

DAILY LEGISLATIVE UPDATE



Business matters.

Daily Legislative Update

94th Arkansas General Assembly
Wednesday, April 5, 2023 | Day 87

TODAY'S MEETINGS

See the legislative website www.arkleg.state.ar.us.

NEW TRACKED BILLS

We began tracking [2 additional bills](#) yesterday.

STATE CHAMBER/AIA PRIORITY BILLS

Throwback Rule Repeal

HB 1045 by Rep. Howard Beaty and Sen. Ben Gilmore

We support this bill, which is part of our priority agenda and seeks to repeal the throwback rule. This is a complicated tax rule that allows Arkansas to charge income tax on products that are made in Arkansas but are sold in states that do not charge income tax on the transaction for whatever reason.

This bill received a Do Pass yesterday from the House Revenue & Taxation Committee and passed the House last night 96 to 0. It is on this morning's agenda in the Senate Revenue and Tax Committee.

Income Tax Reduction

SB 549 by Sen. Jonathan Dismang and Rep. Les Eaves

We support this bill, which is part of our priority agenda and decreases the state individual income tax top rate from 4.9 percent to 4.7 percent and the corporate income tax rate from 5.3 percent to 5.1 percent effective January 1, 2023.

This bill received a Do Pass yesterday from the House Revenue & Taxation Committee and is on this afternoon's House calendar.

BILLS WE SUPPORT

Criminal Justice – Public Safety

SB 495 by Sen. Ben Gilmore and Rep. Jimmy Gazaway

This is Governor Sanders' Protect Arkansas plan, which we support. This is a comprehensive prison reform bill that calls for \$470 million for 3,000 new state prison beds

and \$20 million to recruit new corrections officers. **SB 495** would also mandate that prisoners convicted of violent offenses such as capital murder, first-degree murder, rape (and a list of other violent offenses) serve 100 percent of their sentences. The new prison beds are needed to alleviate a backup of more than 2,000 state prisoners now housed in local jails.

This bill is on today's agenda in the House Judiciary Committee.

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 would also 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 is on today's agenda in the Senate Education Committee.

Unemployment Insurance

HB 1840 by Rep. Wade Andrews and Sen. Matt McKee

This bill provides that if a person commits fraud to obtain an overpayment of \$1,000 or more in unemployment benefits then the person is disqualified from receiving unemployment benefits for ten years.

This bill received a Do Pass recommendation from the House Public Health, Welfare & Labor Committee and passed the House last night 89 to 0.

BILLS WE OPPOSE

Retail Incentives

HB 1841 by Rep. Lee Johnson

We oppose this bill, which seeks to allow economic development incentives to be applied to local retail projects. We opposed a similar bill, **SB 493**, that did not receive a motion in the Senate Agriculture, Forestry and Economic Development Committee last week. **HB 1841** has better thresholds than **SB 493**, but economic development theory does not support incentivizing local retail projects.

HB 1841 is on this morning's agenda in the House Agriculture, Forestry & Economic Development Committee.

Career and Technical Courses

SB 470 by Sen. Jim Dotson and Rep. Rick Beck

This bill seeks to 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 publish a list of approved pathways annually.

We oppose this bill because it weakens Arkansas's nationally leading computer science education requirement.

SB 470 received a Do Pass recommendation yesterday from the House Education Committee agenda and is on today's House Calendar.

Train Length

HB 1837 by Rep. Vivian Flowers

We oppose this bill, which seeks to prohibit certain railroad trains from exceeding 8,500 feet in length. It would allow the Department of Transportation to impose administrative penalties for violations and give the State Highway Commission jurisdiction over the operation/movement of railroad trails.

This bill has been assigned to the House Public Transportation Committee.

Workers' Compensation

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

We oppose these bills, which seek to allow attorneys' fees on medical benefits (**HB1611**) and eliminate disability benefit caps (**HB1612**).

These two bills remain on the House Public Health, Welfare & Labor Committee agenda.

Healthcare Mandate Bills with Cost Concerns

There are a series of pending health care mandate bills. Although these bills are well intentioned, they will raise healthcare costs on fully insured plans used by individual consumers and small businesses. A health insurance provider has provided us with the following cost estimates on these bills.

HB 1252 by Rep. Lee Johnson would require coverage for prosthetic devices for athletics or recreation and prosthetic devices for showering or bathing.

This bill is on the Senate Calendar.

SB 181 by Sen. Kim Hammer would mandate coverage for use of IVIG PANS/PANDA. The estimated cost is \$14.5 million, but this amount would double if the adult population is included.

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

SB 137 by Sen. Missy Irvin would mandate coverage for necessary maxillofacial services. The estimated cost is \$7 to \$9.4 million.

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

SB 490 by Sen. Greg Leding and Rep. Lee Johnson would require a health benefit plan to provide coverage for recommended genetic testing for inherited cancer mutations for an enrollee with a history of breast cancer and evidenced-based screenings for an enrollee with an inherited cancer risk. This exempts Medicaid, ARHOME, and state or local governmental employee plans.

This bill is on today's agenda in the Senate Insurance & Commerce Committee.

CONSTITUTIONAL AMENDMENTS

Lottery Scholarships for Technical Education

HJR1006 by Rep. Robin Lundstrum et. al. and Sen. Jane English

This bill proposes a Constitutional amendment to expand the uses of lottery proceeds to include scholarships and grants to a public or private vocational-technical school or a public or private technical institute.

This bill passed the House yesterday 97 to 0 and will be considered in the Senate State Agencies Committee.

YESTERDAY'S BILLS

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 were defeated in the House Judiciary Committee yesterday.

BILL TRACKING

1379 Bills Filed | Senate bills: New 3 - 579 filed | House bills: New 4 - 849 filed
State Chamber Tracking Bills & Resolutions: 556 – 2 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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