

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 417

5 By: Senator J. Dotson
6 By: Representative Maddox
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND VARIOUS LAWS RELATED TO HIGHER
10 EDUCATION; TO REPEAL THE REQUIREMENT FOR AFFIRMATIVE
11 ACTION PROGRAMS AT INSTITUTIONS OF HIGHER EDUCATION;
12 TO AMEND CERTAIN LAWS RELATED TO REPORTING AND
13 SERVICES BY INSTITUTIONS OF HIGHER EDUCATION; TO
14 AMEND LAWS RELATED TO CERTAIN CONSTRUCTION PROJECTS,
15 PERSONNEL, LAND, AND SERVICES OF INSTITUTIONS OF
16 HIGHER EDUCATION; AND FOR OTHER PURPOSES.
17
18

Subtitle

19
20 TO AMEND VARIOUS LAWS RELATED TO HIGHER
21 EDUCATION.
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 6-60-703(b)(1)(H), concerning the inclusion
26 of affirmative action program summaries in the Comprehensive Arkansas Higher
27 Education Annual Report, is repealed.

28 ~~(H) Affirmative action programs summaries, § 6-63-103;~~
29

30 SECTION 2. Arkansas Code § 6-60-703(b)(2) and (3), concerning the
31 contents of the Comprehensive Arkansas Higher Education Annual Report
32 biennially and every five (5) years, is amended to read as follows:

33 (2) Biennially, each even-numbered year:

34 (A) A financial condition report, § 6-61-222; and

35 (B) ~~Changes to affirmative action program plans, § 6-63-~~

36 ~~103; and~~



1 (C) Economic development goals and educational efforts, §
2 6-61-207; and

3 ~~(3) Every five (5) years, beginning in 2015:~~

4 ~~(A) Minority retention plans, § 6-61-122; and~~

5 ~~(B) Affirmative action program plans, § 6-63-103(e).~~

6
7 SECTION 3. Arkansas Code § 6-61-141 is repealed.

8 ~~6-61-141. Duplication of services.~~

9 ~~An institution of higher education that has its main campus, satellite~~
10 ~~campus, or center located within a twenty five mile radius of another main~~
11 ~~campus of an institution of higher education shall enter into a written~~
12 ~~agreement with that institution of higher education that shall address~~
13 ~~duplication of services between the institutions of higher education.~~

14
15 SECTION 4. Arkansas Code § 6-61-221(d)(2), concerning the inclusion of
16 reporting of graduates requiring postsecondary remediation within the
17 Comprehensive Arkansas Higher Education Annual Report, is amended to read as
18 follows:

19 (2) The reports developed under this section shall be prepared
20 on or before October 1 each year ~~and include the cost of remediation~~ for each
21 state-supported institution of higher education, which shall be submitted to
22 the Division of Higher Education according to standards developed by the
23 Division of Higher Education ~~and shall include for each state-supported~~
24 ~~institution of higher education:~~

25 ~~(A) The amount of institutional revenue spent on~~
26 ~~remediation;~~

27 ~~(B) The total general revenue subsidy spent on~~
28 ~~remediation;~~

29 ~~(C) The total institutional expenditure for remediation;~~
30 ~~and~~

31 ~~(D) The general revenue percentage of total expenditures~~
32 ~~for remediation.~~

33
34 SECTION 5. Arkansas Code Title 6, Chapter 61, Subchapter 16, is
35 repealed.

36 ~~6-61-1601. Findings.~~

1 ~~The General Assembly finds that:~~

2 ~~(1) There is a need to create and promote a comprehensive energy~~
3 ~~summary and report for the state.~~

4 ~~(2) The collaboration of all state supported institutions of~~
5 ~~higher education that participate in energy research activities is vital to~~
6 ~~ensure an orderly and effective set of data and other research necessary to~~
7 ~~promote energy conservation and develop alternative energy sources on a~~
8 ~~statewide level.~~

9
10 ~~6-61-1602. Institutional Energy Research Committee — Creation —~~
11 ~~Purpose.~~

12 ~~(a) The Arkansas Higher Education Coordinating Board shall coordinate~~
13 ~~the efforts of all state supported institutions that participate in energy~~
14 ~~research activities in the development of the Arkansas Energy Summary and~~
15 ~~Report.~~

16 ~~(b) The Division of Higher Education, in collaboration with state-~~
17 ~~supported institutions of higher education that participate in energy~~
18 ~~research activities, shall appoint at least one (1) member of the research~~
19 ~~faculty at each state supported institution of higher education that~~
20 ~~participates in energy research activities to serve on the Institutional~~
21 ~~Energy Research Committee.~~

22 ~~(c)(1) The purpose of the committee is to coordinate ongoing energy~~
23 ~~research efforts taking place at each state supported institution of higher~~
24 ~~education and create the Arkansas Energy Summary and Report.~~

25 ~~(2) The committee shall modify the Arkansas Energy Summary and~~
26 ~~Report as necessary to ensure it is updated with the latest energy research~~
27 ~~available.~~

28
29 ~~6-61-1603. Arkansas Energy Summary and Report.~~

30 ~~(a) The Institutional Energy Research Committee shall create and adopt~~
31 ~~the Arkansas Energy Summary and Report that includes without limitation the:~~

32 ~~(1) Energy production and usage in Arkansas, including:~~

33 ~~(A) Current sources of energy in Arkansas by percentage~~
34 ~~and cost;~~

35 ~~(B) Current energy demand and percentage of use of each~~
36 ~~energy source, including the production capacity of each energy source;~~

1 ~~(C) Projected energy use for the next:~~

2 ~~(i) Ten (10) years; and~~

3 ~~(ii) Twenty (20) years;~~

4 ~~(D) Current and projected cost per kilowatt of additional~~
5 ~~energy production capabilities for the following energy sources:~~

6 ~~(i) Coal;~~

7 ~~(ii) Hydroelectric;~~

8 ~~(iii) Natural gas;~~

9 ~~(iv) Nuclear;~~

10 ~~(v) Solar;~~

11 ~~(vi) Wind;~~

12 ~~(vii) Lignite; and~~

13 ~~(viii) Other; and~~

14 ~~(E) Environmental challenges and the impact of each energy~~
15 ~~source listed in subdivision (a)(1)(D) of this section;~~

16 ~~(2) Energy production capacity compared to projected energy~~
17 ~~growth;~~

18 ~~(3) Economical methods for additional energy sources into the~~
19 ~~market; and~~

20 ~~(4) Current and possible tax incentives or governmental policies~~
21 ~~to promote an increase in energy production capacity for state energy~~
22 ~~consumption or export to other states.~~

23 ~~(b) The committee shall submit the Arkansas Energy Summary and Report~~
24 ~~and relevant data, research, and findings to the Joint Committee on Energy no~~
25 ~~later than July 1, 2014.~~

26
27 SECTION 6. Arkansas Code § 6-62-314 is amended to read as follows:

28 6-62-314. Construction project exemption.

29 The following state-supported institutions of higher education shall be
30 exempt as allowed by § 19-4-1415(b)(5) for construction projects exceeding
31 five million dollars (\$5,000,000) if they have adopted policies and
32 procedures in compliance with state law involving the awarding and oversight
33 of the contracts for design and construction services:

34 (1) Henderson State University;

35 (2) Southern Arkansas University;

36 (3) University of Central Arkansas;

1 (4) ~~National Park College~~ Arkansas Tech University; and

2 (5) ~~Northwest Arkansas Community College~~ State-supported two-
3 year colleges; and

4 ~~(6) Arkansas Tech University.~~

5
6 SECTION 7. Arkansas Code § 6-62-606(b), concerning the review by the
7 Building Authority Division of transfer and lease agreements, is amended to
8 read as follows:

9 (b) In proceeding under this subchapter, it shall not be necessary for
10 the board to comply with any other laws relating to the procurement,
11 disposal, or leasing of property, including without limitation laws
12 concerning the appointment of appraisers in connection therewith, laws
13 restricting the obligation of funds for construction, and laws dealing with
14 the improvement of historic structures, ~~except that the transfer and the~~
15 ~~lease agreement shall be subject to the review and approval of the Building~~
16 ~~Authority Division.~~

17
18 SECTION 8. Arkansas Code § 6-63-103 is repealed.

19 ~~6-63-103. Affirmative action programs — Plans — Annual reports.~~

20 ~~(a)(1) Each state supported institution of higher education shall~~
21 ~~prepare an affirmative action program for the recruitment of African-~~
22 ~~Americans and other members of minorities for faculty and staff positions and~~
23 ~~for enrollment as students.~~

24 ~~(2) Affirmative action plans shall be prepared on a continuing~~
25 ~~basis for future five year periods.~~

26 ~~(b)(1) Each state supported institution of higher education shall~~
27 ~~prepare annually a summary report on the steps that have been taken to reach~~
28 ~~the goals of the plan.~~

29 ~~(2) The report shall:~~

30 ~~(A) Include information on the progress made by each~~
31 ~~institution for the various levels of employment within the institution; and~~

32 ~~(B) Be presented in a table format limited to no more than~~
33 ~~five (5) pages.~~

34 ~~(c) Copies of the five year plan and annual reports summaries of each~~
35 ~~institution of higher education shall be included in the Comprehensive~~
36 ~~Arkansas Higher Education Annual Report, filed with the Governor, the~~

1 ~~Division of Higher Education, the president and board of trustees of the~~
 2 ~~institution, the board of visitors of the institution, if applicable, and the~~
 3 ~~House Committee on Education and the Senate Committee on Education.~~

4 ~~(d) In carrying out the affirmative action plans, each institution of~~
 5 ~~higher education shall provide for a part time or full time employee to~~
 6 ~~assist the institution in the recruitment of African Americans and other~~
 7 ~~members of minorities for faculty and staff positions and for enrollment as~~
 8 ~~students.~~

9
 10 SECTION 9. Arkansas Code § 6-63-321 is amended to read as follows:

11 6-63-321. Overtime, incentives, and differentials for direct and
 12 indirect ~~unclassified~~ patient care personnel at University of Arkansas for
 13 Medical Sciences.

14 (a) All ~~unclassified~~ positions employed to provide or support patient
 15 care at the University of Arkansas for Medical Sciences are eligible for
 16 overtime at the rate of one and one-half (1½) times their regular hourly
 17 rate.

18 (b) In addition to overtime, ~~unclassified~~ direct and indirect patient
 19 care employees scheduled to work shifts outside of normal operating schedules
 20 may be eligible to receive up to twenty-four percent (24%) of the hourly rate
 21 paid as a shift differential.

22 (c)(1) All ~~unclassified~~ positions employed to provide or support
 23 patient care at the University of Arkansas for Medical Sciences shall be
 24 eligible to receive incentive pay not to exceed one and two-tenths (1.2)
 25 times their base hourly rate.

26 (2) All ~~unclassified~~ employees required to work in specialty
 27 areas shall be eligible to receive up to ten percent (10%) of the hourly rate
 28 paid as a specialty differential while working in such areas.

29 (d)(1) When overtime, shift differentials, standby pay, incentive pay,
 30 or specialty differentials are provided to employees as stated in this
 31 section, the total may exceed the line item maximum salaries for those
 32 positions.

33 (2) This section does not apply to the positions of Patient Care
 34 Administrator, Associate Administrator, or Assistant Administrator of Patient
 35 Care.

36 (e)(1) In addition, the Board of Trustees of the University of

1 Arkansas for Medical Sciences may also make special compensation allowances
 2 available, in such amounts as the board may determine or justify equitable in
 3 view of the current requirements for registered nurses in the Clinical
 4 Programs of the University of Arkansas for Medical Sciences and the
 5 availability of registered nurses for employment in the Little Rock
 6 metropolitan area.

7 (2) However, the special compensation allowances approved by the
 8 board for a single individual shall not exceed the state line item maximum by
 9 more than twenty percent (20%) for those positions.

10

11 SECTION 10. Arkansas Code § 6-64-218 is amended to read as follows:
 12 6-64-218. Sale of donated land.

13 (a) The Board of Trustees of the University of Arkansas may sell any
 14 land donated to the University of Arkansas by individuals.

15 (b) When the purchase price is paid to the treasurer of the
 16 university, the president and secretary of the board or designee shall
 17 execute a deed conveying the lands to the purchaser.

18

19 SECTION 11. Arkansas Code § 19-4-1415(c)(2), concerning the
 20 requirement for institutions of higher education to submit a summary of
 21 contract amendments to the Legislative Council, is amended to read as
 22 follows:

23 (2)~~(A)~~ The institutions of higher education stated in
 24 subdivision (b)(5) of this section shall perform all duties and
 25 responsibilities stated in subdivision (c)(1) of this section under policies
 26 and procedures adopted by their governing boards.

27 ~~(B) They shall submit a summary of all contract amendments~~
 28 ~~to the Legislative Council.~~

29

30 SECTION 12. Arkansas Code § 21-4-203(12), concerning the definition of
 31 "state agencies" under the Uniform Attendance and Leave Policy Act, is
 32 amended to read as follows:

33 (12) "State agencies" means all agencies, departments, boards,
 34 commissions, bureaus, councils, ~~state-supported institutions of higher~~
 35 ~~education,~~ or other agencies except the following excluded agencies or
 36 positions within agencies:

1 (A) The elected constitutional officers of this state and
2 their employees;

3 (B) The General Assembly and its employees, including
4 employees of the Bureau of Legislative Research and Arkansas Legislative
5 Audit;

6 (C) Members of the Supreme Court, members of the Court of
7 Appeals, the Administrative Office of the Courts, circuit courts, and
8 prosecuting attorneys, but not including deputy prosecuting attorneys;

9 (D) The Arkansas Department of Transportation; and

10 (E) ~~All administrative, academic, or other nonclassified~~
11 ~~employees of the state-supported~~ State-supported institutions of higher
12 education;

13
14 SECTION 13. Arkansas Code § 21-4-503 is amended to read as follows:
15 21-4-503. Applicability of subchapter.

16 (a) The provisions of §§ 21-4-501 and 21-4-504 apply to:

17 (1) Employees of the Arkansas State Game and Fish Commission;

18 (2) Employees of the Arkansas Department of Transportation; and

19 (3) ~~Classified employees of state-supported institutions of~~
20 ~~higher education; and~~

21 ~~(4)~~ Employees of all agencies of this state whether in the
22 executive, legislative, or judicial branch of government.

23 (b) The provisions of this section or any amendments to this section
24 shall not change any employee benefits or agreements established under § 6-
25 57-103, § 6-58-105, or § 6-59-105.

26
27 SECTION 14. Arkansas Code § 21-4-505 is amended to read as follows:

28 21-4-505. Compensation for unused sick leave of ~~nonclassified~~ employees
29 of state-supported institutions of higher education – Calculation for unused
30 sick leave.

31 (a) At its discretion, a state-supported institution of higher
32 education may compensate a ~~nonclassified~~ an employee of the state-supported
33 institution of higher education for accumulated unused sick leave by
34 providing to the ~~nonclassified~~ employee the same compensation for accumulated
35 unused sick leave ~~provided to a classified employee of the state-supported~~
36 ~~institution of higher education~~ under § 21-4-501.

1 (b) Compensation for accumulated unused sick leave under this section
2 shall not be used by the Arkansas Public Employees' Retirement System in the
3 calculation of final average compensation under § 24-4-101.

4 (c) Unused sick leave for ~~nonclassified~~ employees of state-supported
5 institutions of higher education shall accrue at the same rate as unused sick
6 leave accrues under § 21-4-207 for ~~classified employees for~~ calculations made
7 under this section.

8
9 SECTION 15. Arkansas Code § 22-2-114(c), concerning exemption from
10 regulation and supervision of leasing responsibilities by the Building
11 Authority Division, is amended to read as follows:

12 (c) This section shall not apply to an institution of higher
13 education, the State Highway Commission, the Arkansas Department of
14 Transportation, or the Arkansas State Game and Fish Commission.

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17 **APPROVED: 3/25/25**
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