

DAILY LEGISLATIVE UPDATE



Business matters.

Daily Legislative Update

94th Arkansas General Assembly
Friday, March 17, 2023 | Day 68

TODAY'S MEETINGS

The General Assembly is in recess until Monday, March 27.

NEW TRACKED BILLS

We began tracking [18 additional bills](#) today. These bills address creation of a recidivism task force, sales tax exemptions, runoff elections, collegiate name, image and likeness (NIL), construction procurement, economic development, veterinary drugs, new business license fees and enhanced penalties for improperly used car sales.

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

Workers' Compensation

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

These bills will cause significant cost increases for employers. We have requested an actuarial analysis that will take about a week to complete.

HB 1611 would allow attorney's fees on medical expenses.

HB 1612 would remove the caps on total disability payments to injured employees and to surviving dependents.

These bills await consideration in the House Public Health, Welfare and Labor Committee.

Please visit with your legislators during the break and ask them to vote NO on HB 1611 and HB 1612.

YESTERDAY'S BILLS

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 received a Do Pass recommendation from the House Transportation Committee.

Career and Technical Education - Weighted Credit

SB 369 by Sen. Jim Dotson

We support this bill under the condition that the bill's proposed amendment of the Computer Science Education Advancement Act of 2021 be modified or removed. This bill would require the Division of Career and Technical Education to review new and existing career and technical pathways to determine which courses meet criteria for weighted credit and to publish a list of approved pathways annually. It would also allow a career readiness assessment to include the ACT WorkKeys (NCRC). The bill also requires a platinum, gold, silver or bronze credential through the ACT WorkKeys to be equal to participation and completion in an advanced placement course, an International Baccalaureate Diploma Program course, and an honors class, and to be eligible for weighted credit equal to the numeric grade awarded in an advanced placement course, an International Baccalaureate Diploma Program course, and an honors class.

This bill passed 27 to 2 in the Senate yesterday and has been assigned to the House Education 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 also would require state employees to be allowed to adjust their work schedule one hour earlier to a time that corresponds to when other states observe daylight saving time if it may be reasonably accommodated.

It would be very disruptive for Arkansas to be on a different time than the rest of the country.

The bill was not considered by the House yesterday.

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.

An amendment was added to this bill yesterday.

Child Labor Violations - Enhanced Penalties

SB 390 by Sen. Clint Penzo and Rep. Rebecca Burkes

This bill increases fines and the length of time for the assessment of civil penalties related to child labor violations. It provides criminal penalties related to child labor violations for first and subsequent offenses. It also:

- Increases the maximum fine for child labor violations from \$1,000 to \$5,000 and extends the time a civil penalty may be assessed for a child labor violation from two years to three years from the date of occurrence.
- Provides criminal penalties for child labor violations. First violation is a Class C misdemeanor; subsequent violations are Class B misdemeanors. If the violation results in injury or death to a child, it is a Class A misdemeanor, subsequent offenses are Class C felonies.

This bill was not considered yesterday and awaits consideration on the Senate floor.

BILLS WE SUPPORT

Arkansas State Apprenticeship Agency - Arkansas Apprenticeship Council

SB 425 by Sen. Jane English

We support this bill, which creates the Arkansas State Apprenticeship Agency within the Office of Skills Development. It replaces the Arkansas Apprenticeship Coordinating Steering Committee with the Arkansas Apprenticeship Council. It declares the Apprenticeship Agency to be the state registration agency for apprenticeships and the entity that resolves disputes over apprenticeship contracts.

This bill awaits consideration in the Senate Education Committee.

BILLS WE OPPOSE

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 certain election-related and ordinance-related information on a website rather than in a newspaper. It also would amend certain municipal and county posting requirements.

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

Prohibition of Covenants Not to Compete Agreements

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

This bill seeks to prohibit covenant not-to-compete agreements in Arkansas. But it provides that a covenant not-to-compete does not include a non-solicitation agreement, confidentiality agreement, covenant prohibiting use/disclosure of trade secrets or inventions, covenant entered into by a person purchasing/selling the goodwill or ownership interest of a business, or covenant entered into by a franchisee when the franchise sale complies with the Arkansas Franchise Practices Act.

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

Pharmaceutical Executives – Felony for Drug Misinformation

SB 7 and SB 8 by Sen. Bryan King

We oppose these bills because of the precedent they would set in creating a felony for actions by corporate executives. We also have concerns about the bills' attempt to apply Arkansas criminal law to individuals who are not in Arkansas. **SB 7** applies to prescription drugs, and **SB 8** applies to vaccines.

These bills await consideration in the Senate Judiciary Committee.

Freedom of Information Act

SB 382 by Sen. Alan Clark

We oppose this bill, which seeks to amend certain open public meetings requirements under the Freedom of Information Act. It would prohibit two or more members of a

governing body of a public entity from discussing, deliberating or deciding public business in circumvention of the Freedom of Information Act during any chance interaction, informal assemblage, or electronic communication. This bill awaits possible reconsideration in the Senate State Agencies Committee.

BILL TRACKING

1118 Bills Filed | Senate: 11 new – 446 filed | House: 25 new – 672 filed
State Chamber Tracking: 443 - 18 added today

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

2023 STATE CHAMBER AIA LEGISLATIVE AGENDA

LEGISLATIVE SESSION INFORMATION

To view schedules, calendars, bill information, and legislator information, click 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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