

# DAILY LEGISLATIVE UPDATE



*Business matters.*

## Daily Legislative Update

94<sup>th</sup> Arkansas General Assembly  
Friday, March 24, 2023 | Day 75

### TODAY'S MEETINGS

Today, the General Assembly concludes its week off and will reconvene on Monday.

### NEW TRACKED BILLS

We began tracking [17 bills](#) that were filed this week. These bills address unemployment insurance fraud, school funding, formation of a Broadband Advisory Council, repeal of the Higher Education Board's workforce authority, electricity interruption, motion picture tax credits, historic rehabilitation tax credits, reduction of membership in the Pollution Control and Ecology Commission, rates for personal care providers, review of career and technical pathways regarding weighted credit, direction of the Arkansas LEARNS Act funds by parents, state park alcohol sales, prohibition of certain fees and dues from teacher pay and SNAP eligibility.

**\*\*\* CALL TO ACTION \*\*\***

### Workers' Compensation

**HB 1611 and 1612 by Rep. Josh Miller and Sen. John Payton**

These two bills would significantly increase employers' workers' compensation costs!

**HB 1611** would remove the current prohibition against the Workers' Compensation Commission approving attorneys' fees in relation to a claim on medical benefits or services awarded.

**HB 1612** would remove the current caps on total disability payments an injured employee and his or her dependents can receive.

Both measures will be heard in the House Public Health, Welfare and Labor Committee.

**Please ask your legislators to vote NO on HB 1611 and HB 1612.**

### BILLS WE OPPOSE

#### Prohibition of Covenants Not to Compete Agreements

**HB 1628 by Rep. Stephen Meeks et. al and Sen. Mark Johnson**

We oppose this bill, which seeks to repeal the existing state law governing non-compete agreements and replaces it with language to prohibit *all* "covenants not to compete" in the

state. **This is a blanket prohibition, regardless of industry.** It is unclear whether the ban would only apply to agreements moving forward or whether it could also apply retroactively. Further, "employee" is not defined, so it is not clear whether the prohibition applies to current and *prospective* employees.

The bill *does* make clear that it excludes non-solicitation and confidentiality agreements, along with agreements entered into upon the sale of a business. *However*, those terms are not defined. We are told there may be a second bill to ban non-compete agreements filed soon, as well. With currently proposed federal regulations on this issue, passing this legislation could put Arkansas employers in an overly burdensome position of having to interpret and comply with conflicting state and federal requirements around non-compete agreements.

This bill awaits consideration in the House Insurance & Commerce Committee.

### **Public Notice Requirements**

#### **HB 1399 by Rep. Frances Cavanaugh and Sen. Scott Flippo**

We oppose this bill, which would require counties and municipalities to publish specified public notices on a website rather than in a newspaper.

This bill awaits consideration in the House City, County, & Local Affairs Committee.

### **Elimination of Daylight Savings Time**

#### **HB 1568 by Rep. Stephen Meeks and Sen. Missy Irvin**

We oppose this bill, which would eliminate daylight saving time in Arkansas and require the standard time in Arkansas to be central standard time. It would be very disruptive for Arkansas to be on a different time than the rest of the country.

This bill awaits consideration on the House floor.

### **BILLS WE SUPPORT**

#### **Possessory Liens**

##### **HB 1563 by Rep. Brian Evans and Sen. Ricky Hill**

We support this bill, which aims to change towing practices in Arkansas by creating a cargo exception within towing policy to prevent "hostage cargo." The bill would allow cargo being transported for hire to no longer be held hostage by tow operators while the truck owner and their insurance provider negotiate and pay for the tow service. Transport companies would be able to transload the cargo to another trailer and make delivery to their customer.

This bill awaits consideration on the House floor.

#### **Arkansas Adult Diploma Program**

##### **HB 1529 by Rep. David Ray and Sen. Breanne Davis**

We support this bill, which seeks to establish the Arkansas Adult Diploma Program. It would require the Department of Education to annually issue a request for public, nonprofit, or other entities to apply to become approved program providers in the Arkansas Adult Diploma Program. It also would require the Department of Education to announce the approved program providers no later than October 15 annually. An approved program provider may begin enrolling students starting no later than November 15 of each year.

This bill awaits consideration in the House Education Committee.

## BILL TRACKING

1162 Bills Filed | Senate bills: 474 filed | House bills: 688 filed  
State Chamber Tracking Bills & Resolutions: 463 – 17 bills added today

To view all tracked bills by category, click [State Chamber AIA Bill Tracking Categories](#)

## 2023 STATE CHAMBER AIA LEGISLATIVE AGENDA

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### LEGISLATIVE SESSION INFORMATION

To view schedules, calendars, bill information, and legislator information, click [www.arkleg.state.ar.us](http://www.arkleg.state.ar.us).

### LEGISLATIVE MESSAGE CENTER

House of Representatives: 501-682-6211  
Senate: 501-682-2902

### LIVE STREAMING FROM THE CAPITOL

The House and Senate have links to live streaming of their committee meetings and floor session online.

- House: <https://www.arkansashouse.org/>
- Senate: <http://www.arkansas.gov/senate/>

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STAY CONNECTED



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