstanding any other provision of the law to the contrary, a healthcare provider may, in its sole discretion, create, maintain, transmit, receive, and store medical records in an electronic format and may, in its sole discretion, temporarily or permanently convert medical records into an electronic format.

SECTION 3. Arkansas Code § 20-9-106(e), concerning electronic medical records by healthcare providers, is amended to clarify a reference to read as follows:

(e) A tangible copy of a medical record reproduced from an electronically stored medical record shall be considered an original for purposes of providing copies to patients or other authorized parties and for introduction of the medical record into evidence in administrative or court proceedings.

SECTION 4. Arkansas Code § 20-13-1102(b), concerning criminal history checks on applicants for emergency medical services personnel licensure, is reenacted to ratify the decision of the Arkansas Code Revision Commission to substitute "The Department of Health" for the omission of an entity resulting from Acts 2025, No. 384, § 2, and Acts 2025, No. 863, § 25.

(b) The Department of Health shall conduct a state and national criminal history check on the applicant and determine whether the applicant is disqualified from licensure based on the report of the applicant's criminal history and forward its determination to the applicant directly.

SECTION 5. Arkansas Code § 20-27-1707(a)(2), concerning criminal history checks for licensure as emergency medical services personnel, is amended to correct an obsolete reference to read as follows:

(2) The Legislative Council shall forward the report to the Senate Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs.

SECTION 6. Arkansas Code § 20-46-105(a)(1), concerning reports on emotionally disturbed youth, is amended to correct an obsolete reference to read as follows:

(a)(1) The Department of Human Services shall report monthly to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth or appropriate subcommittees thereof the number of children placed in residential and inpatient treatment programs, including sexual offender treatment, when Medicaid is the payment source.

SECTION 7. Arkansas Code § 20-46-106(a)(3), concerning reports on emotionally disturbed youth, is amended to correct an obsolete reference to read as follows:

(3) The department shall provide a report monthly to the Senate Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs reflecting the number of youths in the custody of the department receiving services out of state as follows:

(A) The total number of males and the total number of females currently in inpatient psychiatric programs, excluding sexual offender treatment programs; and

(B) The total number of males and the total number of females currently in inpatient psychiatric programs, including sexual offender treatment programs.

SECTION 8. Arkansas Code § 20-47-505(b)(8), concerning the Child and Adolescent Service System Program Coordinating Council, is amended to correct an obsolete reference to read as follows:

(8) Provide a written report on a quarterly basis to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth that summarizes progress implementing this subchapter;

SECTION 9. Arkansas Code § 20-47-510(d)(1)(B), concerning coordination and oversight of the Comprehensive Children's Behavioral Health System of Care Plan, is amended to correct an obsolete reference to read as follows:

(B) The House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children and Youth.

SECTION 10. Arkansas Code § 20-47-510(e)(1)(B), concerning coordination and oversight of the Comprehensive Children's Behavioral Health System of Care Plan, is amended to correct an obsolete reference to read as follows:

(B) The House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Interim Committee on Children

and Youth.

SECTION 11. Arkansas Code § 20-47-708(2), concerning annual reports under the Arkansas System of Care for Behavioral Healthcare Services for Children and Youth Act, is amended to correct an obsolete reference to read as follows:

(2) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Committee on Children and Youth; and

SECTION 12. Arkansas Code § 20-56-511(h), concerning providing minors with consumable hemp products, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "§ 26-57-256" to "§ 26-57-255" resulting from Acts 2025, No. 934, § 10, and is amended to read as follows to make stylistic changes to conform to the Arkansas Criminal Code:

(h) Any retail permit holder or license holder who violates ~~any provision in~~ this section upon conviction is ~~deemed~~ guilty of a violation and subject to penalties under § 26-57-255.

SECTION 13. Arkansas Code § 20-76-1102(1), concerning reporting by each Area Agency on Aging, is amended to correct an obsolete reference to read as follows:

(1) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs at least one (1) time each year and during a legislative session; and

SECTION 14. Arkansas Code § 20-78-206(e), concerning the rules of the Division of Child Care and Early Childhood Education, is amended to correct an obsolete reference to read as follows:

(e) All rules promulgated pursuant to this section shall be reviewed by the Senate Interim Committee on Children and Youth or an appropriate subcommittee thereof and the Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs.

SECTION 15. Arkansas Code § 20-78-501(d)(1), concerning the Arkansas Early Childhood Commission, is amended to correct an obsolete reference to

read as follows:

(1) The Chair of the Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs or his or her designee;

SECTION 16. Arkansas Code § 20-81-104(a)(3), concerning the Arkansas Veterans' Commission, is amended to correct an obsolete reference to read as follows:

(3) Promote and advance the interests of Arkansas veterans by meeting and acting as an advisory board to the General Assembly on all matters affecting Arkansas veterans, their dependents, and survivors, including without limitation by meeting with the members of the House Legislative, Military and Veterans Affairs Permanent Subcommittee of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs; and

SECTION 17. Arkansas Code § 20-85-101(c), concerning the Family Treatment and Rehabilitation Program for Addicted Women and their Children, is amended to correct an obsolete reference to read as follows:

(c) The program shall report quarterly to the Subcommittee on Children and Youth of the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Senate Committee on Children and Youth.

SECTION 18. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 21 OF THE ARKANSAS CODE CONCERNING PUBLIC OFFICERS AND EMPLOYEES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 21 OF THE ARKANSAS CODE CONCERNING PUBLIC OFFICERS AND EMPLOYEES.

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

SECTION 1. Arkansas Code § 21-4-106(a), concerning the Healthy Employee Lifestyle Program, is amended to read as follows to use a defined term:

(a) As used in this section:

(1) "Employee" means a full-time employee of the State of Arkansas or ~~any branch, department, agency, board, bureau, including the Bureau of Legislative Research, or commission of any branch of state government~~ a state entity;

(2) "Healthy Employee Lifestyle Program" means the incentive program of the Department of Shared Administrative Services that encourages and rewards an employee for regular exercise, good nutrition, and other healthy lifestyle choices; and

(3) "State entity" means a department, agency, bureau, including the Bureau of Legislative Research, board, or commission of any branch of state government.

SECTION 2. Arkansas Code § 21-4-106(d), concerning the Healthy Employee Lifestyle Program, is amended to read as follows to use a defined term:

(d) Each state entity shall identify and maintain, if practicable, in or near each ~~agency~~ state entity building an area or areas that employees may use for walking exercise.

SECTION 3. Arkansas Code § 21-4-214(d)(3)(B), concerning the catastrophic leave program, is amended to read as follows to insert an inadvertently omitted reference:

(B) A state agency director or a president of an institution of higher education may waive the minimum eighty-hour requirement for combined sick and annual leave if the state agency director or the president determines that the employee warrants eligibility because of extraordinary circumstances under the standards and guidelines promulgated under subdivision (h)(2) of this section;

SECTION 4. Arkansas Code § 21-5-411(a)(3)(B)(i), concerning the eligibility of certain retired employees to enroll in the State and Public School Life and Health Insurance Program, is amended to read as follows to correct an inadvertent omission in the amendment of the subchapter by Acts 2015, No. 913, which changed “thirty-one (31) days” to “thirty (30) days” throughout the subchapter:

(B)(i) A state employee or public school employee qualifying for continued participation in the State and Public School Life and Health Insurance Program under this subsection shall be considered an inactive retiree and shall have ~~thirty-one (31)~~ thirty (30) days from the effective date of termination to elect to continue participation in the State and Public School Life and Health Insurance Program under this section by notifying the Employee Benefits Division.

SECTION 5. Arkansas Code § 21-5-1101(a)(2), concerning the merit increase pay system, is reenacted to ratify the decision of the Arkansas Code Revision Commission to add subdivisions (a)(2)(B) and (C) resulting from Acts 2024, No. 172, § 6, that were omitted by Acts 2025, No. 205, § 54.

(2)(A) The merit increase pay system shall be reviewed by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(B) If the department amends the merit increase pay system following its review under subdivision (a)(2)(A) of this section, it shall submit the amended merit increase pay system for approval by the Legislative Council or the Joint Budget Committee in the same manner provided by subdivision (a)(2)(A) of this section.

(C) The department shall not implement an amended merit increase pay system prior to the approval of the amended merit increase pay system under subdivision (a)(2)(B) of this section.

SECTION 6. Arkansas Code § 21-6-403(a)(2), concerning uniform court filing fees, is amended to read as follows to clarify the wording:

(2) ~~A revival of an outstanding judgment under § 16-65-501 shall not be charged a reopening fee under subdivision (a)(1) of this section~~ A judgment creditor shall not be charged a reopening fee under subdivision (a)(1) of this section for the revival of an outstanding judgment under § 16-65-501.

SECTION 7. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes

to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 22 OF THE ARKANSAS CODE CONCERNING PUBLIC PROPERTY; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 22 OF THE ARKANSAS CODE CONCERNING PUBLIC PROPERTY.

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

SECTION 1. Arkansas Code § 22-3-213 is amended to read as follows to repeal an obsolete reference and to make stylistic changes:

22-3-213. Fines paid into State Treasury.

All fines collected for ~~the~~ a violation of § 22-3-210 ~~and § 22-3-212 [repealed]~~ shall be ~~paid~~ deposited into the State Treasury ~~and placed~~ to the credit of the State Apportionment Fund, after which ~~they~~ the fines shall be distributed among the General Revenue Fund Account of the State Apportionment Fund and other funds as provided by law.

SECTION 2. Arkansas Code § 22-6-601(a)(2), concerning the sale procedure for certain lands by public entities, is reenacted to ratify the decision of the Arkansas Code Revision Commission to add subdivision (a)(2)(K) resulting from Acts 2025, No. 944, § 19, because the language it was originally added to was moved by Acts 2025, No. 288, § 1, to subdivision (a)(2) and is amended to read as follows to make stylistic changes:

(2) ~~The provisions of this section shall not~~ This section does not apply to:

(A) The sale of land by the Commissioner of State Lands;

(B) The transfer of state lands to political subdivisions of the State of Arkansas;

(C) The transfer of state lands between state entities;

(D) The exchange of state lands for other lands which are suitable for state purposes if the Secretary of the Department of Finance and Administration has made a recommendation to the Governor that the exchange be made and if the Governor has approved the exchange;

(E) The State Highway Commission;

(F) The Arkansas State Game and Fish Commission;

(G) The Arkansas Natural Heritage Commission;

(H) The State Parks, Recreation, and Travel Commission;

(I) The Division of Higher Education;

(J) An institution of higher education; or

(K) The Arkansas Development Finance Authority.

SECTION 3. Arkansas Code § 22-10-502(a), concerning the duties of the Department of Shared Administrative Services, is amended to read as follows to repeal obsolete language:

(a) The Department of Shared Administrative Services shall promulgate certain rules regarding the definitions and guidelines related to the development of qualifying projects under this chapter ~~within ninety (90) days of August 1, 2017~~.

SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT ANS/ANS
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 23 OF THE ARKANSAS CODE CONCERNING PUBLIC UTILITIES AND REGULATED INDUSTRIES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 23 OF THE ARKANSAS CODE CONCERNING PUBLIC UTILITIES AND REGULATED INDUSTRIES.

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

SECTION 1. Arkansas Code § 23-18-111(a)(1), concerning the closure of electric generation units or transmission assets by settlement agreement, is amended to read as follows to clarify its application:

(a)(1) A public utility shall file an application with the Arkansas Public Service Commission seeking approval of a settlement agreement proposed between the public utility and the United States Government, an agency of the United States, or any other third party if the purpose of all or part of the settlement agreement is the closure, deactivation, or decommissioning of an electric generation unit or a transmission asset located in this state.

SECTION 2. Arkansas Code § 23-39-505(f)(3)(C), concerning a suit on a surety bond by someone with a cause of action, is amended to read as follows to correct consistency of terms:

(C) Every surety bond shall provide for suit on the surety bond by any

person who has a cause of action under this subchapter.

SECTION 3. Arkansas Code § 23-39-513(18), concerning misleading or deceptive use of a mortgage trigger lead, is amended to read as follows to clarify the language and to correct a United States Code cite:

(18) To use a mortgage trigger lead in a misleading or deceptive manner by, including without limitation:

(A) ~~Failing to state in~~ In the initial communication with a consumer, failing to:

(i) ~~The~~ State the loan officer's name and the mortgage broker or mortgage banker on behalf of whom the loan officer is acting;

(ii) ~~A~~ Provide a brief explanation of how the loan officer or his or her sponsor obtained the consumer's contact information to make the communication, or an explanation of a mortgage trigger lead;

(iii) ~~That~~ State that the solicitation is based on personal information about the consumer that was purchased, directly or indirectly, from a consumer reporting agency without the knowledge or permission of the lender, mortgage broker, or mortgage banker with whom the consumer initially applied;

(iv) ~~That~~ State that the loan officer and his or her sponsor is not affiliated with the creditor to which the consumer made the credit application that resulted in the mortgage trigger lead;

(v) ~~That~~ State that the purpose of the communication is to solicit new business for the sponsor; and

(vi) ~~To make~~ Make a firm offer of credit as provided by the Fair Credit Reporting Act, 15 U.S.C. § ~~1681b(e)~~1681b(c), as it existed on January 1, 2025;

(B) Soliciting or contacting a consumer who has opted out of prescreened offers of credit under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., as it existed on January 1, 2025;

(C) Placing a telephone call to a consumer who has placed his or her contact information on a national "Do-Not-Call" registry established and maintained by the Federal Trade Commission under 16 C.F.R. § 310.4, as it existed on January 1, 2025; or

(D) Knowingly using information from a mortgage trigger

lead in violation of this subdivision (18) or the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., as it existed on January 1, 2025.

SECTION 4. Arkansas Code § 23-39-522(d)(6), concerning duties of financial institutions in designing and implementing safeguards for customer information, is reenacted to ratify the decision of the Arkansas Code Revision Commission to reorganize the subdivision to correct grammatical errors resulting from Acts 2025, No. 262, § 8.

(6) Developing, implementing, and maintaining procedures for the secure disposal of customer information in any format no later than two (2) years after the last date the customer information is used in connection with the provision of a financial product or service to the customer, unless:

(A) The customer information is:

(i) Necessary for business operations or for other legitimate business purposes; or

(ii) Otherwise required to be retained by state law or rule, or federal law or regulation; or

(B) Targeted disposal is not reasonably feasible due to the manner in which the customer information is maintained;

SECTION 5. Arkansas Code § 23-51-304(b), concerning failure to file the application for acquisition of control of a state trust company, is amended to read as follows to insert language required by the Arkansas Criminal Code for a criminal offense:

(b) A person who knowingly fails or refuses to file the application for acquisition of control of a state trust company as required by § 23-51-602 ~~commits a~~ upon conviction is guilty of a Class A misdemeanor.

SECTION 6. Arkansas Code § 23-51-1001(b)(1) and (2), concerning shareholder action to liquidate a state trust company, is amended to read as follows to clarify the language:

(b)(1) Shareholder action to liquidate a state trust company shall be taken at a meeting of the shareholders called by resolution of the board of the state trust company, and written notice of the meeting shall be given as provided under subdivision (b)(2) of this section.

(2) The written notice required under subdivision (b)(1) of this

section shall state the purpose of the meeting and be mailed to each shareholder, or in case of a shareholder's death, to the shareholder's legal representative, addressed to the shareholder's last known residence not less than ten (10) days before the date of the meeting.

SECTION 7. Arkansas Code § 23-55-1103(d)(6), concerning duties of financial institutions in designing and implementing safeguards for customer information, is reenacted to ratify the decision of the Arkansas Code Revision Commission to reorganize the subdivision to correct grammatical errors resulting from Acts 2025, No. 557, § 11.

(6) developing, implementing, and maintaining procedures for the secure disposal of customer information in any format no later than 2 years after the last date the customer information is used in connection with the provision of a financial product or service to the customer, unless:

(A) the customer information is:

(i) necessary for business operations or for other legitimate business purposes; or

(ii) otherwise required to be retained by state law or rule, or federal law or regulation; or

(B) targeted disposal is not reasonably feasible due to the manner in which the customer information is maintained;

SECTION 8. Arkansas Code § 23-66-804(c)(3)(C), concerning the financial stability requirements of a provider of online marketplace guarantees, is amended to read as follows to correct a reference for consistency:

(C) Financial statements may include without limitation:

(i) A Form 10-K or Form S-1 filed with the United States Securities and Exchange Commission within the last calendar year, including any amendments; or

(ii) A copy of the ~~company's~~ provider's or the provider's parent company's audited financial statements with a reporting date within the last calendar year.

SECTION 9. Arkansas Code § 23-79-140(e)(3), concerning cost-sharing requirements under a health benefit plan, is amended to read as follows to

clarify the wording:

(3) A healthcare insurer shall ensure that an individual's cost-sharing requirement under a health benefit plan that provides coverage for diagnostic breast examinations, examinations for breast cancer, and supplemental breast examinations shall not impose any cost-sharing requirements for the diagnostic breast examinations, examinations for breast cancer, and supplemental breast examinations.

SECTION 10. Arkansas Code § 23-79-2902(a)(1), concerning coverage for medically necessary treatment related to acquired brain injury, is amended to read as follows to repeal temporary language that has expired:

(a)(1) ~~On and after January 1, 2026, a~~ A health benefit plan that is offered, issued, renewed, delivered, or extended in this state shall provide coverage to an enrollee for medically necessary treatment related to or as a result of an acquired brain injury.

SECTION 11. Arkansas Code § 23-79-3302(a), concerning coverage for breastfeeding and lactation consultant services, is amended to read as follows to repeal temporary language that has expired:

(a) ~~On and after January 1, 2026, a~~ A health benefit plan that is offered, issued, renewed, delivered, or extended in this state shall provide coverage for breastfeeding and lactation consultant services in an outpatient setting to an enrollee.

SECTION 12. Arkansas Code § 23-88-602(6), concerning the definition of "retrofitting" under the Strengthen Arkansas Homes Program Act, is amended to read as follows to conform the definition to Arkansas Code style:

(6) "Retrofitting" or "retrofit" ~~is~~ means the process of modifying an existing building or structure after it has been constructed and occupied.

SECTION 13. Arkansas Code § 23-92-512(a), concerning pharmacy claims, is amended to read as follows to repeal temporary language that has expired:

(a) ~~On and after January 1, 2026, a~~ A contract or a pharmacy provider manual between a pharmacy benefits manager and a pharmacy or a pharmacist shall be updated to indicate that the pharmacy benefits manager will issue,

mail, or otherwise transmit payment with respect to a clean claim submitted by a pharmacy or a pharmacist:

(1) Seven (7) to fourteen (14) days after the date of the receipt of a claim for an electronic claim; or

(2) Thirty (30) days after the date of the receipt of a claim for any other paper or manually submitted claim.

SECTION 14. Arkansas Code § 23-92-512(c), concerning claims submitted to a pharmacy benefits manager, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change "is contested" to "is not contested" resulting from Acts 2025, No. 350, § 7.

(c) A claim submitted to a pharmacy benefits manager that is not paid by the pharmacy benefits manager within the time frame specified in subdivision (a)(1) or subdivision (a)(2) of this section or is not contested by the pharmacy benefits manager within the time frame specified in subdivision (b)(2) of this section shall be:

(1) Deemed to be a clean claim; and

(2) Paid by the pharmacy benefits manager according to subsection (a) of this section.

SECTION 15. Arkansas Code § 23-99-605 is amended to read as follows to repeal obsolete language:

23-99-605. Rules.

~~Within one hundred twenty (120) days of July 30, 1999, the~~ The Insurance Commissioner shall promulgate necessary rules for carrying out this subchapter, giving maximum possible effect to the General Assembly's intent to promote quality medical care through increased choice.

SECTION 16. Arkansas Code § 23-99-1104(b) and (c), concerning website updates and written notice requirements for utilization review entities, are amended to read as follows to correct certain terms for accuracy and consistency:

(b) Before a utilization review entity implements a new or amended prior authorization requirement, clinical criteria, or restriction as described in subdivision (a)(1) of this section, the utilization review entity shall update its website to reflect the new or amended prior

authorization requirement, clinical criteria, or restriction.

(c)(1) Before implementing a new or amended prior authorization requirement, clinical criteria, or restriction, a utilization review entity shall provide contracted healthcare providers written notice of the new or amended prior authorization requirement, clinical criteria, or restriction at least sixty (60) days before implementation of the new or amended prior authorization requirement, clinical criteria, or restriction.

(2) As used in subdivision (c)(1) of this section, "written notice" means actual notice to the healthcare provider via mail, email, or fax.

SECTION 17. Arkansas Code § 23-99-2305(a), concerning conditions on entering into a pharmacy services administrative organization-pharmacy contract, is amended to read as follows to correct a term for accuracy and consistency:

(a) A pharmacy services administrative organization that owns or is owned by, in whole or in part, an entity that manufactures, sells, or distributes prescription drugs, biologicals, or medical devices, as a condition of entering into a pharmacy services administrative organization-pharmacy contract, shall not require that the pharmacy purchase any drugs, biologicals, or medical devices solely from the entity with which the pharmacy services administrative organization has an ownership interest or from an entity with an ownership interest in the pharmacy services administrative organization.

SECTION 18. Arkansas Code § 23-117-103(b)(1), concerning a statewide self-exclusion list for casinos, is reenacted to ratify the decision by the Arkansas Code Revision Commission to change "may also maintain" to "may maintain" resulting from Acts 2025, No. 798, § 1.

(b)(1) At the discretion of the Director of the Arkansas Racing Commission, the Arkansas Racing Commission may maintain a statewide self-exclusion list, and the commission shall:

(A) Join a multi-state or national self-exclusion program operated to ensure responsible gaming services; or

(B) Enter into an agreement with another state or states for the sharing and mutual enforcement of each state's respective self-

exclusion list.

SECTION 19. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 25 OF THE ARKANSAS CODE CONCERNING STATE GOVERNMENT; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 25 OF THE ARKANSAS CODE CONCERNING STATE GOVERNMENT.

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

SECTION 1. Arkansas Code § 25-4-104(c), concerning the Office of State Technology, is amended to read as follows to delete obsolete language and to make stylistic changes:

(c) ~~The director, in~~ In consultation with the Secretary of the Department of Shared Administrative Services, the director may establish divisions and the organizational structure deemed necessary and appropriate for the efficient performance of the duties imposed under ~~the provisions of~~ this chapter, provided the organizational structure of the Office of State Technology shall conform to the positions authorized and limitations provided ~~therefor~~ for the Office of State Technology in the ~~biennial~~ appropriation ~~of~~ for the Office of State Technology.

SECTION 2. Arkansas Code § 25-4-129(a), concerning gifts, grants, and donations to the Office of State Technology, is amended to read as follows to correct word usage and to make stylistic changes:

(a) The Director of the Office of State Technology may accept on behalf of the Office of State Technology funds from any source, including ~~but not limited to~~ without limitation:

(1) Special revenue;

(2) General revenue;

(3) Gifts;

(4) Grants;

(5) Cash;

(6) Bequests;

(7) ~~Devices;~~ Devises;

(8) Donations;

(9) Real property;

(10) Personal property; and

(11) Equipment.

SECTION 3. Arkansas Code § 25-4-130(c), concerning statewide data integration and exchange, is amended to read as follows to clarify its application:

(c) State information may be made available only if doing so does not violate:

(1) State confidentiality and disclosure laws ~~as they existed on January 1, 2025~~; or

(2) Federal confidentiality and disclosure laws as they existed on January 1, 2025.

SECTION 4. Arkansas Code § 25-4-131(b), concerning the powers and duties of the Office of State Technology, is amended to read as follows to clarify references:

(b) A state agency shall not:

(1) Use state, federal, or public grant funds for or enter into any agreement for the acquisition, development, or enhancement of any information technology or any contract for information technology services without approval from the Director of the Office of State Technology unless:

(A) The purchase price of the product or service is less than or equal to five thousand dollars ($5,000) and the product or service is included on an approved information technology list maintained by

the office; or

(B) The purchase price of the product or service is more than five thousand dollars ($5,000) but less than or equal to twenty thousand dollars ($20,000), the product or service is listed on a statewide contract, and the product or service is included on an approved information technology list maintained by the office; or

(2) Develop or enter into a contract for the development of customized software or information technology systems without written authorization by the director.

SECTION 5. Arkansas Code § 25-4-132(b)(5), concerning the powers and duties of the State Cybersecurity Office, is amended to read as follows to clarify references:

(5)(A) Report the audit and enforcement findings of the State Cybersecurity Office in a closed meeting to the Joint Committee on Advanced Communications and Information Technology at least two (2) times per calendar year and at the call of ~~the chair~~ either cochair of the Joint Committee on Advanced Communications and Information Technology, as appropriate.

(B) The report under subdivision (b)(5)(A) of this section shall detail cyber assessment and remediation actions, ~~department~~ state agency noncompliance, and other cybersecurity efforts that the State Cybersecurity Office determines are relevant.

SECTION 6. Arkansas Code § 25-10-136 is amended to read as follows to correct references:

25-10-136. Private service contract notice required.

(a) The Department of Human Services shall notify the Senate Interim Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs prior to privatizing any functions or responsibilities of the Division of Youth Services.

(b) The report shall be in writing and shall be submitted to the Senate Interim Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs at least sixty (60) days prior to entering into a contract with a private business entity.

(c) In the event the General Assembly is in session, the Secretary of

the Department of Human Services shall provide the report to the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs and the Chair of the Senate Interim Committee on Children and Youth.

SECTION 7. Arkansas Code § 25-10-137(b), concerning reports on the performance evaluation of private service contracts, is amended to read as follows to correct a reference:

(b) The department shall report to the Senate Interim Committee on Children and Youth and the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs or appropriate subcommittees thereof at least annually regarding the performance evaluation of each contract.

SECTION 8. Arkansas Code § 25-10-138(b), concerning the education requirements for certain Division of Youth Service employees, is amended to read as follows to correct a reference and make stylistic changes:

(b) ~~No~~ A rule pertaining to education requirements for youth service workers or security officers promulgated hereafter by the division shall not be effective until reviewed by the Legislative Council, the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs, and the Senate Interim Committee on Children and Youth or appropriate subcommittees thereof of the General Assembly.

SECTION 9. Arkansas Code § 25-10-139(b), concerning the training requirements for certain Division of Youth Services employees, is amended to read as follows to correct a reference and make stylistic changes:

(b) ~~No~~ A rule pertaining to the training required of youth service workers and security officers promulgated hereafter by the division shall not be effective until reviewed by the Legislative Council, the House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs, and the Senate Interim Committee on Children and Youth or appropriate subcommittees thereof of the General Assembly.

SECTION 10. The introductory language of Arkansas Code § 25-11-205(a), concerning the Board of the Division of State Services for the Blind, is reenacted to ratify the decision of the Arkansas Code Revision Commission to change “Deaf and Blind” to “Blind” resulting from Acts 2025, No. 796, § 19.

(a) There is created a board to be known as the Board of the Division of State Services for the Blind, to be constituted as follows:

SECTION 11. Arkansas Code § 25-11-205(h)(2) and (3), concerning the Board of the Division of State Services for the Blind and the Commissioner of the Board of the Division of State Services for the Blind, are reenacted to ratify the decision of the Arkansas Code Revision Commission to change "Deaf and Blind" to "Blind" resulting from Acts 2025, No. 796, § 19.

(2) The Commissioner of the Board of the Division of State Services for the Blind shall report to the Secretary of the Department of Commerce.

(3) The board may employ or appoint any additional personnel necessary to carry out the functions, duties, and responsibilities entrusted to the Division of State Services for the Blind in accordance with the requirements of law and within the limits of available appropriations.

SECTION 12. Arkansas Code § 25-43-1007(a)(5)(B)(ii), concerning the persons to whom the Office of the Child Welfare Ombudsman shall send an annual report, is amended to read as follows to correct a reference:

(ii) House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs;

SECTION 13. Arkansas Code § 25-43-1008(a)(4)(B)(ii), concerning the persons to whom the Office of the Juvenile Ombudsman shall send an annual report, is amended to read as follows to correct a reference:

(ii) The House Committee on Aging, Children and Youth, and Legislative ~~and Military~~ Affairs;

SECTION 14. Arkansas Code § 25-43-1502(a)(4), concerning the state entities transferred to the Department of Shared Administrative Services, is repealed because it is obsolete.

~~(4) The Data and Transparency Panel [abolished], created under § 25-4-127 [repealed];~~

SECTION 15. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT ZRC/ZRC
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 27 OF THE ARKANSAS CODE CONCERNING TRANSPORTATION; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 27 OF THE ARKANSAS CODE CONCERNING TRANSPORTATION.

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

SECTION 1. The introductory language of Arkansas Code § 27-20-104(d), concerning the required standard equipment for a motorized bicycle, is amended to read as follows to delete obsolete language and to make stylistic changes:

(d) ~~After July 5, 1977, all motorized bicycles~~ A motorized bicycle used upon the public streets of this state shall be equipped with the following standard equipment:

SECTION 2. Arkansas Code § 27-50-408(b)(2), concerning fines collected for moving violations, is amended to read as follows to delete obsolete language and to clarify references:

(2)(A) All fines collected by the county, town, or city official, agency, or department designated pursuant to § 16-13-709 as primarily responsible for the collection of fines assessed in the circuit courts~~,~~ or district courts~~, or city courts~~ of this state as a result of this section shall be paid by the collecting official to the county treasurer or

town or city treasurer pursuant to law.

(B) All ~~such~~ amounts collected under subdivision (b)(2)(A) of this section in circuit court shall be remitted to the county treasurer.

(C) All amounts collected ~~pursuant to~~ under subdivision (b)(2)(A) of this section in district court shall be paid to the county treasurer or town or city treasurer pursuant to § 16-17-707.

(D) ~~All amounts collected pursuant to subdivision (b)(2)(A) of this section in city court shall be paid to the treasurer of the town or city in which the city court is located.~~

~~(E)~~ Amounts received by the county treasurer may be used for general county purposes, and amounts received by the town or city treasurer may be used for general town or city purposes.

SECTION 3. Arkansas Code § 27-50-1224 is amended to read as follows:

27-50-1224. Rules for towing electric vehicles.

The Arkansas Towing and Recovery Board shall promulgate rules necessary for the towing, recovery, and storage of electric vehicles ~~by October 31, 2023~~.

SECTION 4. Arkansas Code § 27-67-206(f), concerning procedures for the construction of new roads that will be part of the state highway system, is amended to read as follows to clarify references:

(f) Successful bidders shall be required to furnish a surety bond or bonds by a surety company to be approved by the commission to ensure that each contract between a successful bidder and the commission is fully executed and completed and that the surety bond or bonds fully cover the exposure of the state.

SECTION 5. Arkansas Code § 27-118-101(b)(23), concerning when an unmanned drone may lawfully be used to capture images, is amended to read as follows to supply a missing connector:

(23) By an engineer or surveyor licensed in the State of Arkansas for the purpose of:

(A) Mapping and land surveying tasks; or

(B) Collecting geographical information system data supporting public or private infrastructure;

SECTION 6. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

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

State of Arkansas
95th General Assembly

A Bill

DRAFT JLL/JLL
HOUSE BILL

By: Representative NA

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 28 OF THE ARKANSAS CODE CONCERNING WILLS, ESTATES, AND FIDUCIARY RELATIONSHIPS; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 28 OF THE ARKANSAS CODE CONCERNING WILLS, ESTATES, AND FIDUCIARY RELATIONSHIPS.

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

SECTION 1. The introductory language of Arkansas Code § 28-65-207(b), concerning notice of a hearing before appointment of a guardian, is reenacted to ratify the decision by the Arkansas Code Revision Commission to change "an emergency guardian" to "a guardian" and "temporary guardian" to "emergency guardian" resulting from Acts 2025, No. 713, § 14.

(b) Except as provided in subsection (a) of this section, before the court shall appoint a guardian, other than an emergency guardian, notice of the hearing for the appointment of the guardian shall be served upon the following, if reasonably possible:

SECTION 2. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-

Sixth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Sixth General Assembly and this act:

(A) The act of the regular session of the Ninety-Sixth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Sixth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.