

**SUMMARY
OF ACTION ON**

GENERAL LEGISLATION

**BY THE
84TH GENERAL ASSEMBLY
OF THE STATE OF ARKANSAS**

2003

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REGULAR SESSION ACTS

ADOPTION

HOME STUDIES

Act 650 (HB1291) - The act retains jurisdiction in state court when a child is placed for adoption outside of the state. The act changes the procedures to be followed by the Department of Human Services in making home studies before adoptive placement. The act also makes technical changes in court procedures, criminal background checks, and record keeping regarding adoptions.

OUT-OF-STATE ADOPTIONS

Act 650 (HB1291) - The act retains jurisdiction in state court when a child is placed for adoption outside of the state. The act changes the procedures to be followed by the Department of Human Services in making home studies before adoptive placement. The act also makes technical changes in court procedures, criminal background checks, and record keeping regarding adoptions.

RECORDKEEPING

Act 650 (HB1291) - The act retains jurisdiction in state court when a child is placed for adoption outside of the state. The act changes the procedures to be followed by the Department of Human Services in making home studies before adoptive placement. The act also makes technical changes in court procedures, criminal background checks, and record keeping regarding adoptions.

ADULT ABUSE

ADULT MALTREATMENT

Act 1046 (HB2579) - The act introduces the term "adult maltreatment" as a cover term for adult abuse law. The act makes various technical corrections in adult maltreatment laws. The act also outlines the responsibilities of the Attorney General in adult maltreatment cases, amends the law regarding the central registry, and repeals sections made obsolete by the act.

CUSTODIAN

Act 1034 (HB2235) - The act makes various technical changes in the law regarding custody of maltreated adults. The act also sets out the responsibilities of the Department of Human Services in cases in which the department is appointed as custodian of a maltreated adult.

INVESTIGATION OF ADULT ABUSE

Act 1164 (HB2393) - The act repeals the provisions that give the Department of Human Services jurisdiction to investigate cases of suspected abuse, neglect, or exploitation of an endangered or impaired adult. The act clarifies the Attorney General's power to investigate the suspected abuse, neglect, or exploitation of an endangered or impaired adult.

LONG-TERM CARE FACILITIES

DEFINITION

Act 1118 (HB2440) - The act adds a definition of "long-term care facility" to the law concerning abuse of adults.

STATUTE OF LIMITATIONS

Act 1162 (HB2391) - The act places a three-year statute of limitations on civil suits brought by the State of Arkansas or the Attorney General against a long-term care facility under the Adult Abuse Act.

AGRICULTURE

ARKANSAS-OKLAHOMA DISTRICT FAIR

Act 685 (SB858) - The act creates the Arkansas-Oklahoma District Fair in Fort Smith, Sebastian County, Arkansas, at Kay Rodgers Park. The act also creates the Arkansas-Oklahoma District Fair Board.

BEEF PROMOTION AND RESEARCH PROGRAM

Act 1331 (HB2256) - The act provides for the continuation of the Arkansas beef promotion and research program if the federal program is discontinued.

BOLL WEEVIL ERADICATION

Act 1726 (SB856) - The act restructures cotton growers' organizations for purposes of the Arkansas Boll Weevil Suppression Eradication Act. The act clarifies the process by which the State Plant Board may establish liens on cotton for nonpayment of boll weevil eradication assessments.

CATFISH

FOREIGN CATFISH

Act 1024 (HB1687) - The act authorizes the Bureau of Standards of the State Plant Board to enforce laws concerning the sale and marketing of foreign fish. The act amends the Arkansas Catfish Marketing Act to clarify the definition of catfish regarding marketing catfish products and in restaurants. The act also provides that civil penalties can be levied for violations of the Arkansas Catfish Marketing Act in addition to criminal sanctions.

SECURITY BONDS FOR CATFISH PROCESSORS

Act 128 (HB1041) - The act eliminates the \$250,000 security bond requirement for catfish processors who purchase catfish from producers who own the processing facility that is processing their own catfish.

FORESTRY

LOG AND TIMBER MEASUREMENTS

Act 1049 (HB2790) - The act repeals obsolete provisions of the Arkansas Code regarding sawlog and timber measurement.

GRAIN BIN CONSTRUCTION

Act 1346 (HB2807) - The act repeals the exemption from the laws regarding contractors for the construction of grain bins that are used solely for the purpose of storing grain harvested by the owner or lessee of the farm.

LANDLORD LIENS ON CROPS

Act 32 (HB1002) - The act removes farm landlord liens and landlord advances from the filing requirements under Article 9 of the Uniform Commercial Code.

LIVESTOCK SHOWS

Act 1288 (SB379) - The act authorizes six livestock show districts of the state under Section 28. The act also provides that funds appropriated to the Arkansas Livestock and Poultry Commission for district junior livestock shows are to be distributed equally to all district junior livestock shows.

NUTRIENT MANAGEMENT CERTIFICATION PROGRAM

Act 1059 (HB1652) - The act creates a nutrient management education, training, and certification program within the Arkansas Soil and Water Conservation Commission. The act defines "nutrient surplus area" and makes the program mandatory inside of nutrient surplus areas and voluntary outside of nutrient surplus areas.

AGRICULTURE

POULTRY

POULTRY LITTER

Act 1061 (HB1654) - The act declares various areas of the state to be nutrient surplus areas for phosphorus and nitrogen. The act authorizes the Arkansas Soil and Water Conservation Commission to make rules concerning management of nutrients in nutrient surplus areas. The act also creates penalties for violations of the act.

REGISTRATION OF POULTRY FEEDING OPERATIONS

Act 1060 (HB1653) - The act requires the Arkansas Soil and Water Conservation Commission to operate an annual registration program to assemble and maintain information on the number, composition, and practices of poultry feeding operations in the state.

UNIVERSITY OF ARKANSAS, DIVISION OF AGRICULTURE

SPECIAL LICENSE PLATE

Act 1040 (HB2277) - The act provides for the issuance of a University of Arkansas, Division of Agriculture special license plate. An additional sum of \$25.00 is collected for the plate to help fund college scholarships and public education programs for agriculture.

YOUNG AND BEGINNING FARMER ADVISORY BOARD

Act 1760 (HB2363) - The act creates the Arkansas Young and Beginning Farmer Advisory Board to provide for appointment of board members and describes the board's powers and duties. The board is to communicate to the general public and the federal government the importance of young and beginning farmers to agriculture in Arkansas and to address issues relating to the needs of young and beginning farmers in Arkansas.

ALCOHOLIC BEVERAGES

BEER EXCISE TAX

Act 272 (HB1200) - The act extends until June 30, 2005, the special alcoholic beverage excise tax of 3% upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund account with 20% of the funds to be used for subsidized child care for low-income families and 80% of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education.

LICENSE HOLDERS

RETAIL SALES

Act 848 (HB2508) - The act allows a liquor permittee to have tobacco products, mixers, soft drinks, and other items customarily associated with the retail package sale of the liquor.

VIOLATIONS

Act 1756 (HB2311) - The act requires the standard of proof to be by substantial evidence for violations occurring inside the premises of a license holder for the sale or dispensing of alcoholic beverages.

LOCAL OPTION STATUS

Act 1089 (SB565) - The act provides that in the event of an annexation, the lands annexed shall become part of the same judicial district in which the city or incorporated town is located, for all purposes provided by law, including local option election status.

NATIVE BREWERY

Act 1805 (HB2290) - The act creates the Arkansas Native Brewery Act to create a new category of beer licenses and to provide for the operation of the licensed facilities.

ALCOHOLIC BEVERAGES

NATIVE WINE

MEAD

Act 1445 (SB711) - The act includes the definition of "mead" in the provisions concerning native wines.

PRIVATE CLUBS

DEFINITION

Act 369 (HB1465) - The act revises the definition of "private club" to delete the requirement that the club, at the time of application for the permit, have its members pay annual dues of not less than \$5.00 per member.

Act 1813 (HB2749) - The act revises the definition of "private club" under the on-premises consumption of alcoholic beverages law. The act also clarifies the purpose for obtaining a private club permit.

DISCLOSURE OF MEMBER INFORMATION

Act 654 (HB1788) - The act prohibits private clubs from marketing, selling, or otherwise furnishing the names of its members or any other information pertaining to its members, to any other public or private entity.

SALES AND HANDLING

Act 1807 (HB2447) - The act permits persons 19 years of age and older, with the written consent of the parent or guardian, to sell and handle alcoholic beverages at on-premises consumption outlets where food service is a permit requirement.

AMERICAN FLAG DISPLAY

Act 1106 (SB37) - The act makes it unlawful for a local government or a private entity to prohibit a person from flying the flag of the United States. Municipal and county governments and any departments may not prohibit the display of the flag. Reasonable public safety rules and time, place, and manner regulations are authorized. Private entities may not prohibit the display of the American flag.

ANIMALS

DOGS

CANINE BRUCELLOSIS

Act 1771 (HB2475) - The act requires that if a dog tests positive for canine brucellosis, the owner shall report the test results to the Arkansas Livestock and Poultry Commission and have the dog neutered, spayed, or destroyed.

GUIDE DOGS

Act 1107 (SB656) - The act provides full access for guide, signal, or service dogs to public accommodations.

HORSES AND MULES

Act 363 (HB1261) - The act makes it unlawful for any person to sell any horse or mule that has, within the previous 24 hours, been treated in any manner with a behavior-altering substance.

LIVESTOCK SHOWS

Act 1288 (SB379) - The act authorizes six livestock show districts of the state under Section 28. The act also provides that funds appropriated to the Arkansas Livestock and Poultry Commission for district junior livestock shows are to be distributed equally to all district junior livestock shows.

ARKANSAS CODE

CRIMINAL CODE REVISION COMMISSION, ARKANSAS

Act 1077 (HB2345) - The act created the Arkansas Criminal Code Revision Commission to review all criminal laws and procedures and to draft legislation concerning any need for changes to the Criminal Code. The act also provides for the expiration of the commission on July 1, 2005.

HARD COPY AS OFFICIAL VERSION

Act 623 (SB400) - The act provides that if the official electronic version of the Arkansas Code differs from the official hard copy version of the Arkansas Code, the official hard copy version shall take precedence over the official electronic version.

TECHNICAL CORRECTIONS

Act 1473 (HB2211) - The act makes various technical corrections to the Arkansas Code, removes ambiguous language from the Arkansas Code, and supplies omitted language.

BUSINESS LAW

CAPITAL DEVELOPMENT COMPANIES

Act 860 (HB1747) - The act changes the title of the Arkansas Capital Development Corporation Act to the Arkansas Capital Development Company Act and adds business entities that, in addition to corporations, may form as capital development companies. The act replaces terminology that was specific to corporations with broader terminology that is applicable to all entities authorized under the act. Companies formed under the act are regulated by the State Bank Department and must comply with state securities laws. Tax credits are allowed for a person who purchases an equity interest in a capital development company in the calendar years 2003 through 2013. Certain reporting requirements are mandated to track the economic impact of the investments made by capital development companies and of the tax credits granted under the act.

CONTRACTORS

GRAIN BIN CONSTRUCTION

Act 1346 (HB2807) - The act repeals the exemption from the laws regarding contractors for the construction of grain bins that are used solely for the purpose of storing grain harvested by the owner or lessee of the farm.

RESIDENTIAL BUILDING CONTRACTORS

Act 1103 (HB2284) - The act repeals the provision which exempts from the licensure requirement, a residential building contractor who constructs three or fewer single family residences per calendar year.

CREDIT CARDS

JOINT DEBT FOLLOWING A DIVORCE

Act 1477 (HB2603) - The act provides procedures for handling joint credit card debt after a court determination or court approval of a property settlement agreement.

TRANSACTION RECEIPTS

Act 274 (HB1269) - The act prohibits printing more than the last five digits of a credit card account number, the expiration date, or both, on an electronically printed receipt of a credit card transaction.

FAIR MORTGAGE LENDING ACT

Act 554 (HB1668) - The act repeals part of the Mortgage Loan Company and Loan Broker Act and provides standards of conduct and licensing requirements for mortgage brokers. The act also contains provisions concerning the maintenance of records, public inspection of records, and remedies for violation of the act, including criminal penalties and orders by the Securities Commissioner.

BUSINESS LAW

FARM LANDLORD LIENS

Act 32 (HB1002) - The act removes farm landlord liens and landlord advances from the filing requirements under Article 9 of the Uniform Commercial Code.

FOREIGN CORPORATIONS

STATUTORY FORECLOSURE ACT

Act 1303 (SB879) - The act requires foreign corporations and other foreign business entities to be authorized to do business in this state in order to take advantage of the Statutory Foreclosure Act of 1987.

HOME INSPECTORS

Act 1328 (HB2336) - The act creates the Arkansas Home Inspectors Act and the Arkansas Inspector Board.

HOME LOANS

PREDATORY LENDING

Act 1340 (HB2598) - The act known as the "Arkansas Home Loan Protection Act" prohibits predatory lending in the home mortgage market.

HOT CHECKS

NOTICE OF INSUFFICIENT FUNDS

Act 1732 (HB1151) - The act allows notice of insufficient funds to be sent by certified mail or registered mail that is evidenced by a return receipt, or by regular mail that is supported by an affidavit of mailing.

INTEREST RATE EXCHANGE AGREEMENTS

Act 494 (HB1613) - The act authorizes the Arkansas Development Finance Authority to execute interest rate exchange agreements for bonds or similar agreements, under certain market conditions and if certain prerequisites are met by the counterparty to the agreement. The act also requires the Arkansas Development Finance Authority to disclose to the Governor and the Legislative Council each interest rate exchange agreement or similar agreement to which it is a party.

INVESTOR EDUCATION FUND

Act 759 (HB2180) - The act limits the annual deposit into the Securities Department Fund to no more than \$1,000,000 until July 1, 2011, at which time the limitation may be extended. The act also creates the Investor Education Fund from fines or other moneys collected under § 23-42-209 and § 23-42-309, to inform and educate the public regarding investments in securities and to pay for costs associated with providing information to the public regarding securities. Funds collected for the Investor Education Fund in excess of \$150,000 in any fiscal year shall be designated as special revenues and deposited into the Securities Department Fund.

LIMITED LIABILITY COMPANIES AND PARTNERSHIPS

Act 965 (HB1959) - The act amends Arkansas law to make it consistent with federal law regarding the income taxation of limited liability companies and partnerships.

MINORITY BUSINESSES

Act 1456 (SB944) - The act requires the Division of Minority Business Enterprise of the Department of Economic Development to create a certification process for minority business enterprises. The act also requires the Office of State Procurement of the Department of Finance and Administration to cooperate with the division in centralizing the registry process for minority business enterprises.

BUSINESS LAW

MORTGAGE LENDING

Act 554 (HB1668) - The act repeals part of the Mortgage Loan Company and Loan Broker Act and provides standards of conduct and licensing requirements for mortgage brokers. The act also contains provisions concerning the maintenance of records, public inspection of records, and remedies for violation of the act, including criminal penalties and orders by the Securities Commissioner.

NONPROFIT CORPORATIONS

Act 1330 (HB2349) - The act permits a qualified corporation to adopt a plan to convert its status as a nonprofit corporation to a water authority, if the conversion is approved by the board of directors and members of the corporation.

PROFESSIONAL HOME SECURITY SERVICES CONTRACTS

Act 1344 (HB2732) - The act prohibits the automatic renewal of professional home security service contracts entered into after the effective date of the act. No contract for professional home security services shall be renewed for any additional period beyond the initial term of the contract unless the person receiving the professional home security service affirmatively notifies the person offering the service that he or she wishes to renew the contract.

SALE OR ISSUANCE OF CHECKS

Act 852 (HB2704) - The act increases the time allowed for an agent of a licensee who sells or issues checks to transmit the credits to the licensee or to deposit the money into the licensee's bank account from three days to seven days.

SECURITIES DEPARTMENT FUND

Act 759 (HB2180) - The act limits the annual deposit into the Securities Department Fund to no more than \$1,000,000 until July 1, 2011, at which time the limitation may be extended. The act also creates the Investor Education Fund from fines or other moneys collected under § 23-42-209 and § 23-42-309, to inform and educate the public regarding investments in securities and to pay for costs associated with providing information to the public regarding securities. Funds collected for the Investor Education Fund in excess of \$150,000 in any fiscal year shall be designated as special revenues and deposited into the Securities Department Fund.

STATUTORY FORECLOSURE ACT

Act 1303 (SB879) - The act requires foreign corporations and other foreign business entities to be authorized to do business in this state in order to take advantage of the Statutory Foreclosure Act of 1987.

UNEMPLOYMENT BENEFITS

Act 353 (SB217) - The act increases the threshold wage amount for calculation of unemployment benefits.

UNFAIR PRACTICES

Act 1172 (HB2720) - The act allows the Attorney General to bring an action in the name of the state against a person the Attorney General has reason to believe is engaging, has engaged, or is about to engage in any practice that is unlawful under Title 4, Chapter 74, Subchapter 2.

UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT

Act 1109 (SB890) - The act amends the Uniform Management of Institutional Funds act regarding the management, investment, and expenditure of endowment funds of institutions. The act allows the trustees to expend more than just the appreciation of the funds for the purposes of the endowment fund. The trustees may expend any amount they determine is within the purpose of the endowment fund.

CHILDREN

ABUSE

PERMITTING ABUSE OF A MINOR

Act 1318 (HB1588) - The act changes the offense of permitting abuse of a child to permitting abuse of a minor so that it applies to persons under the age of 18 years.

REPORTING

Act 1039 (HB2262) - The act amends the Child Maltreatment Act to add persons who are required to report child maltreatment.

BABY SHARON ACT

Act 279 (HB1039) - The act is to be known as the Baby Sharon Act. The act creates the state income tax return checkoff for the Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund that allows a person filing a tax return to dedicate a portion of his or her refund, if entitled, to the fund or to enclose a check for an additional amount for the fund.

CHEMICAL SUBSTANCE OR METHAMPHETAMINE EXPOSURE

Act 930 (HB1267) - The act makes it a Class C felony to expose a child to a chemical substance or methamphetamine and makes it a Class B felony if the child suffers physical injuries as a result of the exposure.

CHILD CARE LICENSEES AND EMPLOYEES

Act 1378 (HB1897) - The act updates sex offenses in the list of offenses for background checks on child care licensees and employees.

CHILD MALTREATMENT

INVESTIGATION, DISCLOSURE, AND REPORTING

Act 758 (HB1636) - The act amends the Child Maltreatment Act to improve the process for reporting and investigating allegations of child maltreatment. The act also clarifies the list of the persons who may be investigated and the persons to whom disclosures of founded allegations may be made. The act also clarifies the information to be placed into and released through the central registry.

NONCUSTODIAL PARENTS

Act 175 (SB30) - The act clarifies that a noncustodial parent shall be interviewed and may obtain information regarding the maltreatment of his or her child under the Arkansas Child Maltreatment Act.

CHILD SUPPORT

DISCLOSURE OF PAYMENT RECORDS

Act 1177 (HB2863) - The act allows the disclosure of child support payment records by the Office of Child Support Enforcement to whomever the noncustodial parent, custodial parent, or their attorney of record directs.

OMNIBUS REVISIONS

Act 1020 (HB1255) - This act makes technical changes and amends numerous sections of the Arkansas Code regarding child support enforcement.

PROOF OF INCOME

Act 337 (HB1087) - The act requires the court to order the noncustodial parent to provide the custodial parent with proof of income any time a court orders child support. The act also allows the custodial parent to request proof of income from the noncustodial parent no more than once a year.

CHILD WELFARE AGENCIES

CHILD WELFARE AGENCY REVIEW BOARD

Act 1157 (HB2306) - The act amends the law regarding disclosure of information by child welfare agencies. The act also removes the Director of the Department of Health from the Child Welfare Agency Review Board.

CHILDREN

CHILD WELFARE AGENCIES

DISCLOSURES

Act 1157 (HB2306) - The act amends the law regarding disclosure of information by child welfare agencies. The act also removes the Director of the Department of Health from the Child Welfare Agency Review Board.

LICENSURE

Act 1285 (SB320) - The act exempts child welfare agencies licensed by the Child Welfare Agency Review Board after March 1, 2003, from licensure by the Office of Long-Term Care of the Department of Human Services and from obtaining a permit from the Health Services Permit Agency and the Health Services Permit Commission.

CHILD WELFARE REPORT

Act 178 (HB1153) - The act changes the deadline for the Department of Human Services to submit performance reports regarding child welfare to the Senate Interim Committee on Children and Youth from 30 days to 60 days after the end of each calendar quarter.

CHILDHOOD OBESITY

Act 1220 (HB1583) - The act creates the Child Health Advisory Committee to coordinate statewide efforts to combat childhood obesity and related illnesses.

CHILDREN OF PRISONERS

Act 1224 (HB1694) - The act amends the Child Abuse and Neglect Prevention Act to allow the State Child Abuse and Neglect Prevention Board to administer the One Percent to Prevent Fund. The act allows the board, to the extent funding is appropriated and available, to develop and implement programs designed to prevent the children of prisoners from becoming future prisoners.

COMPUTER CRIMES AGAINST MINORS

Act 1087 (SB416) - The act enhances the penalties for engaging children in sexually explicit conduct for use in visual and print medium, adds definitions to computer crimes against children, and adds computer child pornography and computer exploitation of a child to the list of offenses checked for in criminal background checks.

CUSTODY AND VISITATION

GRANDPARENTS

Act 652 (HB1484) - The act rewrites the existing grandparents' visitation law to conform with recent Arkansas Supreme Court and United States Supreme Court cases. The act distinguishes visitation rights of grandparents when the child is in the custody of a parent from visitation rights of grandparents when the parent does not have custody of the child.

JOINT CUSTODY

Act 92 (HB1107) - The act allows the court to consider awarding joint custody of a child to the parents.

DISABLED CHILDREN

APPEALS

Act 1365 (HB2712) - An act to allow three years to appeal a decision of a hearing officer from a hearing regarding evaluations for students with disabilities.

MEDICAID ELIGIBILITY -- INTERIM STUDY

Act 767 (HB2530) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study Medicaid eligibility for disabled children not dependent on ventilators and to study improvements in availability of private duty nurses to families in need of in-home care.

CHILDREN

GUARDIANSHIP

Act 760 (HB2193) - The act allows guardianship orders involving minor children to make provisions for visitation and child support.

JUVENILES

DNA SAMPLES

Act 1265 (HB2310) - The act requires juveniles adjudicated delinquent for certain sexual offenses to undergo a Sex Offenders Screening and Risk Assessment and have a DNA sample drawn.

JUVENILE CODE, ARKANSAS

Act 1319 (HB1658) - The act makes various changes in the Juvenile Code. The act distinguishes between the term "dependent juvenile" from "dependent-neglected juvenile". The act also clarifies kinds of abuse, perpetrators, and victims. The act defines trial placement of a juvenile. The act clarifies court jurisdiction and responsibilities through various phases of juvenile custody proceedings.

Act 1809 (HB2457) - The act makes numerous technical corrections and amends numerous sections of the Arkansas Juvenile Code.

JUVENILE OMBUDSMAN

Act 1008 (SB952) - The act revises the provisions concerning the creation of a Juvenile Ombudsman Division to provide for independent oversight of the division's facilities and programs that are unlicensed or unaccredited.

JUVENILE SEX OFFENDER ASSESSMENT AND REGISTRATION

Act 1265 (HB2310) - The act requires juveniles adjudicated delinquent for certain sexual offenses to undergo a Sex Offenders Screening and Risk Assessment and have a DNA sample drawn.

MATERIAL HARMFUL TO MINORS IN COMMERCIAL ESTABLISHMENTS

Act 858 (HB1525) - The act requires that material in a commercial establishment that is harmful to minors be obstructed from a minor's view and be segregated in a manner that physically prohibits access to the material by minors.

METABOLIC DISORDERS

NEWBORN TESTING

Act 1293 (SB610) - The act authorizes the State Board of Health to increase the types of metabolic disorders for which newborns must be tested. The act authorizes the state Medicaid program to pay for the tests for Medicaid recipients. The act also requires health insurance policies to cover the full range of tests for metabolic disorders in newborns.

TAX CREDIT AND INSURANCE COVERAGE

Act 1440 (SB609) - The act provides a tax credit for children afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism. The act requires health insurance policies to cover certain persons afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism.

OUT-OF-HOME PLACEMENTS

NOTICE OF CHANGE OF PLACEMENT

Act 1054 (HB1506) - The act requires written notice to the birth parent and the attorney ad litem if the Department of Human Services changes the placement of a child in foster care. The act allows an action for violation of this section to be brought if notice is not provided.

SERVICE PROVIDERS

Act 988 (HB2208) - The act clarifies the responsibilities of service providers to provide certain information for children placed in an out-of-home placement.

CHILDREN

PARENTAL RIGHTS TERMINATION

Act 1743 (HB1958) - The act states that the provisions of § 9-9-220(c)(1)(A) through (c)(1)(C) apply only to child support orders entered after August 13, 2001.

PRODUCT SAFETY

Act 1159 (HB2330) - The act requires the Attorney General to update quarterly a list of recalled children's products, post it on the Internet, and notify child care facilities of the recalled products.

WORKERS WITH DIRECT CONTACT WITH CHILDREN

Act 1380 (HB1899) - The act updates sex offenses in the list of offenses for background checks on persons in direct contact with children and with mentally ill and developmentally disabled persons.

CITIES

ALDERMEN

CITIES OF THE FIRST CLASS

Act 244 (HB1187) - The act clarifies the procedures for staggering the four-year terms for aldermen in cities of the first class with a population of fewer than 50,000 people.

CITIES OF THE SECOND CLASS

Act 328 (HB1256) - The act gives cities of the second class the option of electing aldermen to staggered four-year terms.

AMERICAN FLAG DISPLAY

Act 1106 (SB37) - The act makes it unlawful for a local government or a private entity to prohibit a person from flying the flag of the United States. Municipal and county governments and any departments may not prohibit the display of the flag. Reasonable public safety rules and time, place, and manner regulations are authorized. Private entities may not prohibit the display of the American flag.

ANNEXATION MAP

Act 383 (SB344) - The act eliminates the requirement that local governments file a map with the Department of Finance and Administration showing recently annexed areas for purposes of local sales tax collections.

CITY ATTORNEY

HIRING LEGAL COUNSEL

Act 1361 (HB2321) - The act allows cities of the first class to employ an attorney if no attorney resides within the city or if no resident attorney is elected or willing to serve as city attorney.

TECHNICAL CORRECTIONS

Act 113 (HB1182) - The act eliminates the statutory requirement for a city clerk and a city attorney to hold office for two years. The act requires the city clerk and city attorney to give a bond, perform his or her duties, and receive the salary as prescribed by ordinance in each city.

CITY CLERK

Act 113 (HB1182) - The act eliminates the statutory requirement for a city clerk and a city attorney to hold office for two years. The act requires the city clerk and city attorney to give a bond, perform his or her duties, and receive the salary as prescribed by ordinance in each city.

CITY HEALTH BOARD

Act 282 (SB148) - The act permits, rather than requires, cities and towns to create a city health board and to appoint a municipal health officer. The act also authorizes the city or town to prescribe the duties of the municipal health officer, if one is appointed.

CITIES

CONSOLIDATION OR MERGER

Act 1171 (HB2643) - The act revises the procedures for consolidating cities. The act makes it mandatory for the larger city council to refer the merger question to the electorate. The act allows a merger petition to delay implementation of the merger for up to 18 months. The act also allows the merger petition to call for the election of all city officials instead of only city officials in the smaller city.

CRIMINAL ABATEMENT BOARDS

Act 1190 (SB770) - The act authorizes cities of first class and second class to create criminal nuisance abatement boards. The act also establishes appeals procedures.

DEVELOPMENT IMPACT FEES

Act 1719 (SB620) - The act authorizes municipalities to assess and collect development impact fees to cover the financial impact that new residential or commercial development will have on municipal services and utilities. The impact fee is to be collected by the municipality separate from other charges to the development and is to be collected at time of closing or at the issuance of the certificate of occupancy.

ELECTIONS

FILING DEADLINES

Act 542 (HB1985) - The act changes the deadline for independent candidates filing for municipal office to no less than 90 days before the general election. The act also changes the deadline for write-in candidates for county or township offices to no later than 90 days before the election day.

Act 1104 (HB2326) - The act allows cities to establish filing deadlines for candidates that are independent or nonpartisan in an election for municipal office.

EMERGENCY COMMUNICATION CENTERS

Act 1792 (HB2853) - The act authorizes a political subdivision to levy, after September 1, 2003, an additional 30¢ per month charge to each local cell phone account to finance 911 emergency communication centers. The charge will be in addition to a 50¢ charge already authorized.

EMERGENCY TELEPHONE SERVICE CHARGES

CELLULAR PHONE FEE

Act 1792 (HB2853) - The act authorizes a political subdivision to levy, after September 1, 2003, an additional 30¢ per month charge to each local cell phone account to finance 911 emergency communication centers. The charge will be in addition to a 50¢ charge already authorized.

REDUCTION

Act 111 (HB1157) - The act allows the governing authority of a political subdivision under § 12-10-318 to reduce its emergency phone service rate. The rate may be no less than 4% of the tariff rate for those telephone service users, who, as of the date of the election to institute an emergency telephone service charge was conducted, are served by a telephone company with fewer than 200 access lines in Arkansas.

FIRE DEPARTMENT

ELIGIBILITY LISTS

Act 280 (SB130) - The act allows cities with civil service commissions for police and fire departments to extend the expiration date of eligibility lists from one year to two years, with an exception for certain persons based on time in rank.

CITIES

FIRE DEPARTMENT

SERVICE ON GOVERNING MUNICIPAL BODY

Act 1048 (HB2759) - The act provides that it is unlawful for a volunteer firefighter or volunteer police officer in any city of the first or second class or incorporated town in this state to seek election to, and if elected serve as, a member of the city council or other governing body of the city or town.

SUSPENSION AND HEARING

Act 1815 (HB2837) - The act reduces the number of days that a municipal police officer or firefighter may be suspended and receive a full hearing before the civil service commission. The current law allows a police officer or firefighter to be suspended for a short period of time without requiring a hearing before the municipal civil service commission. The required suspension time is reduced from fifteen days to a three-day suspension.

TRAINING STANDARDS

Act 1396 (HB2568) - The act provides training requirements for full-time firefighters hired by local government firefighting units.

FIRE PROTECTION ASSESSMENTS

Act 1168 (HB2479) - The act provides that the fire protection district assessments are not final until reviewed by the governing body of the city and a resolution is passed that states the assessments have been reviewed.

FLOODPLAIN ADMINISTRATOR ACCREDITATION

Act 745 (SB268) - The act provides for the appointment of a floodplain administrator in a municipal or county government which prohibits the development of land by improvements that are exposed to flood damage or that are threatened by flood hazards. The appointed floodplain administrator is required to be accredited after July 1, 2004.

FREEDOM OF INFORMATION ACT EXEMPTION

Act 213 (HB1369) - The act exempts the home addresses of nonelected county and municipal employees from disclosure as a public record under the Freedom of Information Act of 1967.

HOMELAND SECURITY INFORMATION ACT

Act 1366 (SB873) - The Homeland Security Information Act provides for the security of the plans of emergency service agencies to prevent, investigate, or respond to incidents of terrorism and mass destruction. The act protects the security of investigative files and documents from disclosure. Emergency service agencies are only those law enforcement agencies of city and county governments.

JAILS

FINES FOR CITY PRISONERS

Act 1188 (SB714) - The act authorizes all city and county governments to pass an ordinance to levy an additional fine up of to \$5.00 in district or city courts. The fine is to help defray the expense of incarcerating city or county prisoners in the city and county jail.

OTHER INSTRUMENTALITIES AUTHORIZED TO CONSTRUCT AND OPERATE

Act 1772 (HB2476) - The act expands the type of political subdivisions that may create and operate jail boards and that may issue revenue bonds to construct and operate jails.

JOINT COUNTY AND MUNICIPAL SOLID WASTE DISPOSAL ACT

Act 342 (HB1554) - The act amends the Joint County and Municipal Solid Waste Disposal Act to give a sanitation authority the power to own and operate wastewater, storm water, or water treatment facilities and plants. The act gives sanitation authorities the power of eminent domain to take property for those treatment facilities and plants.

CITIES

LOCAL GOVERNMENT CASH MANAGEMENT TRUST, ARKANSAS

Act 329 (HB1188) - The act allows the following funds remitted to municipalities by the State of Arkansas to be deposited directly into a municipality's Arkansas Local Government Cash Management Trust account: (1) The Municipal Aid Fund; (2) The special highway revenues made available by the Arkansas Highway Revenue Distribution Law; and (3) The special revenues listed in the Revenue Classification Law.

MANUFACTURED HOMES

Act 624 (SB407) - The act prohibits municipalities from establishing any ordinance or regulation that sets standards for manufactured home construction or safety that are not identical to the federal standards. Municipalities that have zoning ordinances must allow the placement of manufactured homes on individually-owned lots in at least one or more residential districts or zones within the city or town. Cities may continue to regulate mobile homes manufactured before 1976. The act does not preempt any bills of assurance or does not require that manufactured homes be permitted in historic districts. It is effective October 1, 2003.

MIXED DRINK TAX

ACCESS TO AUDIT INFORMATION

Act 335 (SB54) - The act requires the Department of Finance and Administration to notify the city or county of an audit for the supplemental tax on the sale of alcoholic beverages consumed on premises if the department audits a taxpayer or private club, if the department makes an assessment related to the audit against the taxpayer or private club, and if the taxpayer or private club operates in a city or county that imposes a supplemental tax on the sale of alcoholic beverages consumed on the premises.

MUNICIPAL HEALTH OFFICER

Act 282 (SB148) - The act permits, rather than requires, cities and towns to create a city health board and to appoint a municipal health officer. The act also authorizes the city or town to prescribe the duties of the municipal health officer, if one is appointed.

MUNICIPAL IMPROVEMENT DISTRICTS

Act 550 (SB419) - The act permits a city or town council to increase the number of commissioners for any improvement district created from three members to five members by ordinance.

OCCUPATIONAL TAXES AND LICENSES

Act 1191 (SB771) - The act repeals the penalties for violating the provisions concerning municipal occupational taxes and licenses.

OFFICERS AND EMPLOYEES INTEREST IN CONTRACTS

Act 1299 (SB750) - The act prohibits municipal officials or municipal employees from having an interest in the profits of any contract for the furnishing of supplies, equipment, or services to the municipality.

OUTDOOR ADVERTISING SIGNS

Act 1268 (HB2406) - The act provides that the chapter pertaining to municipal planning shall not be construed to authorize the legislative body of any city, incorporated town, or county to adopt any ordinance, law, or regulation that requires the taking, elimination, alteration, or diminishment of a legally erected outdoor advertising sign without first making the payment of just monetary compensation therefor.

PARKS AND RECREATION COMMISSIONS

Act 294 (SB131) - The act authorizes the expansion of a city parks and recreation commission from five members to as many as fifteen members.

CITIES

POLICE DEPARTMENT

BAIL BOND FEE

Act 1347 (HB2839) - The act authorizes every municipal police department to charge and collect a \$20.00 fee for taking and entering every bail or delivery bond.

DISPOSITION OF CONTRABAND AND SEIZED PROPERTY

Act 135 (HB1185) - The act allows unclaimed seized property to be auctioned by the chief law enforcement officer of the county, city, or town law enforcement agency that seized the property. The act allows the county, city, or town whose law enforcement agency performed the seizure to transfer the proceeds from the auction sale into its general fund after a designated three-month period.

ELIGIBILITY LISTS

Act 280 (SB130) - The act allows cities with civil service commissions for police and fire departments to extend the expiration date of eligibility lists from one year to two years, with an exception for certain persons based on time in rank.

RECORDS RETENTION

Act 1187 (SB703) - The act prescribes time periods for maintaining various municipal police department records.

SALE OF CONFISCATED GOODS

Act 1349 (HB2848) - The act revises the distribution of proceeds from the sale of confiscated goods by law enforcement agencies from within a municipality. All confiscated goods not needed for evidence must be sold at auction and the proceeds are used to support the city's police pension fund.

SERVICE ON GOVERNING MUNICIPAL BODY

Act 1048 (HB2759) - The act provides that it is unlawful for a volunteer firefighter or volunteer police officer in any city of the first or second class or incorporated town in this state to seek election to, and if elected serve as, a member of the city council or other governing body of the city or town.

SUSPENSION AND HEARING

Act 1815 (HB2837) - The act reduces the number of days that a municipal police officer or firefighter may be suspended and receive a full hearing before the civil service commission. The current law allows a police officer or firefighter to be suspended for a short period of time without requiring a hearing before the municipal civil service commission. The required suspension time is reduced from 15 days to a three-day suspension.

PUBLIC FACILITIES BOARDS

Act 544 (SB59) - The act allows mayors and county judges of creating cities under 100,000 people and creating counties of less than 150,000 people to appoint the successor members of public facilities boards. The appointees are to come from a list of nominees supplied by the remaining board members.

REGIONAL INTERMODAL FACILITIES ACT

Act 1158 (HB2325) - The act makes a technical amendment to the definition of "intermodal" to include one or more modes of interconnected movement of freight, commerce, or passengers.

CITIES

SALE OR LEASE OF CITY PROPERTY

IN-LIEU-OF TAX PAYMENTS

Act 1289 (SB501) - The act repeals the expiration date for the requirement that municipalities and counties negotiate in-lieu-of tax payments when negotiating a contract for the sale or lease of municipal or county property to a private, for-profit entity. The act sets guidelines for determining the aggregate amount of the ad valorem taxes that would be paid if the property was on the tax roll during the initial term of the lease or contract for sale. The act provides exceptions for certain agreements.

SALES AND USE TAXES

METER AND ROUTE DELIVERY

Act 374 (HB1614) - The act clarifies the application of local sales and use tax to items delivered outside of a city or county and to items sold by meter and route delivery.

SOLID WASTE MANAGEMENT

GRANT ASSISTANCE

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

REPORTING REQUIREMENTS

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

TOURIST FACILITIES

Act 1757 (HB2320) - The act modifies the payments of state assistance to cities and counties under an agreement with the eligible tourist facilities.

UTILITIES

CITY WATER SERVICE

Act 769 (HB1389) - The act provides that if a person who is delinquent on the payment for water service provided by a water system moves into another area of this state and applies for or receives water from another water system, the new water system shall refuse to provide water service to the delinquent person until the person provides proof of payment of the delinquency. The former water service must establish the delinquency is undisputed and must notify the subsequent water service. The act does not apply to any water service utility regulated by the Public Service Commission.

ELECTRIC UTILITY SYSTEMS

Act 366 (HB1413) - The act authorizes and governs the financing, ownership, operation, and management of electric projects through the formation of separate political subdivisions by municipalities owning or operating electric utility systems through the existing interlocal act process.

MUNICIPAL UTILITY COMMISSIONS

Act 1464 (HB2499) - The act eliminates certain prohibitions on service on municipal utility commissions.

WASTEWATER TREATMENT SYSTEMS

Act 1297 (SB724) - The act permits any municipality or sanitation authority, after soliciting proposals, to enter into contracts with private persons, for the design, building, operation, and maintenance of all or any portion of its wastewater treatment system or storm-water treatment system.

CITIES

WATER AND AIR POLLUTION CONTROL ACT

Act 133 (HB1183) - The act requires that notice be given to the mayor of a municipal government if a civil penalty is proposed regarding an environmental violation that occurred within the city. The municipality is given an opportunity to comment on the proposed civil penalties under the Arkansas Water and Air Pollution Control Act.

WEBSITE

MACHINE READABLE PRIVACY POLICY

Act 1713 (HB2495) - The act requires each state and local government and state agency that operates or maintains a website to incorporate a machine readable privacy policy into each of its websites no later than July 1, 2004. The act specifies certain components that must be included in the privacy statement.

CIVIL LAW AND PROCEDURE

CLAIMS COMMISSION, ARKANSAS STATE

JURISDICTION

Act 1282 (SB182) - The act precludes the Arkansas State Claims Commission from hearing a claim by a member of the uniformed armed services against the State Military Department, the State Militia, or any subdivision thereof, if the claim arises out of the performance of the claimant's military duty.

FIREARM MANUFACTURERS

Act 935 (HB1326) - The act provides that in a product liability action, the actual discharge of a firearm shall be the proximate cause of injury and not the inherent capability of the firearm. The manufacturer's mere placement of a firearm into the stream of commerce shall not be conduct deemed sufficient to constitute the proximate cause of injury, even if the accidental discharge of the firearm or non-powder gun is found to be foreseeable.

JUDGMENTS AGAINST OFFICERS OR SECURITIES ON DEFAULTS

Act 1151 (HB1272) - The act makes a person liable only for willful violations for failing to properly execute a writ.

MEDIATION

Act 1179 (SB216) - The act authorizes all circuit and appellate courts to order any civil, juvenile, probate, or domestic relations case or controversy to mediation.

PUNITIVE DAMAGES

Act 1471 (HB1263) - The act clarifies that the limitation on an award of punitive damages applies to each individual plaintiff.

SIGNING OF ORDERS

Act 1000 (SB655) - The act authorizes circuit judges to sign orders in a geographic location other than the judicial circuit in which the matter is pending.

SOVEREIGN IMMUNITY

Act 298 (SB269) - The act clarifies that the state does not waive its sovereign immunity by entering into negotiations concerning the possible settlement of a pending or threatened claim or litigation, or by communicating to a court, counsel, citizens, or otherwise, with respect to the possibility of settling any pending or threatened claim or litigation.

CIVIL LAW AND PROCEDURE

STATE CLAIMS COMMISSION, ARKANSAS

Act 1468 (SB183) - The act precludes the Arkansas State Claims Commission from hearing a claim against the Department of Community Correction for an act committed by a person while that person is subject to conditions of parole or probation under Arkansas law. The commission is also precluded from hearing claims against the Department of Correction for an act committed by an inmate while the inmate is on authorized release from the Department of Correction.

TORT REFORM

Act 649 (HB1038) - The act makes numerous changes to the laws governing civil tort actions in the areas of joint and several liability, assessment of fault, comparative fault, punitive damages, compensatory damages, venue, appeals bonds, burden of proof, false pleadings, and the statute of limitations.

CONSUMER PROTECTION

CALLER IDENTIFICATION SERVICES

Act 1465 (HB2580) - The act amends Arkansas Code to make it unlawful to display or cause to be displayed a fictitious or misleading name or telephone number on an Arkansas resident's telephone caller identification service. The prohibition does not apply to the transmission of caller identification service by a telecommunications provider.

CREDIT CARDS TRANSACTION RECEIPTS

Act 274 (HB1269) - The act prohibits printing more than the last five digits of a credit card account number, the expiration date, or both, on an electronically printed receipt of a credit card transaction.

DO NOT CALL REGISTRY

Act 1042 (HB2293) - The act amends the Arkansas Consumer Telephone Privacy Act to authorize the Attorney General to include Arkansas consumers who have registered for the national "Do Not Call" registry into the Arkansas' "Do Not Call" registry. Violation of the federal "Do Not Call" rule is also a violation of the Arkansas Consumer Telephone Privacy Act.

EMAIL

Act 1019 (HB1008) - The act sets requirements for sending unsolicited commercial electronic mail and unsolicited sexually explicit electronic mail and authorizes a service provider to block receipt or transmission of bulk mail sent in violation of the act and to terminate the service of a person violating the act. The act makes a violation with respect to an unsolicited sexually explicit electronic mail a Class B misdemeanor, creates a civil cause of action for any violation, and makes any transmission in violation of the act an unfair and deceptive act.

FAIR HOUSING

Act 1775 (HB2556) - The act amends various provisions of the fair housing law to conform with federal law. The act clarifies penalties for violation of the fair housing law. The act also clarifies the process for filing and investigating complaints and for prosecuting violators.

FAIR MORTGAGE LENDING ACT

Act 554 (HB1668) - The act repeals part of the Mortgage Loan Company and Loan Broker Act and provides standards of conduct and licensing requirements for mortgage brokers. The act also contains provisions concerning the maintenance of records, public inspection of records, and remedies for violation of the act, including criminal penalties and orders by the Securities Commissioner.

CONSUMER PROTECTION

HOME INSPECTOR BOARD, ARKANSAS

Act 1328 (HB2336) - The act creates the Arkansas Home Inspectors Act and the Arkansas Inspector Board.

HOME LOANS

Act 1340 (HB2598) - The act known as the "Arkansas Home Loan Protection Act" prohibits predatory lending in the home mortgage market.

INVESTOR EDUCATION FUND

Act 759 (HB2180) - The act limits the annual deposit into the Securities Department Fund to no more than \$1,000,000 until July 1, 2011, at which time the limitation may be extended. The act also creates the Investor Education Fund from fines or other moneys collected under § 23-42-209 and § 23-42-309, to inform and educate the public regarding investments in securities and to pay for costs associated with providing information to the public regarding securities. Funds collected for the Investor Education Fund in excess of \$150,000 in any fiscal year shall be designated as special revenues and deposited into the Securities Department Fund.

PRICE GOUGING ACT OF 2003, ARKANSAS

Act 1448 (SB762) - The act entitled the "Arkansas Price Gouging Act of 2003" amends the definition of "state of emergency" under the unfair pricing practices law to include the declaration of a red condition in the Homeland Security Advisory System by either the United States Department of Homeland Security or the Arkansas Department of Emergency Management Services.

PROFESSIONAL HOME SECURITY SERVICES CONTRACTS

Act 1344 (HB2732) - The act prohibits the automatic renewal of professional home security service contracts entered into after the effective date of the act. No contract for professional home security services shall be renewed for any additional period beyond the initial term of the contract unless the person receiving the professional home security service affirmatively notifies the person offering the service that he or she wishes to renew the contract.

UNFAIR PRACTICES

Act 1172 (HB2720) - The act allows the Attorney General to bring an action in the name of the state against a person the Attorney General has reason to believe is engaging, has engaged, or is about to engage in any practice that is unlawful under Title 4, Chapter 74, Subchapter 2.

UNFAIR PRICING PRACTICES

Act 1082 (HB2755) - The act adds act of war, the period of time following a terrorist attack, threat of war, and military action, to the definition of "state of emergency" for purposes of prohibited unfair pricing practices.

CORRECTIONS

COMMUNITY CORRECTION

ELIGIBLE OFFENDER

Act 1018 (SB738) - The act expands the definition of "eligibility" or "eligible offender", for purposes of determining eligibility to participate in a community correction program, to include any person who is otherwise under the supervision of the Department of Community

TARGET GROUP

Act 245 (HB1202) - The act adds Class A and Class B controlled substance felonies as offenses included in the definition of "target group" for purposes of placement in a community correction facility.

CORRECTIONS

CORRECTIONAL FACILITY EMPLOYEES

AGGRAVATED ASSAULT

Act 1271 (SB194) - The act amends the offense of aggravated assault upon an employee of a correctional facility to include the throwing, tossing, or expelling of saliva, blood, urine, feces, seminal fluid, or other bodily fluid which creates a potential danger of infection to the employee.

BATTERY IN THE SECOND DEGREE

Act 66 (HB1075) - The act defines "employee of a correctional facility", for purposes of battery in the second degree, to include persons working under professional services contracts with the Department of Correction, Department of Community Punishment, and the Division of Youth Services.

POWERS OF PEACE OFFICERS

Act 351 (SB195) - The act allows employees of the Department of Correction who have the powers of peace officers to use blue rotating or flashing emergency lights on Department of Correction vehicles and to exercise other law enforcement powers exercised by police and other law enforcement personnel.

COUNTY REIMBURSEMENT FOR STATE INMATES

Act 370 (HB1494) - The act requires the Department of Correction to determine the number of state inmates housed in county jails and to reimburse county jails on a monthly basis. The act removes the Department of Correction's authority to transfer jail reimbursement funds to other purposes.

FELON'S RIGHT TO VOTE

Act 271 (HB1180) - The act amends § 11(d)(2) of Amendment 51 of the Arkansas Constitution, regarding cancellation of registration and the restoration of a felon's right to vote. The act requires that the Department of Correction, the Department of Community Correction, or the appropriate probation office to provide to the felon proof that the felon has been discharged from probation or parole and has paid all probation or parole fees, or has satisfied all terms of imprisonment, plus other terms of his or her sentence.

RESTORATION

Act 1451 (SB817) - The act amends § 11(d)(2) of Amendment 51 of the Arkansas Constitution, regarding cancellation of registration and the restoration of a felon's right to vote. The act requires that the Department of Correction, the Department of Community Correction, the appropriate probation office, or the circuit clerk to provide to the felon proof that the felon has been discharged from probation or parole and has paid all probation or parole fees, or has satisfied all terms of imprisonment, and has paid all applicable court costs, fines, or restitution.

JAIL

CONSTRUCTION AND OPERATION OF JAILS

Act 1772 (HB2476) - The act expands the type of political subdivisions that may create and operate jail boards and that may issue revenue bonds to construct and operate jails.

RIGHTS OF PRISONER

Act 1648 (HB1889) - The act revises the licensing requirements for bail bond agents. The act also provides that no prisoner shall be denied the right to consult an attorney or to call a physician while in jail.

CORRECTIONS

LIABILITY FOR ACTS COMMITTED BY PAROLEES OR PERSONS ON PROBATION

Act 1468 (SB183) - The act precludes the Arkansas State Claims Commission from hearing a claim against the Department of Community Correction for an act committed by a person while that person is subject to conditions of parole or probation under Arkansas law. The commission is also precluded from hearing claims against the Department of Correction for an act committed by an inmate while the inmate is on authorized release from the Department of Correction.

MAXIMUM CONFINEMENT AS A CONDITION OF SUSPENSION OR PROBATION

Act 1742 (HB1953) - The act establishes the maximum period of confinement to a county jail, city jail, other authorized local detentional, correctional, or rehabilitative facility, or Department of Correction facility on condition of suspension or probation.

MERITORIOUS GOOD TIME

Act 1005 (SB828) - The act allows inmates transferred to the supervision of the Department of Community Correction to receive meritorious goodtime reducing his or her time of transfer or parole supervision up to 30 days each month.

PAROLE PILOT PROGRAM

Act 1394 (HB2405) - The act authorizes a pilot program in the Arkansas Department of Correction to allow the parole of certain inmates sentenced to a term of imprisonment of two years or less under conditions set by the Post Prison Transfer Board.

PRISON OVERCROWDING

Act 1721 (SB720) - The act amends various provisions of the Prison Overcrowding Emergency Powers Act. The act also requires the Board of Correction to certify the list of persons on the county jail backlog and that all authorized actions have been exhausted in an attempt to reduce the county jail backlog. Additionally, the act requires that when the board declares a prison crowding emergency, the Director of the Department of Correction shall certify to the board a list of those inmates who are Class I or Class II status.

PRISONER DISCIPLINARY PROCEEDINGS

Act 350 (SB181) - The act excludes prisoner disciplinary proceedings from the definition of "adjudication" under the Arkansas Administrative Procedure Act.

SENTENCING

SUSPENSION OF SENTENCE AND PROBATION

Act 1006 (SB855) - The act allows a court to require any person who is sentenced for a felony or a Class A misdemeanor to make a good faith effort toward completion of a high school diploma or general education development certificate, as an additional requirement for suspension of sentence or probation. Alternatively, a court may allow a defendant to pursue a prescribed course of study or vocational training that is designed to equip him or her for employment.

COUNTIES

AMERICAN FLAG DISPLAY

Act 1106 (SB37) - The act makes it unlawful for a local government or a private entity to prohibit a person from flying the flag of the United States. Municipal and county governments and any departments may not prohibit the display of the flag. Reasonable public safety rules and time, place, and manner regulations are authorized. Private entities may not prohibit the display of the American flag.

COUNTIES

COMPETITIVE BIDDING

Act 209 (HB1286) - The act amends the county government purchasing procedures law to increase the minimum amount for competitive bidding from \$10,000 to \$15,000.

COUNTY AID FUND

Act 208 (HB1285) - The act allows a county to use county road funds from the County Aid Fund to pay for local projects eligible for funding under state programs of the Arkansas State Highway and Transportation Department and under federal programs of the Federal Highway Administration of the U.S. Department of Transportation.

COUNTY CLERK

EQUALIZATION BOARD

Act 202 (HB1022) - The act permits the clerk of the county court to serve as the secretary of the equalization board of the clerk's county or to appoint a designee. The act also requires the clerk or the clerk's designee to file a statement showing the name and address of each member of the board with the Assessment Coordination Department.

FORMS FOR RECORDING

Act 757 (HB1620) - The act specifies the instruments to be recorded by the county clerk and the accepted format for the instruments.

PREPARATION OF COUNTY TAX BOOKS

Act 295 (SB196) - The act clarifies the duties of the county clerk regarding the preparation of county tax books. The preparer of the tax books, who may or may not be the county clerk, is responsible for preparing county tax books. The act also repeals several obsolete Arkansas Code sections regarding county tax collection procedures.

SERVICE ON BOARD BY COUNTY CLERK

Act 202 (HB1022) - The act permits the clerk of the county court to serve as the secretary of the equalization board of the clerk's county or to appoint a designee. The act also requires the clerk or the clerk's designee to file a statement showing the name and address of each member of the board with the Assessment Coordination Department.

COUNTY COLLECTOR

AUTOMATION FUND

Act 847 (HB2482) - The act permits the county collector to set aside a portion of the gross commissions collected annually to be credited to the county collector's automation fund for operation of the county collector's office, for administrative costs, and for other purposes.

SEBASTIAN COUNTY

Act 843 (HB2387) - The act separates the office of County Sheriff and Collector of Sebastian County and then consolidates the office of County Treasurer with the office of the County Collector in Sebastian County, Arkansas.

COUNTY GENERAL FUND

TRANSFER FROM COMMUNICATION FACILITY AND EQUIPMENT FUND

Act 1338 (HB2531) - The act authorizes the county sheriff to transfer unneeded funds from the county sheriff's Communication Facility and Equipment Fund to the county general fund.

The act requires the county sheriff to agree to the transfer.

TRANSFER FROM COUNTY RECORDER'S AUTOMATION FUND

Act 1339 (HB2532) - The act authorizes the county recorder to transfer unneeded funds from the county recorder's automation fund to the county general fund. The act requires the county recorder to agree to any transfers.

COUNTIES

COUNTY JUDGE

VOLUNTEER FIRE DEPARTMENTS

Act 102 (SB13) - The act authorizes county judges to grade, pave, and maintain any real property of a rural volunteer fire department, including roads or driveways of the departments.

COUNTY OFFICIALS' SALARIES

SALARY INCREASE

Act 109 (HB1044) - The act increases the minimum and maximum salaries authorized for county-elected officials. Generally, the minimum salary level was raised \$1,000 and the maximum salary level was raised \$5,000. The per diem for quorum court members was also increased.

COUNTY RECORDER

AUTOMATION FUND TRANSFER

Act 1339 (HB2532) - The act authorizes the county recorder to transfer unneeded funds from the county recorder's automation fund to the county general fund. The act requires the county recorder to agree to any transfers.

INDEX CONCERNING LANDS AND TENEMENTS

Act 1173 (HB2819) - The act requires each county recorder to record in the county's index concerning lands and tenements, certain information regarding the assignment of a mortgage, deed of trust, or other lien.

COUNTY ROADS

NATURAL DISASTERS

Act 83 (SB12) - The act amends the State Aid Road Fund law to allow disaster-stricken counties to receive money from the state to match federal disaster relief funding to repair roads and bridges that are damaged as result of other natural disasters, in addition to damage caused by tornadoes, heavy rainfall, and flooding.

COUNTY SHERIFF

COMMUNICATION FACILITY AND EQUIPMENT FUND TRANSFER

Act 1338 (HB2531) - The act authorizes the county sheriff to transfer unneeded funds from the county sheriff's Communication Facility and Equipment Fund to the county general fund. The act requires the county sheriff to agree to the transfer.

COUNTY TREASURER

AUTOMATION FUND

Act 844 (HB2465) - The act permits the county treasurer to set aside up to 10% of the gross commissions collected annually to be credited to the county treasurer's automation fund to operate the office of the county treasurer, for administrative costs, and to purchase and maintain an automated accounting system.

COUNTY TREASURY

DEPOSIT OF FINES

Act 134 (HB1184) - The act eliminates the distribution of all fines, penalties, and forfeitures imposed by any court or board of officers into the county treasury, other than those imposed by city and police courts. The act also eliminates the requirement that all fines and penalties of city courts and courts of incorporated towns for violations of city or town ordinances be retained by the city or town for the maintenance of the courts.

CRAIGHEAD COUNTY

DEPUTY SHERIFF AND DEPUTY CLERK

Act 667 (SB404) - The act provides for an advisory election at each preferential primary election and general election conducted in Craighead County for the positions of deputy sheriff and deputy clerk in the eastern district of Craighead County.

COUNTIES

DEPOSITORY AGREEMENTS

FORMS

Act 68 (HB1104) - The act requires counties to use standard forms provided by the State Board of Finance for depository agreements. The act requires county officials to obtain security for the deposit or investment of public funds for amounts not fully insured directly by the United States.

DISPOSITION OF CONTRABAND AND SEIZED PROPERTY

Act 135 (HB1185) - The act allows unclaimed seized property to be auctioned by the chief law enforcement officer of the county, city, or town law enforcement agency that seized the property. The act allows the county, city, or town whose law enforcement agency performed the seizure to transfer the proceeds from the auction sale into its general fund after a designated three-month period.

ELECTIONS

FILING DEADLINES FOR COUNTY OR TOWNSHIP OFFICE

Act 542 (HB1985) - The act changes the deadline for independent candidates filing for municipal office to no less than 90 days before the general election. The act also changes the deadline for write-in candidates for county or township offices to no later than 90 days before the election day.

EMERGENCY COMMUNICATION CENTERS

CELLULAR PHONE FEE

Act 1792 (HB2853) - The act authorizes a political subdivision to levy, after September 1, 2003, an additional 30¢ per month charge to each local cell phone account to finance 911 emergency communication centers. The charge will be in addition to a 50¢ charge already authorized.

EMERGENCY TELEPHONE SERVICE CHARGES

REDUCTION

Act 111 (HB1157) - The act allows the governing authority of a political subdivision under § 12-10-318 to reduce its emergency phone service rate. The rate may be no less than 4% of the tariff rate for those telephone service users, who, as of the date of the election to institute an emergency telephone service charge was conducted, are served by a telephone company with fewer than 200 access lines in Arkansas.

FINES

SETOFF AGAINST TAX REFUND

Act 1800 (HB2726) - The act allows county and district courts to be included in the definition of "claimant agencies". The act allows county and district courts to obtain a setoff against state income tax refunds for past due fines and restitutions.

FIRE FIGHTING TRAINING STANDARDS

Act 1396 (HB2568) - The act provides training requirements for full-time firefighters hired by local government firefighting units.

FLOODPLAIN ADMINISTRATOR ACCREDITATION

Act 745 (SB268) - The act provides for the appointment of a floodplain administrator in a municipal or county government which prohibits the development of land by improvements that are exposed to flood damage or that are threatened by flood hazards. The appointed floodplain administrator is required to be accredited after July 1, 2004.

COUNTIES

FRANKLIN COUNTY

COUNTY SHERIFF AND TAX COLLECTOR

Act 823 (HB1895) - The act creates the separate offices of sheriff and tax collector for Franklin County effective January 1, 2005. Each officer shall be chosen at the 2004 general election and shall provide a performance bond. The Franklin County Quorum Court shall determine compensation and allowances, the number of deputies, and other allowances for each officer.

TAX COLLECTOR

Act 823 (HB1895) - The act creates the separate offices of sheriff and tax collector for Franklin County effective January 1, 2005. Each officer shall be chosen at the 2004 general election and shall provide a performance bond. The Franklin County Quorum Court shall determine compensation and allowances, the number of deputies, and other allowances for each officer.

FREEDOM OF INFORMATION ACT EXEMPTION

Act 213 (HB1369) - The act exempts the home addresses of nonelected county and municipal employees from disclosure as a public record under the Freedom of Information Act of 1967.

HOMELAND SECURITY INFORMATION ACT

Act 1366 (SB873) - The Homeland Security Information Act provides for the security of the plans of emergency service agencies to prevent, investigate, or respond to incidents of terrorism and mass destruction. The act protects the security of investigative files and documents from disclosure. Emergency service agencies are only those law enforcement agencies of city and county governments.

JAILS

FINES FOR COUNTY PRISONERS

Act 1188 (SB714) - The act authorizes all city and county governments to pass an ordinance to levy an additional fine up of to \$5.00 in district or city courts. The fine is to help defray the expense of incarcerating city or county prisoners in the city and county jail.

MARRIAGE LICENSE FEE

Act 1029 (HB1980) - The act increases the marriage license fee by \$13.00. The act allocates \$2.00 of the fee increase to the county clerks for operational costs. The act also creates the Domestic Peace Fund and allocates \$11.00 of the fee to be deposited as special revenues in the fund, to be used by the Arkansas Child Abuse/Rape/Domestic Violence Commission.

NATURAL DISASTERS

STATE AID ROAD FUND

Act 1186 (SB587) - The act makes available moneys in the State Aid Road Fund to repair and restore county bridges and roads as a result of a natural disaster occurring after December 1, 2002.

OUTDOOR ADVERTISING SIGNS

Act 1268 (HB2406) - The act provides that the chapter pertaining to municipal planning shall not be construed to authorize the legislative body of any city, incorporated town, or county to adopt any ordinance, law, or regulation that requires the taking, elimination, alteration, or diminishment of a legally erected outdoor advertising sign without first making the payment of just monetary compensation therefor.

PIKE COUNTY

CLERK AND CIRCUIT CLERK SEPARATED

Act 538 (HB1930) - The act separates the combined offices of County and Circuit Clerk for Pike County, Arkansas to make two separate elective offices.

COUNTIES

PUBLIC FACILITIES BOARDS

APPOINTMENT OF BOARD MEMBERS

Act 544 (SB59) - The act allows mayors and county judges of creating cities under 100,000 people and creating counties of less than 150,000 people to appoint the successor members of public facilities boards. The appointees are to come from a list of nominees supplied by the remaining board members.

TRANSFER OF CERTAIN PROPERTY WITHOUT APPRAISAL OR BIDS

Act 549 (SB390) - The act allows a county public facilities board to transfer waterworks facilities to a public body created under the Consolidated Waterworks Authorization Act (Central Arkansas Water) without bids or appraisals.

PUBLIC FUNDS

SECURITY FOR INVESTMENT OR DEPOSIT

Act 68 (HB1104) - The act requires counties to use standard forms provided by the State Board of Finance for depository agreements. The act requires county officials to obtain security for the deposit or investment of public funds for amounts not fully insured directly by the United States.

QUORUM COURT PER DIEM

Act 109 (HB1044) - The act increases the minimum and maximum salaries authorized for county-elected officials. Generally, the minimum salary level was raised \$1,000 and the maximum salary level was raised \$5,000. The per diem for quorum court members was also increased.

REGIONAL INTERMODAL FACILITIES ACT

DEFINITION OF INTERMODAL

Act 1158 (HB2325) - The act makes a technical amendment to the definition of "intermodal" to include one or more modes of interconnected movement of freight, commerce, or passengers.

RURAL VOLUNTEER FIRE DEPARTMENTS

DEPARTMENTS SERVING TWO COUNTIES

Act 200 (HB1009) - The act allows rural volunteer fire departments or fire protection districts that extend into two counties to be eligible to receive fire protection premium tax funds, known as Act 833 funds, from each county. The fire department is eligible to receive funds from each county that it serves.

SALE OR LEASE OF COUNTY PROPERTY

IN-LIEU-OF TAX PAYMENTS

Act 1289 (SB501) - The act repeals the expiration date for the requirement that municipalities and counties negotiate in-lieu-of tax payments when negotiating a contract for the sale or lease of municipal or county property to a private, for-profit entity. The act sets guidelines for determining the aggregate amount of the ad valorem taxes that would be paid if the property was on the tax roll during the initial term of the lease or contract for sale. The act provides exceptions for certain agreements.

SEBASTIAN COUNTY

Act 843 (HB2387) - The act separates the office of County Sheriff and Collector of Sebastian County and then consolidates the office of County Treasurer with the office of the County Collector in Sebastian County, Arkansas.

SOLID WASTE MANAGEMENT

DISTRICTS - QUORUM

Act 215 (SB160) - The act allows the quorum of solid waste planning districts to be established by the members in person or by proxy representation.

COUNTIES

SOLID WASTE MANAGEMENT

GRANT ASSISTANCE

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

REPORTING REQUIREMENTS

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

TAXES

ANNEXATION

Act 383 (SB344) - The act eliminates the requirement that local governments file a map with the Department of Finance and Administration showing recently annexed areas for purposes of local sales tax collections.

COLLECTION MADE OUTSIDE OF THE COLLECTION PERIOD

Act 1443 (SB660) - The act allocates the cost of adding a tax or fee on county tax books outside of the collection period to the entity seeking to have the tax added outside of the collection period. The entity is also required to pay any additional expense incurred by the county in collecting the tax or fee.

MIXED DRINK TAX

Act 335 (SB54) - The act requires the Department of Finance and Administration to notify the city or county of an audit for the supplemental tax on the sale of alcoholic beverages consumed on premises if the department audits a taxpayer or private club, if the department makes an assessment related to the audit against the taxpayer or private club, and if the taxpayer or private club operates in a city or county that imposes a supplemental tax on the sale of alcoholic beverages consumed on the premises.

PREPARATION OF COUNTY TAX BOOKS

Act 295 (SB196) - The act clarifies the duties of the county clerk regarding the preparation of county tax books. The preparer of the tax books, who may or may not be the county clerk, is responsible for preparing county tax books. The act also repeals several obsolete Arkansas Code sections regarding county tax collection procedures.

SALES AND USE TAX REVENUES

Act 1156 (HB2229) - The act creates a procedure to change an indicated use of revenues derived from a county sales or use tax with voter approval.

SALES AND USE TAXES - METER AND ROUTE DELIVERY

Act 374 (HB1614) - The act clarifies the application of local sales and use tax to items delivered outside of a city or county and to items sold by meter and route delivery.

SALES TAX FOR TECHNICAL OR COMMUNITY COLLEGES

Act 64 (HB1019) - The act requires the county treasurer to send the tax revenues directly to the college if a county sales tax is levied for support of a technical college, community college, two-year college, or satellite campus of a community college.

TOURIST FACILITIES

STATE ASSISTANCE

Act 1757 (HB2320) - The act modifies the payments of state assistance to cities and counties under an agreement with the eligible tourist facilities.

COUNTIES

UNCLAIMED PROPERTY PROCEEDS TRUST FUND

Act 1033 (HB2231) - The act amends the law governing distributions from the Unclaimed Property Proceeds Trust Fund to require the administrator of the fund to annually transfer to each county all funds collected from that county that have been held unclaimed for three years. The act also requires each county receiving funds to maintain an accounting of the funds in perpetuity and to pay funds to the rightful owner or the rightful owner's heir upon a finding by a court of competent jurisdiction that the person is the rightful owner or the rightful owner's heir.

VOLUNTEER FIRE DEPARTMENTS

DUES COLLECTED WITH REAL PROPERTY TAXES

Act 201 (HB1021) - The act amends the law that allows a county to collect volunteer fire department dues to require the dues be listed on real property tax statements and collected at the same time and in the same manner as real property taxes.

WATER SERVICE DELINQUENT ACCOUNTS

Act 769 (HB1389) - The act provides that if a person who is delinquent on the payment for water service provided by a water system moves into another area of this state and applies for or receives water from another water system, the new water system shall refuse to provide water service to the delinquent person until the person provides proof of payment of the delinquency. The former water service must establish the delinquency is undisputed and must notify the subsequent water service. The act does not apply to any water service utility regulated by the Public Service Commission.

WEBSITE

MACHINE READABLE PRIVACY POLICY

Act 1713 (HB2495) - The act requires each state and local government and state agency that operates or maintains a website to incorporate a machine readable privacy policy into each of its websites no later than July 1, 2004. The act specifies certain components that must be included in the privacy statement.

COURTS

CIRCUIT COURTS

CIRCUIT COURT APPORTIONMENT COMMISSION

Act 1711 (HB2396) - The act establishes the Circuit Court Apportionment Commission to assist the General Assembly and the Arkansas Supreme Court in determining circuit court district boundaries.

SIGNING OF ORDERS

Act 1000 (SB655) - The act authorizes circuit judges to sign orders in a geographic location other than the judicial circuit in which the matter is pending.

CITY AND POLICE COURTS

FINES

Act 134 (HB1184) - The act eliminates the distribution of all fines, penalties, and forfeitures imposed by any court or board of officers into the county treasury, other than those imposed by city and police courts. The act also eliminates the requirement that all fines and penalties of city courts and courts of incorporated towns for violations of city or town ordinances be retained by the city or town for the maintenance of the courts.

COURTS

COURT CLERKS

PUBLIC EMPLOYEES' RETIREMENT SYSTEM, ARKANSAS

Act 1375 (HB1240) - The act provides for district court clerk's retirement benefits under the Arkansas Public Employees' Retirement System. The act eliminates any benefits for municipal court clerks in the municipal judge's retirement systems within cities and counties after December 31, 2004.

COURT OF APPEALS

REAPPORTIONMENT OF DISTRICTS

Act 1812 (HB2548) - The act established seven new Court of Appeals districts from which two judges shall be elected from five of the districts and one judge from each of the other two districts.

DISTRICT COURTS

DISTRICTS ESTABLISHED

Act 1727 (SB874) - The act establishes judicial districts and the number of judges for district courts.

MARION, ARKANSAS

Act 464 (SB367) - The act creates the District Court of Marion effective January 1, 2005.

NUMBER OF JUDGES ESTABLISHED

Act 1727 (SB874) - The act establishes judicial districts and the number of judges for district courts.

RETIREMENT SYSTEM CREATED

Act 1374 (HB1231) - The act creates the Arkansas District Judge's Retirement System to provide retirement benefits for district judges of Arkansas after January 1, 2005. The act repeals and closes the municipal judge's and clerk's retirement systems within the cities and counties. District judges will be able to retire at age 50 with 20 years of service, at age 60 with 16 years of service, and at age 65 with 8 years of service.

SALARIES

Act 1475 (HB2269) - The act sets the salary ranges of the district court judges and other district court personnel.

VENUE

Act 673 (HB1111) - The act allows for an automatic change of venue in any criminal case, upon defendant's motion, from any justice of the peace court, police court, city court, corporation court, or any court of common pleas to district court in certain counties.

DRUG COURT PROGRAMS

Act 1266 (HB2353) - The act known as the "Arkansas Drug Court Act" authorizes each judicial district of this state to establish a drug court program which may be preadjudication or postadjudication subject to availability of funds.

ELEVENTH JUDICIAL DISTRICT

PROSECUTING ATTORNEY

Act 765 (HB2527) - The act makes the Eleventh Judicial District Prosecuting Attorney a full-time position.

FINES

OMNIBUS AMENDMENTS

Act 1765 (HB2430) - The act makes numerous technical corrections and amends numerous sections of the Arkansas Code concerning the collection of court fines.

COURTS

FINES

SETOFF AGAINST TAX REFUND

Act 1800 (HB2726) - The act allows county and district courts to be included in the definition of "claimant agencies". The act allows county and district courts to obtain a setoff against state income tax refunds for past due fines and restitutions.

FORFEITURE

FAILURE TO APPEAR

Act 1572 (HB1073) - The act allows courts to forfeit bail bonds after 120 days after the date of receipt of written notification to the surety of the defendant's failure to appear without further notice or hearing.

FOURTEENTH JUDICIAL DISTRICT

PROSECUTING ATTORNEY

Act 67 (HB1102) - The act provides for the Fourteenth Judicial District to be a Division B Judicial District.

JURORS

Act 1404 (SB187) - The act provides that beginning January 1, 2005, the pool of names from which prospective jurors are chosen may be expanded from the list of registered voters to include the list of licensed drivers and persons issued a state identification card.

JUVENILE CODE

Act 1319 (HB1658) - The act makes various changes in the Juvenile Code. The act distinguishes between the term "dependent juvenile" from "dependent-neglected juvenile". The act also clarifies kinds of abuse, perpetrators, and victims. The act defines trial placement of a juvenile. The act clarifies court jurisdiction and responsibilities through various phases of juvenile custody proceedings.

MAXIMUM CONFINEMENT AS A CONDITION OF SUSPENSION OR PROBATION

Act 1742 (HB1953) - The act establishes the maximum period of confinement to a county jail, city jail, other authorized local detentional, correctional, or rehabilitative facility, or Department of Correction facility on condition of suspension or probation.

MAYOR'S COURT

EXEMPTION

Act 114 (HB1186) - The act eliminates the exemption of Clay, Craighead, Greene, Ashley, and Chicot counties from the provisions governing the mayor's court in incorporated towns.

MEDIATION

Act 1179 (SB216) - The act authorizes all circuit and appellate courts to order any civil, juvenile, probate, or domestic relations case or controversy to mediation.

MILLER COUNTY

BAILIFFS FOR CIRCUIT COURTS

Act 1741 (HB1752) - The act provides for the assessment of a mandatory fine of \$100 for all felonies in Miller County to compensate circuit court bailiffs.

ORDERS CONCERNING INCAPACITATED PERSONS

Act 368 (HB1426) - The act limits court orders requiring the gathering of records, investigating of a respondent's condition, or helping to arrange for appropriate professional evaluations by the Department of Human Services to those in which all parties to the proceedings are found by the court to be indigent. The act also limits assistance provided by the department to actions within the State of Arkansas.

ORDERS OF PROTECTION

Act 1221 (HB1599) - The act increases the number of persons authorized to file petitions for orders of protection.

COURTS

PUBLIC DEFENDERS

Act 605 (HB1549) - The act directs the Arkansas Public Defender Commission to create and maintain a list of attorneys who are qualified and willing to accept appointment as lead counsel in capital cases when there is a conflict of interest between the indigent defendant and a public defender.

SALES UNDER JUDICIAL DECREE

Act 1740 (HB1684) - The act allows the court to set reasonable fees for commissioners who sell real property under judicial decrees.

SENTENCING

SUSPENSION OF SENTENCE AND PROBATION

Act 1006 (SB855) - The act allows a court to require any person who is sentenced for a felony or a Class A misdemeanor to make a good faith effort toward completion of a high school diploma or general education development certificate, as an additional requirement for suspension of sentence or probation. Alternatively, a court may allow a defendant to pursue a prescribed course of study or vocational training that is designed to equip him or her for employment.

TECHNICAL CORRECTIONS UNDER AMENDMENT 80

ADOPTION AND JUVENILE PROCEEDINGS

Act 1166 (HB2471) - The act makes numerous technical corrections and amends numerous sections of the Arkansas Code concerning adoptions and juvenile proceedings consistent with Amendment 80.

GENERALLY

Act 1185 (SB462) - The act makes technical corrections to implement Amendment 80 of the Arkansas Constitution which revised the judicial branch of government and replaced courts of equity and courts of law generally with circuit courts and districts courts.

THREATENING A JUDICIAL OFFICER OR JUROR

Act 1313 (HB1527) - The act creates the criminal offense of threatening a judicial official or juror.

TRAFFIC CITATIONS

Act 1032 (HB2221) - The act requires all traffic citations issued within the boundaries of a municipality to be placed on the docket in the district or city court of that municipality.

CRIMINAL LAW AND PROCEDURE

AGGRAVATED ASSAULT

Act 1113 (HB2268) - The act adds "purposely displaying a firearm in such a manner that it creates a substantial danger of death or serious physical injury to a person" to the definition of "aggravated assault".

AIRCRAFT FLIGHT CREW MEMBERS INTOXICATION

Act 1267 (HB2399) - The act amends the law concerning the operating of an aircraft while intoxicated to include members of a commercial flight crew who have an alcohol level of .04 BAC and who report to an airport security checkpoint. The act makes it a Class D felony to attempt to board an aircraft or to report to an airport while intoxicated carrying a firearm.

BAIL BONDS

ENFORCEMENT

Act 752 (HB1459) - The act creates a new procedure for the enforcement of bail bonds in circuit courts and provides that the old procedure will apply to the enforcement of bail bonds in district courts.

CRIMINAL LAW AND PROCEDURE

BAIL BONDS

Act 1472 (HB1434) - The act requires the appropriate law enforcement agency to make every reasonable effort to apprehend a defendant.

FORFEITURE FOR FAILURE TO APPEAR

Act 1572 (HB1073) - The act allows courts to forfeit bail bonds after 120 days after the date of receipt of written notification to the surety of the defendant's failure to appear without further notice or hearing.

PUBLIC DEFENDER USER FEE

Act 1778 (HB2696) - The act provides for each bail bond company to charge and collect a \$10 fee for the Arkansas Public Defender User Fee Fund.

CHEMICAL SUBSTANCE OR METHAMPHETAMINE

EXPOSURE OF A CHILD

Act 930 (HB1267) - The act makes it a Class C felony to expose a child to a chemical substance or methamphetamine and makes it a Class B felony if the child suffers physical injuries as a result of the exposure.

CLEMENCY REAPPLICATION

Act 1169 (HB2571) - The act allows a person whose clemency application was denied by the Governor after receiving a majority vote by the Post Prison Transfer Board in favor of the application, to reapply for clemency one year after the date the application was denied by the Governor.

COMMUNIST PARTY

Act 798 (HB1729) - The act repeals obsolete provisions of the Arkansas Code concerning registration of members of the Communist Party.

COMPUTER CRIMES AGAINST MINORS

Act 1087 (SB416) - The act enhances the penalties for engaging children in sexually explicit conduct for use in visual and print medium, adds definitions to computer crimes against children, and adds computer child pornography and computer exploitation of a child to the list of offenses checked for in criminal background checks.

CONCEALED HANDGUNS

PROHIBITED PLACES

Act 1110 (HB1359) - The act removes public park and certain restaurants from the list of places where the carrying of a concealed handgun is prohibited.

TRANSFER OF LICENSE

Act 545 (SB69) - The act provides an exemption to the concealed handgun license law for military personnel and provides for transferring concealed handgun licenses from reciprocal states.

CONFISCATED PROPERTY REPORTS

Act 1447 (SB760) - The act requires the Arkansas Drug Director to establish a standardized confiscation report form to be used by all law enforcement agencies concerning the nature and dollar value of all confiscated property, including firearms.

CONTROLLED SUBSTANCES

EPHEDRINE

Act 277 (HB1483) - The act allows an exemption for persons under the age of 18 years to purchase a product containing ephedrine if the person is purchasing a pediatric product intended for a child.

CRIMINAL LAW AND PROCEDURE

CONTROLLED SUBSTANCES

MANUFACTURING A CONTROLLED SUBSTANCE

Act 1707 (HB2155) - The act subjects an offender to an enhanced penalty for manufacturing a controlled substance near certain facilities.

POSSESSION

Act 867 (HB2425) - The act amends the exception relating to penalties for possession of illegal drugs by a licensed manufacturer, wholesaler, or distributor.

CORRECTIONAL FACILITY EMPLOYEES

BATTERY IN THE SECOND DEGREE

Act 66 (HB1075) - The act defines "employee of a correctional facility", for purposes of battery in the second degree, to include persons working under professional services contracts with the Department of Correction, Department of Community Punishment, and the Division of Youth Services.

CRIME VICTIM

Act 1336 (HB2486) - The act amends the definition of a "crime victim" in the Arkansas Criminal Code to include a governmental entity or agency. The act requires that persons violating the Uniform Controlled Substances Act shall make restitution to the state or local agency for site cleanup.

CRIMINAL CODE REVISION COMMISSION, ARKANSAS

Act 1077 (HB2345) - The act created the Arkansas Criminal Code Revision Commission to review all criminal laws and procedures and to draft legislation concerning any need for changes to the Criminal Code. The act also provides for the expiration of the commission on July 1, 2005.

CRIMINAL JUSTICE REPORTS FROM STATE AGENCIES

RACE AND CRIMINAL CLASSIFICATION

Act 1031 (HB2181) - The act requires the Arkansas Crime Information Center, the Administrative Office of the Courts, the Department of Community Correction, the Department of Correction, and the Post Prison Transfer Board to submit annual reports to the Legislative Council concerning persons arrested, sentenced, or transferred, by race and criminal classification.

CRIMINAL MISCHIEF

USE OF NONDEADLY PHYSICAL FORCE

Act 1090 (SB693) - The act allows the use of nondeadly physical force to terminate the flight of a person from the commission or attempted commission of theft or criminal mischief.

DNA DATABASE

Act 1470 (HB1074) - The act amends the provision requiring that DNA samples be provided to the state DNA database if a defendant has committed certain offenses. The act defines "qualifying offense" to mean any felony offense or a sexual offense classified as a misdemeanor as defined by Arkansas Criminal Code.

DOMESTIC ABUSE

OUT-OF-STATE PROTECTION ORDERS

Act 651 (HB1432) - The act amends existing law to allow for the nonjudicial enforcement of an order of protection issued by a court of another state, a federally recognized Indian tribe, or a territory under certain circumstances. The act creates the offense of violation of an out-of-state order of protection, which is punishable as a Class A misdemeanor.

CRIMINAL LAW AND PROCEDURE

DOMESTIC ABUSE

REIMBURSEMENT TO ABUSE SHELTERS

Act 1770 (HB2474) - The act requires defendants to reimburse abuse shelters or other entities providing services to victims of domestic abuse.

DOMESTIC BATTERING

Act 1079 (HB2473) - The act enhances punishment for conviction of first, second, and third degree domestic battering if the defendant committed first, second, or third degree battering or an equivalent law, within the five years preceding the commission of the current offense.

DOMESTIC VIOLENCE

PREGNANT WOMEN

Act 944 (HB1540) - The act enhances the penalties for domestic violence in the first, second, and third degrees committed against a woman the person knew or should have known was pregnant.

DRIVING WHILE INTOXICATED

DUPLICATED LANGUAGE REPEALED

Act 1036 (HB2244) - The act removes language in § 5-65-104 which is duplicated in other Arkansas Code sections.

EDUCATION AND TREATMENT FEES

Act 1462 (HB2213) - The act increases fees for an alcoholism education or treatment program for persons arrested for driving while intoxicated.

ENHANCED PENALTIES

Act 1461 (HB1981) - The act enhances the penalties for driving while intoxicated if a child is in the vehicle. The act provides increasing penalties for subsequent convictions. The act creates an affirmative defense if the driver is not more than two years older than the passenger.

INTERLOCK RESTRICTED LICENSE

Act 1779 (HB2716) - The act allows issuance of an interlock restricted license immediately for a defendant who pled guilty or nolo contendere to, or had been found guilty of first offense driving while intoxicated and/or refusal to submit to a chemical test.

SENTENCING

Act 129 (HB1077) - The act provides that after entry of a plea of guilty or nolo contendere to, or having been found guilty on a charge of driving while intoxicated, if the defendant's sentencing is delayed by the defendant, the clerk shall notify the defendant to appear within 15 days for sentencing. If the defendant fails to appear, sentencing may proceed in the defendant's absence.

DRUG POSSESSION

Act 867 (HB2425) - The act amends the exception relating to penalties for possession of illegal drugs by a licensed manufacturer, wholesaler, or distributor.

ENHANCED PENALTIES

COMPUTER CRIMES AGAINST MINORS

Act 1087 (SB416) - The act enhances the penalties for engaging children in sexually explicit conduct for use in visual and print medium, adds definitions to computer crimes against children, and adds computer child pornography and computer exploitation of a child to the list of offenses checked for in criminal background checks.

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CRIMINAL LAW AND PROCEDURE

ENHANCED PENALTIES

DRIVING WHILE INTOXICATED

Act 1461 (HB1981) - The act enhances the penalties for driving while intoxicated if a child is in the vehicle. The act provides increasing penalties for subsequent convictions. The act creates an affirmative defense if the driver is not more than two years older than the passenger.

MANUFACTURING A CONTROLLED SUBSTANCE

Act 1707 (HB2155) - The act subjects an offender to an enhanced penalty for manufacturing a controlled substance near certain facilities.

ESCAPE

Act 1348 (HB2847) - The act expands the definition of first and second degree escape to include threatening the use of physical force or a deadly weapon to escape at any time from the point of departure from confinement to the return to confinement.

EXPUNGEMENT

Act 839 (HB2276) - The act requires persons petitioning for an expungement of a criminal record to indicate whether or not they have any felony charges pending in any state or federal court and the status of those charges.

FAILURE TO PAY FINES OR COSTS

Act 110 (HB1060) - The act increases the amount of the fine or costs used to determine the maximum period of imprisonment based on the failure to pay fines or costs under § 5-4-203. The period of imprisonment for failure to pay fines or costs shall not exceed the shorter of one day for each \$40.00 of the fine or costs, 30 days if the fine or costs were imposed upon conviction of a misdemeanor, or one year if the fine or costs were imposed upon conviction of a felony.

FELON'S ACCESS TO PUBLIC RECORDS

Act 1214 (SB742) - The act amends the Arkansas Freedom of Information Act of 1967 to deny access to inspect and copy public records to any felon who is currently incarcerated in a correctional facility. Access is also denied to a felon's representative, unless the representative is the felon's attorney requesting information that is subject to disclosure under the Freedom of Information Act.

FORFEITURE FOR FAILURE TO APPEAR

Act 1572 (HB1073) - The act allows courts to forfeit bail bonds after 120 days after the date of receipt of written notification to the surety of the defendant's failure to appear without further notice or hearing.

HOT CHECKS

FEES COLLECTED BY PROSECUTING ATTORNEYS

Act 1088 (SB500) - The act increases the fees that prosecuting attorneys may collect on hot checks that the prosecutor's office collects and processes.

NOTICE OF INSUFFICIENT FUNDS

Act 1732 (HB1151) - The act allows notice of insufficient funds to be sent by certified mail or registered mail that is evidenced by a return receipt, or by regular mail that is supported by an affidavit of mailing.

HUMAN CLONING PROHIBITED

Act 607 (SB185) - The act prohibits performing or participating in human cloning. The act also prohibits shipping, transferring, or receiving any human biological materials for the purpose of human cloning. The act creates criminal penalties.

CRIMINAL LAW AND PROCEDURE

INDECENT EXPOSURE

CHILDREN UNDER FIFTEEN YEARS OF AGE

Act 862 (HB1936) - The act removes the lower age limit for second offense indecent exposure committed against a person under the age of 15 years.

JAILS

CONSTRUCTION AND OPERATION OF JAILS

Act 1772 (HB2476) - The act expands the type of political subdivisions that may create and operate jail boards and that may issue revenue bonds to construct and operate jails.

PRISONER'S RIGHTS

Act 1648 (HB1889) - The act revises the licensing requirements for bail bond agents. The act also provides that no prisoner shall be denied the right to consult an attorney or to call a physician while in jail.

JUVENILES

DNA SAMPLES

Act 1265 (HB2310) - The act requires juveniles adjudicated delinquent for certain sexual offenses to undergo a Sex Offenders Screening and Risk Assessment and have a DNA sample drawn.

JUVENILE OMBUDSMAN

Act 1008 (SB952) - The act revises the provisions concerning the creation of a Juvenile Ombudsman Division to provide for independent oversight of the division's facilities and programs that are unlicensed or unaccredited.

JUVENILE SEX OFFENDER ASSESSMENT AND REGISTRATION

Act 1265 (HB2310) - The act requires juveniles adjudicated delinquent for certain sexual offenses to undergo a Sex Offenders Screening and Risk Assessment and have a DNA sample drawn.

MACHINE GUNS

Act 1352 (SB275) - The act exempts a machine gun from the presumption of an offensive or aggressive purpose if being used by an ammunition manufacturer primarily to test

MAXIMUM CONFINEMENT AS A CONDITION OF SUSPENSION OR PROBATION

Act 1742 (HB1953) - The act establishes the maximum period of confinement to a county jail, city jail, other authorized local detentional, correctional, or rehabilitative facility, or Department of Correction facility on condition of suspension or probation.

MEDICAID FRAUD

Act 1122 (HB2868) - The act prohibits persons convicted of Medicaid fraud from participating in the Arkansas Medicaid program. The act creates the offense of illegal Medicaid participation in the first, second, and third degrees.

Act 1163 (HB2392) - The act prevents persons who have pled guilty or nolo contendere to, or had been found guilty of Medicaid fraud, theft of public benefits, or abuse of adults, to participate directly or indirectly in the Arkansas Medicaid Program.

MOTOR VEHICLES

ALTERING ENGINE OR SERIAL NUMBER

Act 199 (SB229) - The act increases the penalty for altering the manufacturer's serial or engine number of a motor vehicle from a misdemeanor to a Class C felony.

CRIMINAL LAW AND PROCEDURE

MOTOR VEHICLES

LAW ENFORCEMENT OFFICER PROTECTION

Act 1102 (SB926) - The act requires a driver who passes a law enforcement officer stopped on the shoulder of a multi-lane highway with the law enforcement vehicle's lights flashing, to move, when possible, into the furthest lane from the law enforcement vehicle, and to remain in that lane until the vehicle has passed the law enforcement officer's vehicle and any other vehicles involved in the stop. A violation is a misdemeanor and the offender may be fined by not less than \$35.00 nor more than \$500, confined in the county jail for no more than 90 days, or both fined and imprisoned. In addition to a fine or imprisonment, a court may order community service of no more than seven days and may suspend the offender's driver's license for 90 days to six months.

MISSING MANUFACTURER'S SERIAL NUMBER OR ENGINE NUMBER

Act 1351 (SB228) - The act makes a second or subsequent offense of knowingly buying or selling a vehicle without a manufacturer's serial number or engine number a Class D felony.

PERMITTING ABUSE OF A MINOR

Act 1318 (HB1588) - The act changes the offense of permitting abuse of a child to permitting abuse of a minor so that it applies to persons under the age of 18 years.

PROBATION REVOCATION

Act 841 (HB2338) - The act adds grounds for which a court may revoke a suspended sentence or probation to include a defendant being issued a citation for violation of suspension or probation in lieu of arrest under Rule 5 of the Arkansas Rules of Criminal Procedure or served a summons for violation of suspension or probation under Rule 6 of the Arkansas Rules of Criminal Procedure.

PUBLIC DEFENDERS

CAPITAL, CONFLICTS, AND APPELLATE OFFICE

Act 606 (HB1552) - The act further defines the duties of the Capital, Conflicts, and Appellate Office of the Arkansas Public Defender Commission to represent indigent defendants when the death penalty is sought and the trial public defender's office is unable to represent the defendant.

CONFLICTS OF INTEREST IN CAPITAL CASES

Act 605 (HB1549) - The act directs the Arkansas Public Defender Commission to create and maintain a list of attorneys who are qualified and willing to accept appointment as lead counsel in capital cases when there is a conflict of interest between the indigent defendant and a public defender.

RACIAL PROFILING PROHIBITED

Act 1207 (SB96) - The act prohibits racial profiling by law enforcement agencies, requires written policies and training regarding racial profiling, and creates a Task Force on Racial Profiling.

SCHOOL BUS OPERATION

CELLULAR PHONE USAGE

Act 219 (HB1042) - The act prohibits a person from operating a school bus while using a cellular telephone except in the event of an emergency or mechanical breakdown. A violator is guilty of an unclassified misdemeanor and may be fined not less than \$100 nor more than

SENTENCING

DOMESTIC BATTERING

Act 1079 (HB2473) - The act enhances punishment for conviction of first, second, and third degree domestic battering if the defendant committed first, second, or third degree battering or an equivalent law, within the five years preceding the commission of the current offense.

CRIMINAL LAW AND PROCEDURE

SENTENCING

DRIVING WHILE INTOXICATED

Act 129 (HB1077) - The act provides that after entry of a plea of guilty or nolo contendere to, or having been found guilty on a charge of driving while intoxicated, if the defendant's sentencing is delayed by the defendant, the clerk shall notify the defendant to appear within 15 days for sentencing. If the defendant fails to appear, sentencing may proceed in the defendant's absence.

SEXUAL ASSAULT

SEXUAL ASSAULT IN THE SECOND DEGREE -- TEACHERS

Act 1720 (SB691) - The act provides that any public school teacher who commits a sexual assault in the second degree against a student shall upon conviction be dismissed from employment and shall not thereafter be eligible for employment by any school in this state.

SEXUAL OFFENDERS

PUBLIC DISCLOSURE OF INFORMATION

Act 330 (HB1011) - The act provides for the public disclosure of certain information concerning sex offenders who are classified as a Level 3 or Level 4 sex offender.

SEXUAL OFFENSES

BACKGROUND CHECKS

Act 1377 (HB1896) - The act updates the references to certain sex offenses that may not be waived on background checks of certain state employees in designated positions.

Act 1378 (HB1897) - The act updates sex offenses in the list of offenses for background checks on child care licensees and employees.

Act 1379 (HB1898) - The act updates sex offenses in the list of offenses for background checks on certain state employees in designated positions.

Act 1381 (HB1900) - The act updates sex offenses in the list of offenses for background checks on providers of care to disabled adults.

Act 1382 (HB1901) - The act updates sex offenses in the list of offenses for background checks on persons caring for the elderly.

Act 1383 (HB1902) - The act updates sex offenses in the list of offenses for background checks on EMS and trauma systems personnel.

Act 1384 (HB1903) - The act updates sex offenses in the list of offenses for background checks on social workers.

Act 1385 (HB1904) - The act updates sex offenses in the list of offenses for background checks on psychologists.

Act 1386 (HB1905) - The act updates sex offenses in the list of offenses for background checks on nurses.

Act 1387 (HB1906) - The act updates sex offenses in the list of offenses for background checks on noncertified school employees.

Act 1388 (HB1907) - The act updates sex offenses in the list of offenses for background checks on counselors.

Act 1389 (HB1908) - The act updates sex offenses in the list of offenses for background checks on teacher license applicants.

BACKGROUND CHECKS -- TECHNICAL AMENDMENTS

Act 1393 (HB2394) - The act clarifies which sexual offenses are screened in criminal background checks, since the names of some sexual offenses changed due to legislation passed in 2001.

CRIMINAL LAW AND PROCEDURE

SEXUAL OFFENSES

EXPUNGEMENT AND SEALING OF CRIMINAL RECORDS

Act 1753 (HB2246) - The act defines sexual offenses for purposes of the expungement and sealing of criminal records and probation for first offenders.

PERPETRATORS AND PENALTIES

Act 1469 (SB863) - The act makes the language concerning perpetrators of incest gender neutral. The act removes language that enhanced incest to a Class A felony for certain perpetrators. The act clarifies the law concerning sexual assault in the first degree. The act amends the law concerning rape to list persons who stand in close relation to a victim under 18 years of age and provides an affirmative defense. The act provides that consent is no defense to prosecution for rape of a person either under the age of 14 or under the age of 18 if the perpetrator stands in close relation to the victim.

PROBATION

Act 1753 (HB2246) - The act defines sexual offenses for purposes of the expungement and sealing of criminal records and probation for first offenders.

SEXUAL ASSAULT IN THE FIRST DEGREE

Act 1391 (HB1934) - The act removes the affirmative defense from sexual assault in the first degree that the offender was not more than three years older than the victim.

SEXUAL ASSAULT IN THE FOURTH DEGREE

Act 1325 (HB1938) - The act expands the offense of sexual assault in the fourth degree to include sexual contact with a person, not the person's spouse, who is less than 16 years of age.

SEXUAL ASSAULT IN THE SECOND DEGREE - CHILDREN

Act 1323 (HB1935) - The act expands the offense of sexual assault in the second degree to include a person less than 18 years old who engages in sexual contact with a person, not the person's spouse, who is less than 14 years old.

SEXUAL ASSAULT IN THE THIRD DEGREE

Act 1324 (HB1937) - The act expands the offense of sexual assault in the second degree to include a person less than 18 years old who engages in sexual contact with a person, not the person's spouse, who is less than 14 years old.

TECHNICAL AMENDMENTS

Act 1390 (HB1909) - The act amends various sections of the Arkansas Code to reflect changes in the name of certain sexual offenses enacted in 2001.

SEXUALLY EXPLICIT ELECTRONIC MAIL

Act 1019 (HB1008) - The act sets requirements for sending unsolicited commercial electronic mail and unsolicited sexually explicit electronic mail and authorizes a service provider to block receipt or transmission of bulk mail sent in violation of the act and to terminate the service of a person violating the act. The act makes a violation with respect to an unsolicited sexually explicit electronic mail a Class B misdemeanor, creates a civil cause of action for any violation, and makes any transmission in violation of the act an unfair and deceptive act.

SIGNING OF ORDERS

Act 1000 (SB655) - The act authorizes circuit judges to sign orders in a geographic location other than the judicial circuit in which the matter is pending.

TERRORISM

ANTI-TERRORISM ACT OF 2003, ARKANSAS

Act 1342 (HB2614) - The act creates the "Arkansas Anti-Terrorism Act of 2003".

CRIMINAL LAW AND PROCEDURE

THEFT

DEBIT CARD OR DEBIT CARD ACCOUNT NUMBER

Act 838 (HB2275) - The act adds theft of a debit card or a debit card account number in the definition of "theft".

THEFT OF COMMUNICATION SERVICES

Act 1806 (HB2361) - The act broadens the scope of certain criminal laws in Title 5, Chapter 37, Subchapter 4, pertaining to theft of cable television services to include theft of communication services. Violation of this subchapter is a Class C felony if a defendant has been previously convicted on at least two occasions for offenses under this subchapter or for any similar crime in Arkansas or any other state or federal jurisdiction. A court shall order restitution in addition to any other sentence imposed for the violation of the subchapter, and may direct that a defendant forfeit any communication or unlawful access device in the defendant's possession or control that was used to carry out the violation. The act also prescribes additional civil remedies and specifies how damages may be computed. A court may increase damages up to \$50,000 for each communication or unlawful access device involved, if the court finds the violation was committed willfully and for the purpose of obtaining commercial advantage or financial gain.

USE OF NONDEADLY PHYSICAL FORCE

Act 1090 (SB693) - The act allows the use of nondeadly physical force to terminate the flight of a person from the commission or attempted commission of theft or criminal mischief.

THREATENING A JUDICIAL OFFICER OR JUROR

Act 1313 (HB1527) - The act creates the criminal offense of threatening a judicial official or juror.

TOBACCO SALES

UNLAWFUL SALES

Act 372 (HB1593) - The act provides that a person is guilty of a Class C misdemeanor if he or she pleads guilty or nolo contendere to, or is found guilty of buying, selling, or otherwise doing business in cigarettes or tobacco products in this state without obtaining a license or permit.

TRESPASSING

Act 1178 (SB176) - The act allows notices to cease trespassing to be sent by certified mail, deliverable to addressee only.

URINE

DEFRAUDING A DRUG OR ALCOHOL SCREENING TEST

Act 750 (HB1116) - The act prohibits the sale and use of urine or adulterants with the intent to defraud a drug or alcohol screening test.

VENUE

DISTRICT COURT

Act 673 (HB1111) - The act allows for an automatic change of venue in any criminal case, upon defendant's motion, from any justice of the peace court, police court, city court, corporation court, or any court of common pleas to district court in certain counties.

DECEDENT ESTATES

ALLOWANCES TO SURVIVING SPOUSE AND MINOR CHILDREN

Act 177 (SB153) - The act increases the allowances a surviving spouse or minor child are entitled to out of the estate of a decedent against distributees and creditors.

DECEDENT ESTATES

PERPETUAL CARE TRUST

Act 766 (HB2252) - The act increases the amount of money which may be placed in a perpetual care trust from \$10,000 to \$200,000.

UNCLAIMED PROPERTY PROCEEDS TRUST FUND

Act 1033 (HB2231) - The act amends the law governing distributions from the Unclaimed Property Proceeds Trust Fund to require the administrator of the fund to annually transfer to each county all funds collected from that county that have been held unclaimed for three years. The act also requires each county receiving funds to maintain an accounting of the funds in perpetuity and to pay funds to the rightful owner or the rightful owner's heir upon a finding by a court of competent jurisdiction that the person is the rightful owner or the rightful owner's heir.

DISABLED PERSONS

BACKGROUND CHECKS

CARE PROVIDERS

Act 1381 (HB1900) - The act updates sex offenses in the list of offenses for background checks on providers of care to disabled adults.

WORKERS WITH DIRECT CONTACT WITH DEVELOPMENTALLY DISABLED PERSONS

Act 1380 (HB1899) - The act updates sex offenses in the list of offenses for background checks on persons in direct contact with children and with mentally ill and developmentally disabled persons.

WORKERS WITH DIRECT CONTACT WITH MENTALLY ILL PERSONS

Act 1380 (HB1899) - The act updates sex offenses in the list of offenses for background checks on persons in direct contact with children and with mentally ill and developmentally disabled persons.

GUIDE DOGS

Act 1107 (SB656) - The act provides full access for guide, signal, or service dogs to public accommodations.

PARKING

DISABLED VETERANS

Act 206 (HB1264) - The act allows vehicles displaying a special "disabled veteran" license plate to park in areas designated for persons with disabilities.

VAN ACCESSIBILITY

Act 1353 (SB399) - The act allows vehicles that load or unload a wheelchair or other related mobility device to load or unload, or otherwise use those parking spaces reserved exclusively for persons with disabilities and designated "van accessible".

VOTING ASSISTANCE

Act 1308 (HB1129) - The act provides that a disabled voter may be assisted at the polling site by two election officials or a person named by the voter.

WHEELCHAIR

SEATBELTS

Act 1776 (HB2594) - The act requires persons seated in a wheelchair in a motor vehicle to wear a seatbelt and to require the wheelchair to be properly secured in the motor vehicle. The act also makes technical corrections to the Child Passenger Protection Act.

ECONOMIC DEVELOPMENT

BIODIESEL SUPPLIERS AND PRODUCERS

INCOME TAX CREDIT

Act 1287 (SB363) - The act provides a tax credit for biodiesel suppliers in the state. The act provides incentives in the form of grants for biodiesel producers in the state.

BONDS

AIRPORTS

Act 1175 (HB2845) - The act authorizes regional airport authorities to enter into contracts for achieving effective interest rates in connection with revenue bonds issued by the regional airport authorities.

INDUSTRIAL DEVELOPMENT BONDS

Act 362 (HB1193) - The act revises the definition of "federal reserve rate" to mean the rate for primary credit, or its functional equivalent, in effect at the federal reserve bank for the federal reserve district in which Arkansas is located. The act applies retroactively to bonds approved at elections held on or after January 9, 2003.

INTEREST RATE EXCHANGE AGREEMENTS

Act 494 (HB1613) - The act authorizes the Arkansas Development Finance Authority to execute interest rate exchange agreements for bonds or similar agreements, under certain market conditions and if certain prerequisites are met by the counterparty to the agreement. The act also requires the Arkansas Development Finance Authority to disclose to the Governor and the Legislative Council each interest rate exchange agreement or similar agreement to which it is a party.

SUPERPROJECTS

Act 1751 (HB2228) - The act creates the Arkansas General Obligation Economic Development Superprojects Bond and Project Funding Act. The act also authorizes the Arkansas Development Finance Authority to issue bonds to fund superprojects and to develop the bond financing portion of the plan. The act further authorizes the Department of Economic Development to utilize the superproject funding in attracting the superprojects to Arkansas.

BROWNFIELD REVOLVING LOAN FUND ACT, ARKANSAS

ABANDONED INDUSTRIAL, COMMERCIAL, OR AGRICULTURAL SITES

Act 1194 (SB941) - The act establishes on the books of the Arkansas Development Finance Authority the special, restricted Arkansas Brownfield Revolving Loan Fund Act. The fund provides loans and grants for the assessment, investigation, and remediation of abandoned industrial, commercial, or agricultural sites. The fund will be administered by the Arkansas Department of Environmental Quality, but the Arkansas Pollution Control and Ecology Commission may adopt regulations to administer the act.

CAPITAL DEVELOPMENT COMPANIES

Act 860 (HB1747) - The act changes the title of the Arkansas Capital Development Corporation Act to the Arkansas Capital Development Company Act and adds business entities that, in addition to corporations, may form as capital development companies. The act replaces terminology that was specific to corporations with broader terminology that is applicable to all entities authorized under the act. Companies formed under the act are regulated by the State Bank Department and must comply with state securities laws. Tax credits are allowed for a person who purchases an equity interest in a capital development company in the calendar years 2003 through 2013. Certain reporting requirements are mandated to track the economic impact of the investments made by capital development companies and of the tax credits granted under the act.

ECONOMIC DEVELOPMENT

COAL MINING INDUSTRIES

Act 993 (SB154) - The act provides a tax credit to coal mining enterprises that mine Arkansas coal.

DEVELOPMENT FINANCE AUTHORITY, ARKANSAS

BONDS

Act 494 (HB1613) - The act authorizes the Arkansas Development Finance Authority to execute interest rate exchange agreements for bonds or similar agreements, under certain market conditions and if certain prerequisites are met by the counterparty to the agreement. The act also requires the Arkansas Development Finance Authority to disclose to the Governor and the Legislative Council each interest rate exchange agreement or similar agreement to which it is a party.

SURETY BOND REQUIREMENT

Act 132 (HB1149) - The act repeals the requirement that members of the Board of Directors and the President of the Arkansas Development Finance Authority execute a surety bond.

INDUSTRIAL DEVELOPMENT BONDS

FEDERAL RESERVE RATE

Act 362 (HB1193) - The act revises the definition of "federal reserve rate" to mean the rate for primary credit, or its functional equivalent, in effect at the federal reserve bank for the federal reserve district in which Arkansas is located. The act applies retroactively to bonds approved at elections held on or after January 9, 2003.

INVESTOR EDUCATION FUND

Act 759 (HB2180) - The act limits the annual deposit into the Securities Department Fund to no more than \$1,000,000 until July 1, 2011, at which time the limitation may be extended. The act also creates the Investor Education Fund from fines or other moneys collected under § 23-42-209 and § 23-42-309, to inform and educate the public regarding investments in securities and to pay for costs associated with providing information to the public regarding securities. Funds collected for the Investor Education Fund in excess of \$150,000 in any fiscal year shall be designated as special revenues and deposited into the Securities Department Fund.

MINORITY BUSINESSES

Act 1456 (SB944) - The act requires the Division of Minority Business Enterprise of the Department of Economic Development to create a certification process for minority business enterprises. The act also requires the Office of State Procurement of the Department of Finance and Administration to cooperate with the division in centralizing the registry process for minority business enterprises.

MORTGAGE LENDING

FAIR MORTGAGE LENDING ACT

Act 554 (HB1668) - The act repeals part of the Mortgage Loan Company and Loan Broker Act and provides standards of conduct and licensing requirements for mortgage brokers. The act also contains provisions concerning the maintenance of records, public inspection of records, and remedies for violation of the act, including criminal penalties and orders by the Securities Commissioner.

NONPROFIT ELECTRIC COOPERATIVE CORPORATIONS

UNCLAIMED CAPITAL CREDITS

Act 334 (HB1590) - The act exempts unclaimed capital credits of a nonprofit electric cooperative from the Uniform Disposition of Unclaimed Property Act, if the corporation transmits notice to the last known address of the beneficiary of the credit.

ECONOMIC DEVELOPMENT

REGIONAL INTERMODAL FACILITIES

Act 1158 (HB2325) - The act makes a technical amendment to the definition of "intermodal" to include one or more modes of interconnected movement of freight, commerce, or passengers.

SALE OF MUNICIPAL OR COUNTY PROPERTY

IN-LIEU-OF TAX PAYMENTS

Act 1289 (SB501) - The act repeals the expiration date for the requirement that municipalities and counties negotiate in-lieu-of tax payments when negotiating a contract for the sale or lease of municipal or county property to a private, for-profit entity. The act sets guidelines for determining the aggregate amount of the ad valorem taxes that would be paid if the property was on the tax roll during the initial term of the lease or contract for sale. The act provides exceptions for certain agreements.

SCIENCE AND TECHNOLOGY

RESEARCH MATCHING FUNDS

Act 417 (HB1373) - The act requires the Arkansas Science and Technology Authority to determine the eligibility for matching funds based on a finding that the proposed research has either long-term economic or commercial value to the state and has been identified in the research and development plan approved by the board of directors.

SECURITIES DEPARTMENT FUND

Act 759 (HB2180) - The act limits the annual deposit into the Securities Department Fund to no more than \$1,000,000 until July 1, 2011, at which time the limitation may be extended. The act also creates the Investor Education Fund from fines or other moneys collected under § 23-42-209 and § 23-42-309, to inform and educate the public regarding investments in securities and to pay for costs associated with providing information to the public regarding securities. Funds collected for the Investor Education Fund in excess of \$150,000 in any fiscal year shall be designated as special revenues and deposited into the Securities Department Fund.

SUPERPROJECTS

Act 1751 (HB2228) - The act creates the Arkansas General Obligation Economic Development Superprojects Bond and Project Funding Act. The act also authorizes the Arkansas Development Finance Authority to issue bonds to fund superprojects and to develop the bond financing portion of the plan. The act further authorizes the Department of Economic Development to utilize the superproject funding in attracting the superprojects to Arkansas.

TAX CREDIT

Act 182 (HB1179) - The act organizes the state into four divisions on the basis of economic prosperity. The act creates several types of tax credits for business development with each type of tax credit ranked according to the location of the business within one of the four divisions of the state. The act authorizes the Department of Economic Development to conduct the tax credit program.

TECHNICAL OCCUPATIONS

LOAN FORGIVENESS

Act 1160 (HB2359) - The act adds the State Board of Private Career Education as an entity that may approve an institution to participate in the loan forgiveness program for students who enter high-demand technical occupations. The act also eliminates the requirement that a technical student must be an Arkansas citizen in order to qualify for loan forgiveness.

ECONOMIC DEVELOPMENT

WORKFORCE INVESTMENT BOARD, ARKANSAS

MEMBERSHIP

Act 1758 (HB2327) - The act authorizes the Governor to appoint no more than 25 members to the Arkansas Workforce Investment Board. The act also requires the Arkansas Workforce Investment Board to establish a state level One Stop Partner Council.

EDUCATION

CHILD HEALTH ADVISORY COMMITTEE

CHILDHOOD OBESITY

Act 1220 (HB1583) - The act creates the Child Health Advisory Committee to coordinate statewide efforts to combat childhood obesity and related illnesses.

CHILDREN WITH DISABILITIES

Act 1365 (HB2712) - An act to allow three years to appeal a decision of a hearing officer from a hearing regarding evaluations for students with disabilities.

COMMITTEE ON CLOSING THE ACHIEVEMENT GAP IN ARKANSAS

Act 1777 (HB2657) - The act creates The Committee on Closing the Achievement Gap in Arkansas. The purpose of the committee is to develop a plan for the state to close the achievement gap in Arkansas public schools. The act establishes local task forces on closing the achievement gap.

DIGITAL LIBRARY, ARKANSAS

Act 1810 (HB2497) - The act requires the Department of Higher Education and the Arkansas State Library to create the Arkansas Digital Library as part of the Arkansas State Library, and mandates public access to the digital library in at least one location in each Arkansas county. Public and private entities may receive grants from the department in developing the digital information and providing public access to it.

DISTANCE LEARNING DEVELOPMENT PROJECT, ARKANSAS

Act 1192 (SB812) - The act eliminates the Arkansas Distance Learning Demonstration Project of 1995 and creates the Arkansas Distance Learning Development Project to help alleviate the shortage of teachers, provide additional course scheduling opportunities for students, provide an opportunity for students to access more courses, and make online professional development and instructional resources for teachers and administrators. The Board of Education shall implement the project.

EARLY CHILDHOOD EDUCATION

BETTER CHANCE FOR SCHOOL SUCCESS

Act 1332 (HB2376) - The act creates the Better Chance for School Success program to provide early childhood education programs for three-year olds and four-year olds, with priority given to children residing in school districts with 75 or more students scoring below proficiency on the primary benchmark exam or in academic distress.

EARLY CHILDHOOD PROGRAMS

Act 1105 (HB2402) - The act amplifies the definition of "appropriate early childhood program" and changes the eligibility requirement for funding to licensed early childhood

EDUCATION

EDUCATION, STATE BOARD OF

DISTANCE LEARNING DEVELOPMENT PROJECT, ARKANSAS

Act 1192 (SB812) - The act eliminates the Arkansas Distance Learning Demonstration Project of 1995 and creates the Arkansas Distance Learning Development Project to help alleviate the shortage of teachers, provide additional course scheduling opportunities for students, provide an opportunity for students to access more courses, and make online professional development and instructional resources for teachers and administrators. The Board of Education shall implement the project.

DISTRIBUTION OF REQUIREMENTS TO ENTER KINDERGARTEN

Act 825 (HB1951) - The act requires the Department of Education to determine and prepare a list of skills and knowledge that a child should have to be prepared to enter kindergarten and to make the list available on the department's website and by mail. The act also directs the Department of Human Services to provide copies of the list to licensed child care facilities and to adopt rules requiring those facilities to distribute the list to parents of children in those facilities.

PARENTAL INVOLVEMENT PLANS

Act 603 (HB1387) - The act requires each public school district and school to establish a parental involvement plan and requires each school district to annually review the plan. The State Board of Education's Standards of Accreditation of Arkansas Public Schools shall require no less than two hours of professional development opportunities concerning parental involvement strategies for teachers and administrators. The Department of Education is required to review each plan, determine its compliance, provide that determination in the annual school performance report, and allow an opportunity to correct any deficiency.

REPORTS

Act 413 (HB1040) - The act requires the State Board of Education to eliminate unnecessary reports and paperwork by adopting policies ensuring that local school districts are not required to provide unnecessary information.

RULES

Act 675 (HB1439) - The act requires students in grades nine through twelve to attend a full school day. The act also directs the Board of Education to promulgate rules requiring students to attend at least 350 minutes of daily planned instruction as a graduation requirement and allowing school boards to develop certain policies regarding study hall, extracurricular classes, and waiver of the full school day requirement for a student who would experience a proven financial hardship.

ELECTRONIC COMMUNICATION PRIVACY POLICY

PUBLIC POSTSECONDARY INSTITUTIONS

Act 1799 (HB2496) - The act requires each public postsecondary institution in Arkansas to adopt a privacy policy governing certain electronic communications and to publish the policy in the institution's student handbook and on the institution's website. The act specifies certain statements that the privacy policy must contain.

EXISTING WORKFORCE TRAINING ACT, ARKANSAS

INSTRUCTIONAL PAY RATES

Act 609 (SB190) - The act defines "full time instructor or trainer" under the Arkansas Existing Workforce Training Act of 1995. The act also establishes various instructional pay rates under the act.

EDUCATION

EXISTING WORKFORCE TRAINING ACT, ARKANSAS

INSTRUCTORS AND TRAINERS

Act 609 (SB190) - The act defines "full time instructor or trainer" under the Arkansas Existing Workforce Training Act of 1995. The act also establishes various instructional pay rates under the act.

EYE HEALTH

Act 755 (HB1553) - The act establishes a commission to study the adequacy of eye health, vision care, vision screening, and the effects of inadequate vision on the educational performance of children in the Arkansas school systems. The commission expires on June 30, 2005.

FACILITIES

LONG-TERM LEASE PURCHASE AGREEMENTS

Act 1754 (HB2272) - The act allows school districts to enter into long-term lease-purchase agreements for school buildings built by private entities with federal tax exempt facilities bonds.

GAME AND FISH COMMISSION, ARKANSAS

Act 799 (HB1730) - The act provides that the Arkansas State Game and Fish Commission may use fines levied on persons convicted of game and fish violations to fund fish and wildlife conservation education programs and other educational purposes consistent with Amendment 35.

GENERAL EDUCATION

ACADEMIC STANDARDS

Act 1785 (HB2775) - The act requires the State Board of Education to define and publish academic standards and expected outcomes for students in grades pre-kindergarten through twelve by September 1, 2003, to be updated annually as necessary. The act requires local school boards to adopt the academic standards. The act requires local school districts to implement the academic standards.

ADMISSION REQUIREMENTS - IDENTIFICATION

Act 63 (HB1007) - The act adds a United States military identification to the list of documents acceptable for indicating a child's age prior to admission in a public school.

ADMISSION REQUIREMENTS - KINDERGARTEN

Act 825 (HB1951) - The act requires the Department of Education to determine and prepare a list of skills and knowledge that a child should have to be prepared to enter kindergarten and to make the list available on the department's website and by mail. The act also directs the Department of Human Services to provide copies of the list to licensed child care facilities and to adopt rules requiring those facilities to distribute the list to parents of children in those facilities.

ADVISORY COMMITTEE ON EDUCATIONAL ACCESS

Act 1081 (HB2535) - The act creates the Advisory Committee on Educational Access to Technology to review the technology needs of public schools for grades kindergarten through twelve, to recommend a method to ensure substantially equal access to technology, and to recommend methods for effectively teaching students to use technology. The committee shall report its findings and recommendations periodically to the chairs of certain legislative committees.

EDUCATION

GENERAL EDUCATION

AMERICAN HERITAGE CURRICULUM

Act 290 (SB57) - The act allows a public school teacher or administrator to read or post documents relating to American heritage, that is, American or Arkansas history.

ATTENDANCE POLICIES

Act 675 (HB1439) - The act requires students in grades nine through twelve to attend a full school day. The act also directs the Board of Education to promulgate rules requiring students to attend at least 350 minutes of daily planned instruction as a graduation requirement and allowing school boards to develop certain policies regarding study hall, extracurricular classes, and waiver of the full school day requirement for a student who would experience a proven financial hardship.

CELEBRATE FREEDOM WEEK

Act 682 (HB2756) - The act designates the last full week of classes in September in Arkansas public schools as "Celebrate Freedom Week".

CLASSIFIED EMPLOYEES

Act 1752 (HB2232) - The act requires school districts to provide classified employees with two paid fifteen-minute breaks during regular workdays.

COMPENSATION

Act 1768 (HB2450) - The act requires school districts to pay teachers for all years of teaching experience in the state.

COMPREHENSIVE PLAN FOR CONSISTENCY AND RIGOR IN COURSE WORK

Act 1116 (HB2375) - The act makes the Comprehensive Plan for Consistency and Rigor in Course Work applicable to all grades and requires approval by the Department of Education before any grades nine through twelve course may be offered for credit. It also requires that the written statement of assurance to the Department of Education be made with respect to all grades and requires the department to report any noncompliance on the school's performance report.

CONTRACT PROHIBITION

Act 1738 (HB1738) - The act prohibits local school boards of directors from entering into contracts or projects exceeding \$75,000 without the approval of the State Board of Education, until July 1, 2004.

CURRICULUM

Act 1761 (HB2374) - The act requires the State Board of Education to develop a comprehensive plan to revise the Arkansas Academic Content Standards and Curriculum Frameworks.

DETACHMENT

Act 1397 (HB2608) - The act allows school districts encompassing a total area of 700 square miles to create a new district by detachment if the district meets the remaining requirements for detachment.

DISBURSING OFFICERS

Act 671 (SB764) - The act authorizes school boards to designate one member as the primary board disbursing officer for the district and one member as an alternate disbursing officer. The act repeals the requirement that the disbursing officer post a bond. The signature of the disbursing officer and the superintendent of the school district are required for any warrant or check, other than a warrant or check for food service or activity funds.

EDUCATION

GENERAL EDUCATION

EDUCATIONAL ADEQUACY, JOINT COMMITTEE ON

Act 94 (HB1115) - The act creates the Joint Committee on Educational Adequacy to make recommendations regarding what constitutes an adequate education, how to provide equality of educational opportunity, the per-student expenditure necessary to ensure equality of educational opportunity, and a method of evaluation and monitoring public education. The committee shall report its findings to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate by July 1, 2003.

EDUCATIONAL FACILITIES, JOINT COMMITTEE ON

Act 1181 (SB307) - The act creates the Joint Committee on Educational Facilities to recommend what constitutes an adequate school facility, a method of providing substantially equal facilities and equipment, a review process, criteria for making renovation and replacement determinations, a method of funding the cost of adequate school facilities, and a method of evaluating and monitoring school facilities. The committee shall make its report by December 31, 2003.

ELIGIBILITY TO ATTEND MULTIPLE DISTRICTS

Act 144 (HB1283) - The act makes a child eligible to attend school in either district if, prior to August 13, 2001, his or her parent owned and has been domiciled for ten years or more on an undivided tract of land that is located in two school districts. The children of successors in title will also be eligible to attend school in either district.

ETHICAL REVIEW OF CONTRACTS

Act 670 (SB746) - The act makes technical corrections to § 6-24-116, concerning requests for review of contracts and transactions for compliance with the education subchapter on ethical guidelines and prohibitions.

FINANCE - FINANCIAL MANAGEMENT SYSTEMS

Act 1097 (SB845) - The act requires that all districts and educational cooperatives shall use the fund accounting, budget preparation, human resources, and fixed asset financial management system applications of the Arkansas Public School Computer Network.

FINANCE - REFINANCING CONTRACTS

Act 840 (HB2278) - The act sets the conditions that must be met for a school district to refinance postdated warrants, lease purchase agreements, and installment contracts, and authorizes the Board of Education to promulgate rules for such refinancing.

FINANCE - REVOLVING LOAN BONDS

Act 210 (HB1290) - The act changes the definition of the "maximum lawful rate" for revolving loan bonds and certificates of indebtedness for school bonds to 5% per annum above the rate for primary credit, or its functional equivalent.

FINANCE - SCHOOL BONDS

Act 210 (HB1290) - The act changes the definition of the "maximum lawful rate" for revolving loan bonds and certificates of indebtedness for school bonds to 5% per annum above the rate for primary credit, or its functional equivalent.

FINANCE - STATE EQUALIZATION FUNDING

Act 1269 (HB2511) - The act allows the State Board of Education to reduce or increase State Equalization Funding to local districts by 100%, if the Chief Fiscal Officer of the State reduces or increases the revenue forecast to an amount above or below \$1,681,500,070 for the 2002-2003 fiscal year.

EDUCATION

GENERAL EDUCATION

GENERAL EDUCATIONAL DEVELOPMENTAL TEST

Act 604 (HB1457) - The act amends the testing requirements for a student to obtain a waiver of the compulsory attendance to a public, private, or parochial school. The act also adds a minimum score requirement on the General Education Development Practice Test to be eligible to take the General Educational Development Test.

GRADUATION REQUIREMENTS

Act 675 (HB1439) - The act requires students in grades nine through twelve to attend a full school day. The act also directs the Board of Education to promulgate rules requiring students to attend at least 350 minutes of daily planned instruction as a graduation requirement and allowing school boards to develop certain policies regarding study hall, extracurricular classes, and waiver of the full school day requirement for a student who would experience a proven financial hardship.

HEALTH ADEQUACY ADVISORY COMMITTEE

Act 1816 (HB2893) - The act creates a Health Adequacy Advisory Committee to coordinate efforts to combat the effects of inadequate health care on the educational performance of children in Arkansas school systems. The act requires the committee to report its findings and strategic plan for meeting the health needs of school age children to the Joint Committee on Educational Adequacy, the House and Senate Interim Committees on Public Health, Welfare, and Labor, and the Governor.

HOME SCHOOLS

Act 1793 (HB2879) - The act provides that children in home schools that do not participate in state-mandated testing programs shall be subject to truancy laws and provides for special education services for students in home schools.

IMMUNITY FROM HARASSMENT CHARGES

Act 681 (HB2274) - The act requires school boards to adopt policies to prevent pupil harassment and to file those policies with the Department of Education. The act also grants immunity in limited circumstances to a school employee who has reported a violation of the policy.

INTERIM PERSONNEL POLICY COMMITTEE

Act 1801 (HB2842) - The act establishes an interim personnel policy committee after school districts agree to be consolidated.

NOTICE OF REQUIRED CLASSES

Act 1759 (HB2339) - The act requires school districts to provide parents with a list of classes that are required to be taught each year.

ORAL HEALTH CURRICULUM

Act 1216 (SB811) - The act requires the Department of Education to adopt oral health standards as part of the Arkansas physical education and health curriculum framework.

PARENTAL AUTHORIZATION

Act 1100 (SB895) - The act requires parental authorization for surveys or questionnaires administered to students in public schools.

PERSONNEL DISCIPLINARY PROCEDURES

Act 869 (HB2514) - The act entitles a teacher to have a witness or representative present during any disciplinary or grievance matter with an administrator.

EDUCATION

GENERAL EDUCATION

PHYSICAL ACTIVITY CURRICULUM AND REPORTING

Act 1729 (SB936) - An act to remove certain physical activity requirements for students in grade nine and to require school districts to report to the Department of Education regarding meeting physical activity requirements for students in grades kindergarten through eight.

PLEDGE OF ALLEGIANCE

Act 1333 (HB2388) - An act to require public school students to participate in a daily recitation of the Pledge of Allegiance.

QUALITY EDUCATION ACT

Act 1467 (HB2697) - The act amends the Quality Education Act to provide the State Board of Education and the Department of Education with more authority to take over or remediate schools or districts that do not meet state standards.

REPORTING OF FINANCIAL DATA

Act 1802 (HB2887) - The act requires school districts to publish certain financial data on the district's website and to require the Department of Education to provide links to school district websites.

SAFE SCHOOLS COMMITTEE

Act 648 (SB452) - The act requires the Safe Schools Committee to include in its model policies and procedures emergency plans for terrorist attacks and war.

SCHOOL ATTENDANCE RECORDS

Act 553 (HB1657) - The act requires that school attendance shall be kept in a format prescribed by the Department of Education, kept on file in electronic form, and audited in accordance with State Board of Education policy. The act also allows a waiver of equalization aid withheld as a result of failure to comply with filing requirements.

SCHOOL BOARDS

Act 1364 (HB2709) - The act repeals the provision regarding vacancies on school boards in districts with five directors and fewer than 150 pupils.

SCHOOL CHOICE

Act 1272 (SB242) - An act to require all school districts to participate in the Arkansas public school choice program.

SCHOOL DISTRICT BUDGETS

Act 1280 (SB104) - The act requires publication of the annual school budget prior to the school election at which the annual ad valorem property tax for the district is decided.

SCHOOL SUPPLIES

Act 756 (HB1619) - The act increases the prekindergarten through sixth grade teachers' allowance for the purchase of classroom supplies, requires the teacher to provide receipts for those purchases, and directs superintendents to attest to compliance with these requirements.

STUDENT ATTENDANCE RECORDS

Act 553 (HB1657) - The act requires that school attendance shall be kept in a format prescribed by the Department of Education, kept on file in electronic form, and audited in accordance with State Board of Education policy. The act also allows a waiver of equalization aid withheld as a result of failure to comply with filing requirements.

TEACHER LICENSURE

Act 1811 (HB2534) - The act creates the Professional Education, Development, Licensure, and Assessment Board for the purpose of making recommendations to the State Board of Education regarding professional education, development, licensure, and assessments for educators.

EDUCATION

GENERAL EDUCATION

WAIVER OF COMPULSORY ATTENDANCE

Act 604 (HB1457) - The act amends the testing requirements for a student to obtain a waiver of the compulsory attendance to a public, private, or parochial school. The act also adds a minimum score requirement on the General Education Development Practice Test to be eligible to take the General Educational Development Test.

WEEKLY PLANNING PERIODS

Act 462 (SB349) - The act requires school districts to provide a minimum of 200 minutes each week in increments of no less than 40 minutes for each teacher to schedule time for conferences, instructional planning, and preparation.

WORK BREAK

Act 1752 (HB2232) - The act requires school districts to provide classified employees with two paid fifteen-minute breaks during regular workdays.

HIGH SCHOOL DIPLOMA

KOREAN OR VIETNAM WAR VETERANS

Act 453 (HB1886) - The act authorizes the board of a school district to grant a high school diploma to a Korean or Vietnam War veteran who meets certain eligibility requirements.

WORLD WAR II VETERANS

Act 216 (SB4) - The act authorizes the board of directors of a school district to grant a high school diploma to a World War II veteran who meets certain eligibility requirements.

HIGHER EDUCATION

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM, ARKANSAS

Act 1798 (HB1854) - The act amends the Arkansas Academic Challenge Scholarship Program to give priority in awards to applicants agreeing to teach in a subject matter or geographical area of critical need. The act also creates a graduated award scale for new recipients of an academic challenge scholarship award and gives the Department of Higher Education authority to grant awards to students who did not receive an award because of funding shortages.

AGRICULTURAL COLLEGES

Act 634 (SB877) - The act authorizes the board of trustees of each agricultural school, including Arkansas State University-Beebe, to set tuition.

ARKANSAS STATE UNIVERSITY- BEEBE

Act 359 (SB353) - Beginning July 1, 2003, the act merges Foothills Technical Institute with Arkansas State University-Beebe and renames the institute's campus as Arkansas State University-Searcy, A Technical Campus of Arkansas State University-Beebe. The act transfers the institute's property, personnel, and authority and makes various provisions for employee rights and benefits, curriculum effects, purchasing practices, and funding from the Work Force 2000 Development Fund for certain programs.

ARKIDS FIRST PROGRAM ELIGIBILITY

Act 552 (HB1033) - The act makes qualifying college students eligible for medical coverage under the Arkids First Program. However, the Department of Human Services is not obligated to allow qualifying college student enrollment unless it is able to obtain the waivers necessary to allow the use of matching federal funds from the Centers for Medicare and Medicaid Services.

COLLEGE STUDENTS POLL WORKERS

Act 1153 (HB1487) - The act permits the county board of election commissioners to establish an election day program for college students to serve as poll workers.

EDUCATION

HIGHER EDUCATION

COTTON BOLL TECHNICAL INSTITUTE

Act 830 (HB2195) - Beginning July 1, 2003, the act merges Cotton Boll Technical Institute with the Mississippi County Community College, which is renamed the Arkansas Northeastern College. The act transfers the institute's property, personnel, and authority, and makes provisions for employee rights, salary and benefits, curriculum effects, purchasing practices, and funding from the Work Force 2000 Development Fund for certain programs.

CURRICULUM

Act 267 (SB213) - The act prohibits a student from receiving a baccalaureate degree until the student has passed a course in American history or civil government.

DENTAL SCHOOL LOANS

Act 1715 (HB2746) - The act authorizes the Department of Higher Education to make loans to dental students enrolled in professional programs outside of the state if any part of the out-of-state tuition is paid by the State of Arkansas and if the tuition paid to the out-of-state institution exceeds the Southern Regional Education Board contracted rate. The act provides a mechanism for repayment and forgiveness of the loans.

DIGITAL LIBRARY, ARKANSAS

Act 1810 (HB2497) - The act requires the Department of Higher Education and the Arkansas State Library to create the Arkansas Digital Library as part of the Arkansas State Library, and mandates public access to the digital library in at least one location in each Arkansas county. Public and private entities may receive grants from the department in developing the digital information and providing public access to it.

EMERGENCY SECONDARY EDUCATION LOAN PROGRAM

Act 1804 (HB2352) - The act creates the State Teacher Assistance Resource Program to provide forgivable loan or loan repayment for individuals agreeing to teach in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area state-designated as having a critical shortage of teachers. The act also repeals the Emergency Secondary Education Loan Program.

FOOTHILLS TECHNICAL INSTITUTE

Act 359 (SB353) - Beginning July 1, 2003, the act merges Foothills Technical Institute with Arkansas State University-Beebe and renames the institute's campus as Arkansas State University-Searcy, A Technical Campus of Arkansas State University-Beebe. The act transfers the institute's property, personnel, and authority and makes various provisions for employee rights and benefits, curriculum effects, purchasing practices, and funding from the Work Force 2000 Development Fund for certain programs.

FOREST ECHOES TECHNICAL INSTITUTE

Act 1196 (HB1692) - The act ends the terms of the current members of the Board of Visitors for the University of Arkansas at Monticello on the effective date of the act, increases the board's membership, and provides for a different process for appointing members. The act also expands the university's mission to include technical education at Forest Echoes Technical Institute, which is renamed the University of Arkansas at Monticello College of Technology-Crossett, and at Great Rivers Technical Institute, which is renamed the University of Arkansas at Monticello College of Technology-McGehee.

GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP

Act 1746 (HB1746) - An act to create the Critical Needs Minority Teacher Scholarship Program Committee for administering the forgivable loan program and to change the eligibility requirements and the service requirements for recipients of the Critical Needs Minority Teacher Scholarship Program.

EDUCATION

HIGHER EDUCATION

GREAT RIVERS TECHNICAL INSTITUTE

Act 1196 (HB1692) - The act ends the terms of the current members of the Board of Visitors for the University of Arkansas at Monticello on the effective date of the act, increases the board's membership, and provides for a different process for appointing members. The act also expands the university's mission to include technical education at Forest Echoes Technical Institute, which is renamed the University of Arkansas at Monticello College of Technology-Crossett, and at Great Rivers Technical Institute, which is renamed the University of Arkansas at Monticello College of Technology-McGehee.

HEAVY EQUIPMENT OPERATOR TRAINING ACADEMY, ARKANSAS

Act 683 (HB2778) - The act specifies the administrative and funding changes necessary to establish the Arkansas Heavy Equipment Operator Training Academy in Warren, Arkansas, as a satellite of the South Arkansas Community College.

HENDERSON STATE UNIVERSITY

Act 1230 (HB1857) - The act removes the requirement for free tuition for citizens of this state attending Henderson State University and allows the Board of Trustees of Henderson State University to regulate tuition and admission requirements.

IDENTIFICATION CARDS

Act 108 (HB1034) - The act prohibits a public or private institution of higher education from printing or making a student or employee's social security number available by reading a magnetic strip or other encoded information on the student or employee's identification card.

MEDICAL COLLEGE ADMISSION TEST

Act 828 (HB1991) - The act requires the Board of Trustees of the University of Arkansas to give additional consideration to rural applicants from medically underserved areas in an effort to address health disparities. The act also requires the board to allow the area health education centers to offer programs to prepare identified medical school candidates from medically underserved areas of the state for the Medical College Admission Test.

MEDICAL SCHOOL APPLICANTS FROM MEDICALLY UNDERSERVED AREAS

Act 828 (HB1991) - The act requires the Board of Trustees of the University of Arkansas to give additional consideration to rural applicants from medically underserved areas in an effort to address health disparities. The act also requires the board to allow the area health education centers to offer programs to prepare identified medical school candidates from medically underserved areas of the state for the Medical College Admission Test.

MISSISSIPPI COUNTY COMMUNITY COLLEGE

Act 830 (HB2195) - Beginning July 1, 2003, the act merges Cotton Boll Technical Institute with the Mississippi County Community College, which is renamed the Arkansas Northeastern College. The act transfers the institute's property, personnel, and authority, and makes provisions for employee rights, salary and benefits, curriculum effects, purchasing practices, and funding from the Work Force 2000 Development Fund for certain programs.

NATIONAL PARK COMMUNITY COLLEGE

Act 678 (HB1865) - The act renames the Garland County Community College to National Park Community College. The act also merges the Quapaw Technical Institute into the National Park Community College.

NON-TRADITIONAL STUDENTS

Act 1796 (SB882) - The act creates the Arkansas Workforce Improvement Grant Program to provide financial assistance to non-traditional students in institutions of higher education.

EDUCATION

HIGHER EDUCATION

NORTHEASTERN COLLEGE, ARKANSAS

Act 830 (HB2195) - Beginning July 1, 2003, the act merges Cotton Boll Technical Institute with the Mississippi County Community College, which is renamed the Arkansas Northeastern College. The act transfers the institute's property, personnel, and authority, and makes provisions for employee rights, salary and benefits, curriculum effects, purchasing practices, and funding from the Work Force 2000 Development Fund for certain programs.

RURAL MEDICAL PRACTICE STUDENT LOAN PROGRAM

Act 676 (HB1773) - The act revises the Rural Medical Practice Student Loan program to change the definition of "primary care medicine" to add general surgery as one of the fields eligible for the loans under the program. The act also extends the time to begin loan repayments.

SCHOOL OF MATHEMATICS AND SCIENCES, ARKANSAS

Act 1305 (SB912) - The act merges the Arkansas School of Mathematics and Sciences with the University of Arkansas.

SCHOOL OF PUBLIC HEALTH, ARKANSAS

Act 856 (SB830) - The act renames the Arkansas School of Public Health, created as a part of the University of Arkansas for Medical Sciences, to the College of Public Health of the University of Arkansas for Medical Sciences.

SOUTH ARKANSAS COMMUNITY COLLEGE

Act 683 (HB2778) - The act specifies the administrative and funding changes necessary to establish the Arkansas Heavy Equipment Operator Training Academy in Warren, Arkansas, as a satellite of the South Arkansas Community College.

STATE TEACHER ASSISTANCE RESOURCE PROGRAM

Act 1804 (HB2352) - The act creates the State Teacher Assistance Resource Program to provide forgivable loan or loan repayment for individuals agreeing to teach in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area state-designated as having a critical shortage of teachers. The act also repeals the Emergency Secondary Education Loan Program.

TAX-DEFERRED TUITION SAVINGS PROGRAM

Act 515 (HB1735) - The act amends various sections of the Arkansas Tax-Deferred Tuition Savings Program Act to adopt current federal Internal Revenue Code changes.

TECH UNIVERSITY, ARKANSAS

Act 452 (HB1786) - The act merges Arkansas Valley Technical Institute with Arkansas Tech University and transfers all of the institute's property, personnel, and authority to Arkansas Tech University beginning July 1, 2003. The act also makes various provisions relating to the institute's employee benefits and provides Arkansas Tech University with funding for various institute programs.

TUITION ASSISTANCE

Act 1045 (HB2480) - The act allows state-funded colleges and universities to waive up to 25% of tuition costs for qualified soldiers and airmen of the Arkansas National Guard who are participants in the Arkansas National Guard Tuition Assistance Plan.

TWO-YEAR COLLEGE AND TECHNICAL INSTITUTE STUDY COMMISSION

Act 1791 (HB2844) - The act creates the Two-Year College and Technical Institute Study Commission for the purpose of making recommendations to the Arkansas Higher Education Coordinating Board on the mission, role, and scope of technical institutes and two-year

EDUCATION

HIGHER EDUCATION

UNIVERSITY OF ARKANSAS - MONTICELLO

Act 1196 (HB1692) - The act ends the terms of the current members of the Board of Visitors for the University of Arkansas at Monticello on the effective date of the act, increases the board's membership, and provides for a different process for appointing members. The act also expands the university's mission to include technical education at Forest Echoes Technical Institute, which is renamed the University of Arkansas at Monticello College of Technology-Crossett, and at Great Rivers Technical Institute, which is renamed the University of Arkansas at Monticello College of Technology-McGehee.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK - ARKANSAS POLICE CORPS PROGRAM

Act 1296 (SB719) - The act establishes the Criminal Justice Department at the University of Arkansas at Little Rock as the lead agency responsible for the oversight and operation of the Arkansas Police Corps Program.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK - CRIMINAL JUSTICE

Act 1296 (SB719) - The act establishes the Criminal Justice Department at the University of Arkansas at Little Rock as the lead agency responsible for the oversight and operation of the Arkansas Police Corps Program.

UNIVERSITY OF CENTRAL ARKANSAS

Act 207 (HB1284) - The act authorizes the Board of Trustees of the University of Central Arkansas to set tuition and other fees for attendance at the university, gives the board discretion to establish a model school, and repeals prior provisions relating to admission requirements, tuition, and fees. The act also authorizes the board to permit payroll deductions for the foundation and approved programs, if employee authorized.

VALLEY TECHNICAL INSTITUTE, ARKANSAS

Act 452 (HB1786) - The act merges Arkansas Valley Technical Institute with Arkansas Tech University and transfers all of the institute's property, personnel, and authority to Arkansas Tech University beginning July 1, 2003. The act also makes various provisions relating to the institute's employee benefits and provides Arkansas Tech University with funding for various institute programs.

WORKFORCE IMPROVEMENT GRANT, ARKANSAS

Act 1796 (SB882) - The act creates the Arkansas Workforce Improvement Grant Program to provide financial assistance to non-traditional students in institutions of higher education.

IMMUNIZATION EXEMPTIONS

Act 999 (SB434) - The act revises the religious exemption to the school immunization law. The act requires the Department of Health to make rules for religious and philosophical exemptions from immunization requirements in schools (K-12), colleges and universities, and child care facilities. The act also requires the Department of Health to make semiannual reports concerning the immunization exemption to the House and Senate Interim Committees on Public Health, Welfare, and Labor.

LOAN FORGIVENESS

CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM

Act 1746 (HB1746) - An act to create the Critical Needs Minority Teacher Scholarship Program Committee for administering the forgivable loan program and to change the eligibility requirements and the service requirements for recipients of the Critical Needs Minority Teacher Scholarship Program.

EDUCATION

HIGHER EDUCATION

EMERGENCY SECONDARY EDUCATION LOAN PROGRAM

Act 1804 (HB2352) - The act creates the State Teacher Assistance Resource Program to provide forgivable loan or loan repayment for individuals agreeing to teach in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area state-designated as having a critical shortage of teachers. The act also repeals the Emergency Secondary Education Loan Program.

TECHNICAL OCCUPATIONS

Act 1160 (HB2359) - The act adds the State Board of Private Career Education as an entity that may approve an institution to participate in the loan forgiveness program for students who enter high-demand technical occupations. The act also eliminates the requirement that a technical student must be an Arkansas citizen in order to qualify for loan forgiveness.

MEDIA SPECIALISTS

LIMITATION ON DIRECT INSTRUCTION

Act 1786 (HB2791) - The act limits the time that a public school library media specialist may be required to spend in direct instruction of students.

NATIONAL GUARD OR RESERVES

EXTENSION FOR PAYMENT OF TUITION

Act 996 (SB308) - The act allows members of the National Guard or Reserves ordered to active duty to a duty station outside this state at least an additional 90 days after returning to the state to renew state licenses, permits, registrations, credentials, or certificates; and to pay state taxes, fees, assessments or tuition without penalty.

NONCERTIFIED SCHOOL EMPLOYEES

Act 1387 (HB1906) - The act updates sex offenses in the list of offenses for background checks on noncertified school employees.

NURSING STUDENT LOAN PROGRAM

Act 84 (SB25) - The act creates the Nursing Student Loan Revolving Fund and the Nursing Student Loan Program. The act also gives the Arkansas State Board of Nursing the power to regulate the loan program and determine eligibility.

PERSONNEL POLICIES

CLASSIFIED EMPLOYEES

Act 1780 (HB2717) - The act establishes an employee personnel policy law for classified employees in the public schools of Arkansas.

DEFINED

Act 1120 (HB2516) - The act defines the "personnel policies" that each school district is required to have in written form.

DIGITAL COPIES OF PERSONNEL POLICIES

Act 1334 (HB2422) - The act allows school districts to give employees digital copies of the personnel policies or provide access to the policies online.

GRIEVANCE LAW

Act 1357 (SB913) - The act permits all school employees to file grievances and provides for grievance procedures. The act also provides that there shall be no reprisals of any kind against any individual that exercises his or her grievance rights.

STATEMENT OF COMPLIANCE

Act 1399 (HB2802) - An act to require the superintendents of each school district to provide a written statement of assurance that a district is in compliance with personnel policies requirements.

EDUCATION

PERSONNEL POLICIES

WAIVER OF CRIMINAL RECORDS CHECK

Act 42 (HB1091) - The act allows a school district created by consolidation, annexation, or detachment to waive criminal background checks for personnel who were employed by the affected district immediately prior to the consolidation, annexation, or detachment and for whom the affected district conducted a criminal background check as a condition of employment.

PRIVATE CAREER SCHOOLS

LICENSURE

Act 1781 (HB2730) - The act amends various provisions of the Arkansas Code pertaining to private career schools. The act also requires the State Board of Private Career Education to establish a schedule for periodic background checks for partners of shareholders with a 10% or greater ownership interest in a school.

OMNIBUS AMENDMENTS

Act 1781 (HB2730) - The act amends various provisions of the Arkansas Code pertaining to private career schools. The act also requires the State Board of Private Career Education to establish a schedule for periodic background checks for partners of shareholders with a 10% or greater ownership interest in a school.

PUBLIC POSTSECONDARY INSTITUTIONS

ELECTRONIC COMMUNICATION PRIVACY POLICY

Act 1799 (HB2496) - The act requires each public postsecondary institution in Arkansas to adopt a privacy policy governing certain electronic communications and to publish the policy in the institution's student handbook and on the institution's website. The act specifies certain statements that the privacy policy must contain.

PUBLIC SCHOOL EDUCATIONAL COOPERATIVES

FINANCIAL MANAGEMENT SYSTEMS

Act 1769 (HB2459) - The act requires the public school educational cooperatives to use certain financial management systems applications of the Arkansas Public School Computer Network, beginning with the 2003-2004 fiscal year.

SCHOOL BUS OPERATION

CELLULAR PHONE USAGE

Act 219 (HB1042) - The act prohibits a person from operating a school bus while using a cellular telephone except in the event of an emergency or mechanical breakdown. A violator is guilty of an unclassified misdemeanor and may be fined not less than \$100 nor more than

STATE AND PUBLIC SCHOOL LIFE AND HEALTH INSURANCE BOARD

MEMBERSHIP

Act 1446 (SB716) - The act increases the voting membership of the State and Public School Life and Health Insurance Board to 12 by adding the Executive Director of the Arkansas State Board of Pharmacy and the Director of Health Care Facilities Services of the Arkansas Department of Health as voting members. The act also changes the selection of the chair and vice chair of the board from annual selection by the Governor to annual selection by the membership of the board. The act creates and designates the membership of three subcommittees of the board to study and research health and life plan option benefits, formulary management, and the financial impact of implementing the recommendations made by the formulary management committee to the board.

EDUCATION

TEACHERS - GENERALLY

BACKGROUND CHECKS

Act 989 (HB2426) - The act specifies teaching license renewal requirements and provisional license requirements for teachers licensed prior to January 1, 1988.

BONUS

Act 1803 (HB2903) - The act increases the bonus paid to teachers who obtain certification from the National Board of Professional Teaching Standards from \$3,000 to \$5,000.

CONTINUING EDUCATION REQUIREMENTS

Act 1728 (SB881) - The act provides that a three-hour graduate-level college credit course shall be counted as 12 hours of professional development, if the college credit is related to the teacher's subject area or is necessary to obtain certain additional certification.

COST OF LIVING INCREASE

Act 1773 (HB2520) - The act includes a cost of living increase in the minimum wage requirements for classified school employees.

DISCIPLINARY PROCEDURES

Act 869 (HB2514) - The act entitles a teacher to have a witness or representative present during any disciplinary or grievance matter with an administrator.

LICENSURE

Act 754 (HB1512) - The act requires the State Board of Education to promulgate rules requiring an applicant for licensure to take an approved test and waiving the test requirements for applicants who have an out-of-state teaching license and at least three years of teaching experience.

Act 989 (HB2426) - The act specifies teaching license renewal requirements and provisional license requirements for teachers licensed prior to January 1, 1988.

Act 1389 (HB1908) - The act updates sex offenses in the list of offenses for background checks on teacher license applicants.

Act 1570 (HB871) - The act reduces the administrative requirements for a teacher seeking to renew a teaching license.

NON-INSTRUCTIONAL DUTY

Act 1398 (HB2655) - An act to limit the non-instructional duty that may be required of teachers without additional compensation.

RECRUITMENT

Act 1745 (HB1745) - An act to create an office for the purpose of teacher recruitment within the Department of Education.

SEXUAL ASSAULT IN THE SECOND DEGREE

Act 1720 (SB691) - The act provides that any public school teacher who commits a sexual assault in the second degree against a student shall upon conviction be dismissed from employment and shall not thereafter be eligible for employment by any school in this state.

TEACHERS - RETIREMENT

ADDITIONAL MONTHLY BENEFIT PAYABLE TO SURVIVORS

Act 853 (SB136) - The act clarifies that the additional monthly benefit under § 24-7-713 payable to retirees shall also be paid to survivors and beneficiaries under the Arkansas Teacher Retirement System.

COST OF LIVING INCREASE

Act 347 (SB121) - The act clarifies that the annual 3% benefit cost of living increase under the Arkansas Teacher Retirement System may be awarded without limitation by the thirty-year unfunded actuarial accrued liability requirement.

EDUCATION

TEACHERS - RETIREMENT

EMPLOYER'S CONTRIBUTION - TEACHER DEFERRED RETIREMENT OPTION

Act 992 (SB123) - The act requires employers to contribute to the Arkansas Teacher Retirement System after September 1, 2003, for participants under the Teacher Deferred Retirement Option Plan (TDROP). Employer contributions for TDROP participants gradually increase from 1% in 2003 to 12% in 2011.

EMPLOYER'S CONTRIBUTION RATE - TEACHER RETIREMENT SYSTEM, ARKANSAS

Act 340 (HB1221) - The act authorizes the Board of Trustees of the Arkansas Teacher Retirement System to set the employer contribution rate for the Arkansas Teacher Retirement System based on actuarial determinations. The rate shall be 12% until June 30, 2003. Beginning July 1, 2003, the board may increase the rate up an additional one percent, to 13%, if justified by actuarial necessity. Beginning July 1, 2004, the board can increase the employer contribution rate up another one percent, to 14%, based on actuarial soundness of the system. The board must reduce the contribution rate before giving any benefit increases.

FEDERAL SERVICE CREDIT

Act 1479 (SB8) - The act allows a member of the Arkansas Teacher Retirement System to purchase service credit for service as a teacher with the federal government on military bases. The act provides for up to ten years of purchased service.

PARTICIPANT'S CONTRIBUTION - TEACHER DEFERRED RETIREMENT OPTION PLAN

Act 991 (SB122) - The act alters the amount of the member's plan contributions to the plan account under the Teacher Deferred Retirement Option Plan (TDROP). For participant members reaching normal retirement age or 30 years of service before September 1, 2003, the amount of plan contributions into the plan account will continue to increase to a 100% contribution. For participant members reaching normal retirement age or 30 years of service on or after September 1, 2003, the plan contribution to the plan account will remain at the reduced level of 1% for each contributory year and .6% for each noncontributory year of service.

TEACHER DEFERRED RETIREMENT OPTION PLAN - ANNUITIES

Act 659 (SB106) - The act deletes the requirement that the Teacher Deferred Retirement Option Plan benefit be determined with regard to the member's annuity options under the Arkansas Teacher Retirement System.

TECHNICAL OCCUPATIONS

LOAN FORGIVENESS

Act 1160 (HB2359) - The act adds the State Board of Private Career Education as an entity that may approve an institution to participate in the loan forgiveness program for students who enter high-demand technical occupations. The act also eliminates the requirement that a technical student must be an Arkansas citizen in order to qualify for loan forgiveness.

TUITION ASSISTANCE

NATIONAL GUARD TUITION ASSISTANCE PLAN, ARKANSAS

Act 1045 (HB2480) - The act allows state-funded colleges and universities to waive up to 25% of tuition costs for qualified soldiers and airmen of the Arkansas National Guard who are participants in the Arkansas National Guard Tuition Assistance Plan.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES

SCHOOL OF PUBLIC HEALTH, ARKANSAS

Act 856 (SB830) - The act renames the Arkansas School of Public Health, created as a part of the University of Arkansas for Medical Sciences, to the College of Public Health of the University of Arkansas for Medical Sciences.

EDUCATION

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - COLLEGE OF PUBLIC HEALTH

Act 856 (SB830) - The act renames the Arkansas School of Public Health, created as a part of the University of Arkansas for Medical Sciences, to the College of Public Health of the University of Arkansas for Medical Sciences.

WEBSITES

Act 1802 (HB2887) - The act requires school districts to publish certain financial data on the district's website and to require the Department of Education to provide links to school district websites.

WORKFORCE INVESTMENT BOARD AND ADULT EDUCATION STUDY COMMITTEE, ARKANSAS

Act 1204 (HB2714) - The act creates the Arkansas Workforce Investment Board and Adult Education Study Committee to review the programs and services offered by workforce centers.

ELECTION LAWS

ADVISORY ELECTIONS

CRAIGHEAD COUNTY

Act 667 (SB404) - The act provides for an advisory election at each preferential primary election and general election conducted in Craighead County for the positions of deputy sheriff and deputy clerk in the eastern district of Craighead County.

BALLOTS

DESIGNATED BEARER

Act 1275 (HB1305) - The act permits a designated bearer to receive no more than two absentee ballots per election.

NAMES

Act 332 (HB1514) - The act requires that if a person qualifies for a primary election as a candidate for office, his or her name shall be printed on the ballot at the preferential primary election.

CAMPAIGN CONTRIBUTIONS

ACCEPTING CONTRIBUTIONS

Act 248 (HB1308) - The act removes the requirement that the candidate's name appear on the ballot in order to accept campaign contributions.

DISCLOSURES

Act 195 (SB19) - The act requires a public servant or governmental body expending public funds in excess of \$500 for the purpose of expressly advocating the qualification, passage, or defeat of a ballot question, or the passage or defeat of a legislative question, to file financial reports with the Arkansas Ethics Commission. The act also revises the definitions of "prohibited political action committee" and "person" as they apply to the ethics provisions in Title 7.

POLITICAL PARTIES

Act 1730 (SB948) - The act requires each political party to report quarterly all contributions and money disbursed by the political party.

CERTIFIED ELECTION RESULTS

INTERNET ACCESS

Act 131 (HB1084) - The act requires that the certified results for each polling place shall be entered and transmitted to the Secretary of State through the Internet website interface provided by the Secretary of State for all state and federal elections.

ELECTION LAWS

CITIES OF THE FIRST CLASS

FOUR-YEAR TERMS FOR ALDERMEN

Act 244 (HB1187) - The act clarifies the procedures for staggering the four-year terms for aldermen in cities of the first class with a population of fewer than 50,000 people.

CITIES OF THE SECOND CLASS

FOUR-YEAR TERMS FOR ALDERMEN

Act 328 (HB1256) - The act gives cities of the second class the option of electing aldermen to staggered four-year terms.

CITY COUNCIL

SERVICE BY VOLUNTEER POLICE OFFICERS OR FIREFIGHTERS

Act 1048 (HB2759) - The act provides that it is unlawful for a volunteer firefighter or volunteer police officer in any city of the first or second class or incorporated town in this state to seek election to, and if elected serve as, a member of the city council or other governing body of the city or town.

COMPUTERIZED LIST OF REGISTERED VOTERS

Act 995 (SB271) - The act revises the procedures concerning voter registration. The act also requires the Secretary of State to maintain and administer an interactive computerized voter registration list for all voters legally residing in the state.

CONSOLIDATION OR MERGER OF CITIES

Act 1171 (HB2643) - The act revises the procedures for consolidating cities. The act makes it mandatory for the larger city council to refer the merger question to the electorate. The act allows a merger petition to delay implementation of the merger for up to 18 months. The act also allows the merger petition to call for the election of all city officials instead of only city officials in the smaller city.

ELECTION COMMISSIONERS, COUNTY BOARD OF ENFORCEMENT OF ELECTION LAWS

Act 270 (HB1142) - The act requires the county board of election commissioners to send any written complaint received concerning an election law violation to the appropriate county clerk and appropriate prosecuting attorney.

ELECTION COMMISSIONERS, STATE BOARD OF

Act 1161 (HB2372) - The act revises the terms and the duties for the members of the State Board of Election Commissioners. The act also permits the board to investigate alleged election law violations.

ELECTION PROCEDURES

Act 1165 (HB2417) - The act revises various provisions concerning election procedures, precinct boundaries, runoff elections, and new political parties.

FEDERAL HELP AMERICA VOTE ACT

Act 994 (SB270) - The act revises various provisions concerning voting registration procedures, absentee ballots, and other voting procedures to implement the federal Help America Vote Act.

FEDERAL VOTING ASSISTANCE PROGRAM'S PILOT PROJECT

Act 749 (HB1014) - The act permits the state or any county in the state to participate in the Federal Voting Assistance Program's pilot project that allows uniformed services personnel and voters overseas to register to vote and to vote in elections electronically, if funds are available.

ELECTION LAWS

FELON'S RIGHT TO VOTE

Act 271 (HB1180) - The act amends § 11(d)(2) of Amendment 51 of the Arkansas Constitution, regarding cancellation of registration and the restoration of a felon's right to vote. The act requires that the Department of Correction, the Department of Community Correction, or the appropriate probation office to provide to the felon proof that the felon has been discharged from probation or parole and has paid all probation or parole fees, or has satisfied all terms of imprisonment, plus other terms of his or her sentence.

Act 1451 (SB817) - The act amends § 11(d)(2) of Amendment 51 of the Arkansas Constitution, regarding cancellation of registration and the restoration of a felon's right to vote. The act requires that the Department of Correction, the Department of Community Correction, the appropriate probation office, or the circuit clerk to provide to the felon proof that the felon has been discharged from probation or parole and has paid all probation or parole fees, or has satisfied all terms of imprisonment, and has paid all applicable court costs, fines, or restitution.

FILING REQUIREMENTS

Act 1731 (HB1015) - The act clarifies the filing requirements and deadlines for individuals filing for public office. The act also revises the definition of "party certificate" as it applies to filing requirements.

INTERNET ACCESS TO VOTER INFORMATION

Act 1167 (HB2478) - The act requires that the Secretary of State provide access to certain voter information through its Internet website.

MUNICIPAL ELECTIONS

DEADLINES FOR LOCAL CANDIDATES

Act 542 (HB1985) - The act changes the deadline for independent candidates filing for municipal office to no less than 90 days before the general election. The act also changes the deadline for write-in candidates for county or township offices to no later than 90 days before the election day.

FILING DEADLINES

Act 1104 (HB2326) - The act allows cities to establish filing deadlines for candidates that are independent or nonpartisan in an election for municipal office.

NONPARTISAN JUDGES

LEGAL FEES FOR COMMISSIONS

Act 1298 (SB725) - The act requires that all judges elected at the nonpartisan judicial general election without a runoff must forward the legal fee for their commissions to the Secretary of State within 60 days after the November general election.

POLL WORKERS

COLLEGE STUDENTS

Act 1153 (HB1487) - The act permits the county board of election commissioners to establish an election day program for college students to serve as poll workers.

HIGH SCHOOL STUDENTS

Act 242 (HB1028) - The act allows the county board of election commissioners to conduct an election day program to allow high school students to work as poll workers.

SPECIAL ELECTIONS

Act 1441 (SB618) - The act limits special elections to the second Tuesday of any month.

ELECTION LAWS

VOTE RECOUNT

Act 1038 (HB2255) - The act requires that within 48 hours after a petition for recount is filed, the county board of election commissioners shall notify all candidates whose elections could be affected by the outcome of the recount.

VOTER REGISTRATION

CANCELLATION OF DECEASED VOTERS

Act 375 (HB1656) - The act requires the Secretary of State to compile a listing of the deceased residents of the state and provide it to the permanent registrar of each county. The act also requires the permanent registrar to cancel the deceased voter's registration.

COMPUTERIZED LIST

Act 995 (SB271) - The act revises the procedures concerning voter registration. The act also requires the Secretary of State to maintain and administer an interactive computerized voter registration list for all voters legally residing in the state.

PROCEDURES

Act 995 (SB271) - The act revises the procedures concerning voter registration. The act also requires the Secretary of State to maintain and administer an interactive computerized voter registration list for all voters legally residing in the state.

VOTING - ABSENTEE

ABSENTEE BALLOTS

Act 647 (SB690) - The act eliminates the requirement that an absentee ballot must be placed in a certain envelope upon returning the ballot.

APPLICATIONS FORMS

Act 1202 (HB2641) - The act revises the absentee voter application form and materials published to the absentee voters.

MAILING REQUIREMENT

Act 273 (HB1265) - The act removes the provision in § 7-5-411 that requires an elector to personally mail his or her absentee ballot.

PROCEDURES

Act 1744 (HB2022) - The act provides procedures for counting absentee ballots if the ballots are not properly placed in the outer absentee ballot envelope.

SCHOOL ELECTIONS

Act 1295 (SB701) - The act permits a county board of election commissioners to allow early voting and absentee voting for annual school elections.

UNIFORMED AND OVERSEAS CITIZENS

Act 107 (HB1017) - The act corrects the title of the Uniformed and Overseas Voting Act of 1975 to the Uniformed and Overseas Citizens Absentee Voting Act. The act also provides for a write-in ballot for uniformed and overseas citizens.

VOTING - EARLY

SCHOOL ELECTIONS

Act 1295 (SB701) - The act permits a county board of election commissioners to allow early voting and absentee voting for annual school elections.

TIMES AND DATES

Act 269 (HB1112) - The act requires that early voting be made available to any qualified elector who applies to his or her county clerk's designated early voting location 15 days before a preferential primary, general primary, general election, or general runoff election, between the hours of 8 a.m. to 6 p.m., Monday through Friday, and 1:00 p.m. to 4 p.m. Saturday, and ending at 6 p.m. on the Monday before the election.

ELECTION LAWS

VOTING - ELECTRONICALLY

MILITARY AND OVERSEAS VOTERS

Act 749 (HB1014) - The act permits the state or any county in the state to participate in the Federal Voting Assistance Program's pilot project that allows uniformed services personnel and voters overseas to register to vote and to vote in elections electronically, if funds are available.

VOTING - GENERAL

DISABLED VOTERS

Act 1308 (HB1129) - The act provides that a disabled voter may be assisted at the polling site by two election officials or a person named by the voter.

POLL WATCHERS

Act 1154 (HB2201) - The act revises the provisions concerning the presence of candidates and designated poll watchers at the casting and counting of ballots. The act also provides for provisions concerning the rights and responsibilities of poll watchers in an election. The act also creates a poll watcher authorization form to be signed by the representative of the candidate.

PREVENTING A PERSON FROM VOTING

Act 1458 (HB1608) - The act makes it unlawful for an individual to prevent or to attempt to prevent a person from voting at a polling site.

EMERGENCY SERVICES

911 REVENUE EXPENDITURES

Act 176 (SB127) - The act eliminates the limitation on expenditures of revenue for personnel costs connected to the provision of 911 services.

DONATED FIRE FIGHTING EQUIPMENT

Act 1075 (HB2291) - The act provides fire departments with immunity for any civil or criminal liability for injury or death resulting from donating used or surplus firefighting equipment to other fire departments.

EMERGENCY COMMUNICATION CENTERS

Act 1792 (HB2853) - The act authorizes a political subdivision to levy, after September 1, 2003, an additional 30¢ per month charge to each local cell phone account to finance 911 emergency communication centers. The charge will be in addition to a 50¢ charge already authorized.

EMS AND TRAUMA SYSTEMS PERSONNEL

Act 1383 (HB1902) - The act updates sex offenses in the list of offenses for background checks on EMS and trauma systems personnel.

HOMELAND SECURITY INFORMATION ACT

Act 1366 (SB873) - The Homeland Security Information Act provides for the security of the plans of emergency service agencies to prevent, investigate, or respond to incidents of terrorism and mass destruction. The act protects the security of investigative files and documents from disclosure. Emergency service agencies are only those law enforcement agencies of city and county governments.

OFFICER KILLED IN THE LINE OF DUTY

Act 355 (SB236) - The act provides payment of \$75,000 to the survivors of specified public employees who are killed in the line of duty after January 1, 2003, while engaged in exceptionally hazardous duty.

ENERGY

ALTERNATIVE FUELS COMMISSION

Act 174 (HB1327) - The act created the Alternative Fuels Commission to establish priorities for addressing other alternative energy sources. The act also permits the commission to make grants and loans for research projects addressing priorities in energy sources.

ALTERNATIVE FUELS FUND

Act 120 (SB173) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 121.

Act 121 (HB1306) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 120.

BIODIESEL SUPPLIERS AND PRODUCERS

Act 1287 (SB363) - The act provides a tax credit for biodiesel suppliers in the state. The act provides incentives in the form of grants for biodiesel producers in the state.

ENERGY

ELECTRIC CONSUMER CHOICE ACT OF 1999 REPEALED

Act 204 (HB1114) - The act repeals the Electric Consumer Choice Act of 1999 and related provisions that would have required utilities to implement retail open access by no later than October 1, 2005. The act also reenacts certain provisions that would have expired if retail open access had been implemented. The act expands the statutory powers and the rulemaking authority of the Arkansas Public Service Commission to regulate the provision of electric services. The commission may allow an electric utility to recover transition costs associated with the utility's efforts to implement retail open access and nuclear decommissioning costs associated with the utility's generating assets. The act generally prohibits the use of revenue from any regulated asset to subsidize the provision of unregulated electric service.

WEATHERIZATION ASSISTANCE FUND, ARKANSAS

Act 120 (SB173) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 121.

Act 121 (HB1306) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 120.

ENVIRONMENTAL LAW

ABANDONED INDUSTRIAL, COMMERCIAL, OR AGRICULTURAL SITES

ASSESSMENT, INVESTIGATION, AND REMEDIATION

Act 1193 (SB939) - The act authorizes the Arkansas Department of Environmental Quality to provide loans and grants for the assessment, investigation, and remediation of abandoned industrial, commercial, or agricultural sites.

BROWNFIELD REVOLVING LOAN FUND ACT, ARKANSAS

Act 1194 (SB941) - The act establishes on the books of the Arkansas Development Finance Authority the special, restricted Arkansas Brownfield Revolving Loan Fund Act. The fund provides loans and grants for the assessment, investigation, and remediation of abandoned industrial, commercial, or agricultural sites. The fund will be administered by the Arkansas Department of Environmental Quality, but the Arkansas Pollution Control and Ecology Commission may adopt regulations to administer the act.

BIODIESEL SUPPLIERS AND PRODUCERS

Act 1287 (SB363) - The act provides a tax credit for biodiesel suppliers in the state. The act provides incentives in the form of grants for biodiesel producers in the state.

CHLORIDE IN STREAMS

Act 1180 (SB266) - The act limits the authority of the Arkansas Pollution Control and Ecology Commission to investigate and regulate chloride levels exceeding 250 parts per million in streams to those that result from a violation of Title 8, Chapter 5, Subchapter 5.

CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND

Act 548 (SB389) - The act transfers the Construction Assistance Revolving Loan Fund to the Arkansas Soil and Water Conservation Commission for the purpose of financing or refinancing wastewater system projects, water systems, solid and hazardous waste facilities, recycling facilities, nonpoint source management facilities, wetlands conservation and management facilities, and other environmental projects or parts of environmental projects.

MARINE SANITATION

Act 1774 (HB2525) - The act amends the law regarding marine sanitation to conform with federal law. The act defines "marine sanitation device" and provides for regulation of those devices.

NAVIGABLE WATERWAYS

Act 1101 (SB906) - The act amends the law regarding the use of dangerous materials while on navigable waterways to allow interested citizens to remove dangerous and environmentally hazardous materials without penalty. The act also defines and allows the use of "sturdy containers".

NUTRIENT MANAGEMENT CERTIFICATION PROGRAM

Act 1059 (HB1652) - The act creates a nutrient management education, training, and certification program within the Arkansas Soil and Water Conservation Commission. The act defines "nutrient surplus area" and makes the program mandatory inside of nutrient surplus areas and voluntary outside of nutrient surplus areas.

PETROLEUM STORAGE TANKS

Act 1114 (HB2344) - The act amends Petroleum Storage Tank Trust Fund coverage and eligibility criteria for reimbursement of third-party claims. The act authorizes compensatory damages for injuries arising from petroleum storage tanks. The act increases the maximum payment for corrective action.

ENVIRONMENTAL LAW

POLLUTION CONTROL AND ECOLOGY COMMISSION, ARKANSAS

HEARING OFFICER

Act 51 (SB20) - The act allows the expenses of the administrative hearing officer for the Arkansas Pollution Control and Ecology Commission to be paid from the Arkansas Department of Environmental Quality Fee Fund.

POULTRY LITTER

Act 1061 (HB1654) - The act declares various areas of the state to be nutrient surplus areas for phosphorus and nitrogen. The act authorizes the Arkansas Soil and Water Conservation Commission to make rules concerning management of nutrients in nutrient surplus areas. The act also creates penalties for violations of the act.

RADIOACTIVE MATERIALS

Act 1119 (HB2489) - The act amends various laws pertaining to the licensing and registration of radioactive materials.

SAFE DRINKING WATER FUND

Act 465 (SB387) - The act transfers the Safe Drinking Water Fund to the Arkansas Soil and Water Conservation Commission. The act authorizes the commission to manage the fund and to use the funds for various programs to improve water resources, including assistance to water systems, assistance to various state water quality programs, and for the execution of capitalization grant agreements.

SOLID WASTE MANAGEMENT

DISTRICTS - QUORUM

Act 215 (SB160) - The act allows the quorum of solid waste planning districts to be established by the members in person or by proxy representation.

GRANT ASSISTANCE

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

JOINT COUNTY AND MUNICIPAL SOLID WASTE DISPOSAL ACT

Act 342 (HB1554) - The act amends the Joint County and Municipal Solid Waste Disposal Act to give a sanitation authority the power to own and operate wastewater, storm water, or water treatment facilities and plants. The act gives sanitation authorities the power of eminent domain to take property for those treatment facilities and plants.

LANDFILLS AND TRANSFER STATIONS WITH A CAPACITY BEYOND 30

Act 672 (SB859) - The act authorizes regional solid waste management districts to issue certificates of need for proposed landfills or transfer stations with the permitted projected capacity to exceed 30 years.

REPORTING REQUIREMENTS

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

WEIGHING SOLID WASTE

Act 1337 (HB2498) - The act authorizes the Director of the Arkansas Department of Environmental Quality to provide alternative methods for weighing solid waste received at landfills.

ENVIRONMENTAL LAW

TIRE DISPOSAL

Act 1304 (SB905) - The act revises Arkansas law regarding the disposal of waste tires.

UNDERGROUND STORAGE TANK INSTALLERS AND TESTERS

Act 486 (HB1513) - The act provides the procedure by which licensed installers or testers of underground storage tanks may have their bonds forfeited.

WATER AND AIR POLLUTION CONTROL ACT

NOTICE REGARDING CIVIL PENALTIES

Act 133 (HB1183) - The act requires that notice be given to the mayor of a municipal government if a civil penalty is proposed regarding an environmental violation that occurred within the city. The municipality is given an opportunity to comment on the proposed civil penalties under the Arkansas Water and Air Pollution Control Act.

WATER RESOURCES BONDS

Act 598 (SB388) - The act authorizes the Arkansas Soil and Water Conservation Commission to issue revenue bonds to provide funds for various resource development funds managed by the commission.

WATER WELLS

Act 297 (SB241) - The act updates water well construction laws. The act also creates an apprenticeship program for persons interested in becoming registered as a pump installer or a water well driller. The act also increases civil and criminal penalties for unlawful water well construction.

ETHICS

CITY EMPLOYEES

Act 1299 (SB750) - The act prohibits municipal officials or municipal employees from having an interest in the profits of any contract for the furnishing of supplies, equipment, or services to the municipality.

EDUCATION CONTRACTS

Act 670 (SB746) - The act makes technical corrections to § 6-24-116, concerning requests for review of contracts and transactions for compliance with the education subchapter on ethical guidelines and prohibitions.

GENERAL ASSEMBLY MEMBERS

Act 1453 (SB852) - The act provides that a former member of the Senate or the House of Representatives shall not be eligible to be registered as a lobbyist under §§ 21-8-601 through 21-8-607 until the expiration of the term of office for which he or she was elected.

INSURANCE PRODUCERS

Act 1784 (HB2769) - Beginning July 1, 2003, the act imposes annual continuing education requirements, including ethics training, on insurance producers, unless exempt under § 23-64-302.

POLITICAL PARTIES

Act 1730 (SB948) - The act requires each political party to report quarterly all contributions and money disbursed by the political party.

FAMILY LAW

CHILD ABUSE AND NEGLECT PREVENTION BOARD, STATE

Act 1224 (HB1694) - The act amends the Child Abuse and Neglect Prevention Act to allow the State Child Abuse and Neglect Prevention Board to administer the One Percent to Prevent Fund. The act allows the board, to the extent funding is appropriated and available, to develop and implement programs designed to prevent the children of prisoners from becoming future prisoners.

CHILD MALTREATMENT ACT

Act 1039 (HB2262) - The act amends the Child Maltreatment Act to add persons who are required to report child maltreatment.

SUSPECTED CHILD ABUSE

Act 1039 (HB2262) - The act amends the Child Maltreatment Act to add persons who are required to report child maltreatment.

CHILD SUPPORT

DISCLOSURE OF PAYMENT RECORDS

Act 1176 (HB2862) - The act allows the disclosure of child support payment records when authorized in writing by the custodial or non-custodial parent, for use by attorneys and abstractors, to facilitate the release or satisfaction of child support liens on real property.

Act 1177 (HB2863) - The act allows the disclosure of child support payment records by the Office of Child Support Enforcement to whomever the noncustodial parent, custodial parent, or their attorney of record directs.

OMNIBUS REVISIONS

Act 1020 (HB1255) - This act makes technical changes and amends numerous sections of the Arkansas Code regarding child support enforcement.

PROOF OF INCOME

Act 337 (HB1087) - The act requires the court to order the noncustodial parent to provide the custodial parent with proof of income any time a court orders child support. The act also allows the custodial parent to request proof of income from the noncustodial parent no more than once a year.

CHILDREN OF PRISONERS

Act 1224 (HB1694) - The act amends the Child Abuse and Neglect Prevention Act to allow the State Child Abuse and Neglect Prevention Board to administer the One Percent to Prevent Fund. The act allows the board, to the extent funding is appropriated and available, to develop and implement programs designed to prevent the children of prisoners from becoming future prisoners.

COURT ORDERS FOR INVESTIGATIONS, STUDIES, AND SUPERVISION OF

Act 338 (HB1152) - The act narrows the limits on court orders for Department of Human Services investigations, studies, and supervision involving those children ordered by the juvenile division of an circuit court.

COVENANT MARRIAGE

Act 1115 (HB2373) - The act clarifies the list of persons who may perform authorized counseling under the Covenant Marriage Act.

CUSTODY AND VISITATION

GRANDPARENTS

Act 652 (HB1484) - The act rewrites the existing grandparents' visitation law to conform with recent Arkansas Supreme Court and United States Supreme Court cases. The act distinguishes visitation rights of grandparents when the child is in the custody of a parent from visitation rights of grandparents when the parent does not have custody of the child.

FAMILY LAW

CUSTODY AND VISITATION

JOINT CUSTODY

Act 92 (HB1107) - The act allows the court to consider awarding joint custody of a child to the parents.

DIVORCE

CREDIT CARDS

Act 1477 (HB2603) - The act provides procedures for handling joint credit card debt after a court determination or court approval of a property settlement agreement.

DOMESTIC ABUSE

OUT-OF-STATE ORDERS OF PROTECTION

Act 651 (HB1432) - The act amends existing law to allow for the nonjudicial enforcement of an order of protection issued by a court of another state, a federally recognized Indian tribe, or a territory under certain circumstances. The act creates the offense of violation of an out-of-state order of protection, which is punishable as a Class A misdemeanor.

PREGNANT WOMEN

Act 944 (HB1540) - The act enhances the penalties for domestic violence in the first, second, and third degrees committed against a woman the person knew or should have known was pregnant.

REIMBURSEMENT TO ABUSE SHELTERS

Act 1770 (HB2474) - The act requires defendants to reimburse abuse shelters or other entities providing services to victims of domestic abuse.

SHELTER FUNDING

Act 1276 (HB2218) - The act establishes a program and a procedure for funding domestic violence shelters in the state.

DOMESTIC PEACE FUND

Act 1029 (HB1980) - The act increases the marriage license fee by \$13.00. The act allocates \$2.00 of the fee increase to the county clerks for operational costs. The act also creates the Domestic Peace Fund and allocates \$11.00 of the fee to be deposited as special revenues in the fund, to be used by the Arkansas Child Abuse/Rape/Domestic Violence Commission.

GUARDIANSHIP

VISITATION AND CHILD SUPPORT

Act 760 (HB2193) - The act allows guardianship orders involving minor children to make provisions for visitation and child support.

JUVENILE CODE, ARKANSAS

Act 1319 (HB1658) - The act makes various changes in the Juvenile Code. The act distinguishes between the term "dependent juvenile" from "dependent-neglected juvenile". The act also clarifies kinds of abuse, perpetrators, and victims. The act defines trial placement of a juvenile. The act clarifies court jurisdiction and responsibilities through various phases of juvenile custody proceedings.

MALTREATED ADULTS

Act 1034 (HB2235) - The act makes various technical changes in the law regarding custody of maltreated adults. The act also sets out the responsibilities of the Department of Human Services in cases in which the department is appointed as custodian of a maltreated adult.

MARRIAGE LICENSE FEES

Act 1029 (HB1980) - The act increases the marriage license fee by \$13.00. The act allocates \$2.00 of the fee increase to the county clerks for operational costs. The act also creates the Domestic Peace Fund and allocates \$11.00 of the fee to be deposited as special revenues in the fund, to be used by the Arkansas Child Abuse/Rape/Domestic Violence Commission.

FAMILY LAW

ORDERS OF PROTECTION

Act 1221 (HB1599) - The act increases the number of persons authorized to file petitions for orders of protection.

OUT-OF-HOME PLACEMENTS

NOTICE OF CHANGE OF PLACEMENT

Act 1054 (HB1506) - The act requires written notice to the birth parent and the attorney ad litem if the Department of Human Services changes the placement of a child in foster care. The act allows an action for violation of this section to be brought if notice is not provided.

SERVICE PROVIDERS

Act 988 (HB2208) - The act clarifies the responsibilities of service providers to provide certain information for children placed in an out-of-home placement.

PARENTAL RIGHTS TERMINATION

Act 1743 (HB1958) - The act states that the provisions of § 9-9-220(c)(1)(A) through (c)(1)(C) apply only to child support orders entered after August 13, 2001.

FIRE PROTECTION

DONATED FIRE FIGHTING EQUIPMENT

IMMUNITY FROM LIABILITY

Act 1075 (HB2291) - The act provides fire departments with immunity for any civil or criminal liability for injury or death resulting from donating used or surplus firefighting equipment to other fire departments.

FIRE DEPARTMENT RENEWAL SUBSCRIPTION NOTICES

Act 1326 (HB2254) - The act authorizes the Insurance Commissioner to annually assess, until December 31, 2006, a \$200 fee on members of the Arkansas Rural Risk Underwriting Association to meet the costs of mailing fire department renewal subscription notices.

FIRE FIGHTING TRAINING STANDARDS

Act 1396 (HB2568) - The act provides training requirements for full-time firefighters hired by local government firefighting units.

FIRE LOSS REPORTING ACT OF 2003

Act 1345 (HB2770) - The act requires each insurance company licensed to write property insurance in Arkansas to file with the Insurance Commissioner a statement of its annual losses related to fire on a county-by-county basis, in a form and manner prescribed by the commissioner. The commissioner shall annually compile the loss information by county, in an aggregate form, for dissemination to the public. Information filed under the act by an insurance company with the commissioner is proprietary information and is exempt from public disclosure except in an aggregate form. The act also provides the form of the notice that insurers writing property insurance in Arkansas shall provide to its policy holders, explaining that the firefighting ability of the holder's fire department affects the holder's insurance rates.

FIRE PROTECTION DISTRICT ASSESSMENTS

Act 1168 (HB2479) - The act provides that the fire protection district assessments are not final until reviewed by the governing body of the city and a resolution is passed that states the assessments have been reviewed.

FIRE SERVICE BOARDS

TRANSFER OF POWERS AND DUTIES

Act 1459 (HB1878) - The act transfers the powers, duties, and functions of various fire services boards into the Arkansas Fire Protection Services Board.

FIRE PROTECTION

FIREWATER STANDPIPE AND HOSE SYSTEMS

Act 1074 (HB2289) - The act provides that firewater standpipe and hose systems are regulated by the Arkansas Fire Protection Licensing Board. The act requires the firewater standpipe systems to be installed by licensed fire sprinkler contractors.

PROPERTY INSURANCE RATING PLANS

Act 1749 (HB2222) - The act requires an insurer to include an impact statement concerning a rate or rule filing's effect on fire protection in the affected area, unless the insurer utilizes a public protection classification system maintained by a licensed advisory organization.

RURAL FIRE DEPARTMENTS

DEPARTMENTS SERVING TWO COUNTIES

Act 200 (HB1009) - The act allows rural volunteer fire departments or fire protection districts that extend into two counties to be eligible to receive fire protection premium tax funds, known as Act 833 funds, from each county. The fire department is eligible to receive funds from each county that it serves.

STUDY COMMITTEE

Act 198 (SB227) - The act adds the Manager of the Rural Fire Protection Program of the Arkansas Resource Conservation and Development Councils to the Rural Fire Departments Study Committee.

VOLUNTEER FIRE DEPARTMENTS

DUES COLLECTED WITH REAL PROPERTY TAXES

Act 201 (HB1021) - The act amends the law that allows a county to collect volunteer fire department dues to require the dues be listed on real property tax statements and collected at the same time and in the same manner as real property taxes.

DUTY TO RESPOND

Act 655 (HB1864) - The act clarifies the duty of volunteer fire departments to respond to reports of uncontrolled fires by nonmembers. Volunteer fire departments are required to respond to or attempt to control and put out any fire that occurs on forest lands, cut-over lands, brush lands, or grasslands owned by a nonmember; only if the fire poses an immediate threat to the life of any person, if there is a written agreement between a nonmember owner of the real or personal property and the volunteer fire department requiring the fire department to respond, if the fire is in violation of a countywide fire ban, or if the fire poses an immediate threat to the real or personal property owned by a member of the district.

FIREARMS

AGGRAVATED ASSAULT

Act 1113 (HB2268) - The act adds "purposely displaying a firearm in such a manner that it creates a substantial danger of death or serious physical injury to a person" to the definition of "aggravated assault".

CONCEALED HANDGUNS

MILITARY PERSONNEL EXEMPTION

Act 545 (SB69) - The act provides an exemption to the concealed handgun license law for military personnel and provides for transferring concealed handgun licenses from reciprocal states.

REMOVAL OF PROHIBITION

Act 1110 (HB1359) - The act removes public park and certain restaurants from the list of places where the carrying of a concealed handgun is prohibited.

FIREARMS

CONCEALED HANDGUNS

USE BY LAW ENFORCEMENT OFFICERS

Act 348 (SB155) - The act requires active law enforcement officers who carry a concealed handgun to carry their badge, gives the Director of the Department of the Arkansas State Police the authority to revoke the authorization of any retired state police officer to carry a concealed handgun for good cause shown, and exempts active and retired law enforcement from the prohibitions of § 5-73-306.

MACHINE GUNS

Act 1352 (SB275) - The act exempts a machine gun from the presumption of an offensive or aggressive purpose if being used by an ammunition manufacturer primarily to test ammunition.

MANUFACTURER'S LIABILITY

Act 935 (HB1326) - The act provides that in a product liability action, the actual discharge of a firearm shall be the proximate cause of injury and not the inherent capability of the firearm. The manufacturer's mere placement of a firearm into the stream of commerce shall not be conduct deemed sufficient to constitute the proximate cause of injury, even if the accidental discharge of the firearm or non-powder gun is found to be foreseeable.

FREEDOM OF INFORMATION ACT

EXEMPTIONS

PUBLIC EMPLOYEES

Act 213 (HB1369) - The act exempts the home addresses of nonelected county and municipal employees from disclosure as a public record under the Freedom of Information Act of 1967.

VETERANS' RECORDS

Act 275 (HB1345) - The act makes a military service discharge record or DD Form 214 for a veteran discharged from service less than 70 years from the current date and filed with the county recorder confidential and exempt from the Arkansas Freedom of Information Act. The act only allows certain persons to view or reproduce the record, and prohibits the charging of a fee for reproduction cost to any person authorized to view or review the record. The act allows the county recorder to maintain a record book that contains certain information about veterans for public record, including name, rank, unit of military service, and medals and awards conferred.

WATER SYSTEMS

Act 763 (HB2245) - The act provides an exemption for various records and meetings of public agencies concerning public water systems in an effort to protect the security of those systems.

FELONS

Act 1214 (SB742) - The act amends the Arkansas Freedom of Information Act of 1967 to deny access to inspect and copy public records to any felon who is currently incarcerated in a correctional facility. Access is also denied to a felon's representative, unless the representative is the felon's attorney requesting information that is subject to disclosure under the Freedom of Information Act.

FUNERALS

APPRENTICE EMBALMER

Act 367 (HB1415) - The act requires that a person who desires to practice the science of embalming in the state shall serve as a registered apprentice embalmer under the direct personal supervision of a licensed embalmer. The act also requires that a full service funeral home must employ a full-time person who is licensed as a funeral director.

CREMATION

Act 666 (SB392) - The act holds that crematory operators and funeral directors shall not be liable for disposing of human remains in any lawful manner that is consistent with a decedent's declaration of final disposition, including cremation. The act provides that where the decedent did not execute declaration of final disposition, the person having lawful control of the decedent's remains may dispose of the remains in any manner consistent with law, including cremation. The act also specifies circumstances under which a crematory operator shall not be liable for failing to cremate human remains.

DECLARATION OF FINAL DISPOSITION

Act 666 (SB392) - The act holds that crematory operators and funeral directors shall not be liable for disposing of human remains in any lawful manner that is consistent with a decedent's declaration of final disposition, including cremation. The act provides that where the decedent did not execute declaration of final disposition, the person having lawful control of the decedent's remains may dispose of the remains in any manner consistent with law, including cremation. The act also specifies circumstances under which a crematory operator shall not be liable for failing to cremate human remains.

FULL SERVICE FUNERAL HOMES

Act 367 (HB1415) - The act requires that a person who desires to practice the science of embalming in the state shall serve as a registered apprentice embalmer under the direct personal supervision of a licensed embalmer. The act also requires that a full service funeral home must employ a full-time person who is licensed as a funeral director.

HUMAN REMAINS, DISPOSAL OF

Act 666 (SB392) - The act holds that crematory operators and funeral directors shall not be liable for disposing of human remains in any lawful manner that is consistent with a decedent's declaration of final disposition, including cremation. The act provides that where the decedent did not execute declaration of final disposition, the person having lawful control of the decedent's remains may dispose of the remains in any manner consistent with law, including cremation. The act also specifies circumstances under which a crematory operator shall not be liable for failing to cremate human remains.

PREPAID FUNERAL BENEFITS

Act 987 (HB2183) - The act amends the Arkansas prepaid funeral benefits law to require that the purchaser of prepaid funeral benefits be given advance written notice if the seller will procure a single-pay whole life insurance policy or annuity to fund the contract price or prepaid funeral contract for an amount that is less than what the buyer paid the seller. The act also clarifies the Insurance Commissioner's authority to suspend a permit to sell prepaid funeral benefits. Bulk reparation payments are authorized for the benefit of purchasers, if a licensee is ordered to liquidate under § 23-40-123.

GAME AND FISH

EDUCATIONAL PROGRAMS

Act 799 (HB1730) - The act provides that the Arkansas State Game and Fish Commission may use fines levied on persons convicted of game and fish violations to fund fish and wildlife conservation education programs and other educational purposes consistent with Amendment 35.

SENIOR CITIZENS PERMANENT HUNTING AND FISHING LICENSES

Act 428 (HB1625) - The act requires the Arkansas State Game and Fish Commission to issue permanent hunting or fishing licenses to senior citizens.

GENERAL ASSEMBLY

BILLS, RESOLUTIONS, AND AMENDMENTS

Act 1725 (SB806) - The act requires the Bureau of Legislative Research to obtain prior direct approval from a member of the General Assembly before drafting any bill, resolution, or amendment at the instruction of a lobbyist. The act also requires the bureau to obtain prior direct approval from a member before listing the name of the member on any bill and to obtain prior direct approval from the lead sponsor of a bill before listing multiple sponsors on a bill.

BUDGET COMMITTEE, JOINT

MEMBERSHIP

Act 1002 (SB704) - The act provides that Senate members of the Legislative Joint Auditing Committee and the Joint Budget Committee shall be selected in accordance with the procedures prescribed in the Senate Rules.

Act 1091 (SB698) - The act increases the membership of the Joint Budget Committee. The act also provides that the majority party whip and the minority party whip in the Senate and the House shall be members of the Legislative Council.

SENATE VICE CHAIR

Act 1083 (SB97) - The act establishes that the Senate vice chair of the Joint Budget Committee shall be selected in the same manner as the Senate vice chair of the Legislative Joint Auditing Committee.

CHILDREN AND YOUTH, SENATE INTERIM COMMITTEE ON

CHILD WELFARE - QUARTERLY REPORTS

Act 178 (HB1153) - The act changes the deadline for the Department of Human Services to submit performance reports regarding child welfare to the Senate Interim Committee on Children and Youth from 30 days to 60 days after the end of each calendar quarter.

EDUCATIONAL ADEQUACY, JOINT COMMITTEE ON

Act 94 (HB1115) - The act creates the Joint Committee on Educational Adequacy to make recommendations regarding what constitutes an adequate education, how to provide equality of educational opportunity, the per-student expenditure necessary to ensure equality of educational opportunity, and a method of evaluation and monitoring public education. The committee shall report its findings to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate by July 1, 2003.

EDUCATIONAL FACILITIES, JOINT COMMITTEE ON

Act 1181 (SB307) - The act creates the Joint Committee on Educational Facilities to recommend what constitutes an adequate school facility, a method of providing substantially equal facilities and equipment, a review process, criteria for making renovation and replacement determinations, a method of funding the cost of adequate school facilities, and a method of evaluating and monitoring school facilities. The committee shall make its report by December 31, 2003.

GENERAL ASSEMBLY

ENERGY, JOINT COMMITTEE ON MEMBERSHIP

Act 380 (SB109) - The act modifies the Senate membership of the Joint Committee on Energy and the Senate membership of the Joint Performance Review Committee.

FLAGS

Act 300 (HB1388) - The act requires the Secretary of State to annually make available to the Office of the Speaker of the House of Representatives and the Office of the President Pro Tempore of the Senate the same number of Arkansas and American flags that are available to constitutional officers.

HEALTH ADEQUACY ADVISORY COMMITTEE

Act 1816 (HB2893) - The act creates a Health Adequacy Advisory Committee to coordinate efforts to combat the effects of inadequate health care on the educational performance of children in Arkansas school systems. The act requires the committee to report its findings and strategic plan for meeting the health needs of school age children to the Joint Committee on Educational Adequacy, the House and Senate Interim Committees on Public Health, Welfare, and Labor, and the Governor.

HEALTH INSURANCE AND PRESCRIPTION DRUGS, JOINT INTERIM COMMITTEE

Act 1392 (HB2240) - The act establishes the Joint Interim Committee on Health Insurance and Prescription Drugs to study health insurance benefits, prescription drug pricing, and quality of healthcare.

INSURANCE AND COMMERCE, INTERIM COMMITTEES ON

STUDY OF THIRD PARTY REIMBURSEMENT FOR LICENSED ATHLETIC

Act 851 (HB2703) - The act requires the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce to conduct a study of the impact of allowing licensed athletic trainers to receive third-party reimbursement from insurers and to make their findings and recommendations by October 31, 2004.

STUDY ON SMALL EMPLOYER GROUP CARRIERS

Act 470 (SB696) - The act provides that the House and Senate Interim Committees on Insurance and Commerce shall conduct a study concerning the feasibility and desirability of establishing a pool or reinsurance for small employer group carriers of health insurance and to study small employer health insurance rating laws. The committee shall complete the report and submit recommendations by October 31, 2004.

INTERIM COMMITTEES DURING A RECESS

Act 744 (SB727) - The act allows various committees of the General Assembly that are authorized to meet during the interim, to meet and receive mileage and per diem during a recess of the General Assembly of two weeks or more. This act also allows members of the General Assembly to attend national or regional conferences when the General Assembly is in recess for a period of two weeks or more.

JOINT PERFORMANCE REVIEW COMMITTEE

MEMBERSHIP

Act 24 (HB1043) - The act modifies the membership of the Joint Committee on Public Retirement and Social Security Programs, the Joint Committee on Energy, and the Joint Performance Review Committee.

REPORT ON PERFORMANCE REVIEW EVALUATIONS

Act 1335 (HB2439) - The act establishes timeframes for the Joint Performance Review Committee to report to the Legislative Council regarding joint performance review evaluations of boards and commissions.

GENERAL ASSEMBLY

JOINT PERFORMANCE REVIEW COMMITTEE

SUBPOENA POWER

Act 1218 (SB915) - The act grants subpoena power to the Joint Performance Review Committee. The subpoena power may be exercised by a majority vote of the House membership and by a majority vote of the Senate membership. However, no action of the joint committee regarding the exercise of the subpoena power shall be taken except upon notice of at least one week to all members of the committee, or upon a 2/3 vote of the House membership of the committee and 2/3 vote of the Senate membership of the committee. The House members and Senate members may meet as separate committees and may exercise the subpoena powers under the same restrictions as the full committee.

JUDICIARY COMMITTEE

BILLS TO INCREASE COURT COSTS AND FILING FEES

Act 1474 (HB2249) - The act repeals § 16-10-701, concerning bills introduced to increase court costs and filing fees.

LEGISLATIVE COMMISSION ON NURSING, ARKANSAS

Act 122 (SB2) - The act establishes the Arkansas Legislative Commission on Nursing to function through June 30, 2005. The main purpose of the commission is to study the economic impact of the nursing and nurse educator shortage on the healthcare industry in Arkansas. The commission will be composed of members of the House and Senate Interim Committees on Public Health, Welfare, and Labor, the House and Senate Interim Committees on Education, and various nonvoting members from the medical and business fields.

LEGISLATIVE COUNCIL

MEDICAL MALPRACTICE INSURANCE RATES REPORT

Act 1007 (SB904) - The act requires the Insurance Commissioner to issue an annual report to the Legislative Council and to the chairs of the House and Senate Interim Committees on Insurance and Commerce regarding malpractice insurance rates in Arkansas. The commissioner is to report no later than August 1 of each year and is to recommend changes in Arkansas law relating to medical malpractice insurance.

MEMBERSHIP

Act 1091 (SB698) - The act increases the membership of the Joint Budget Committee. The act also provides that the majority party whip and the minority party whip in the Senate and the House shall be members of the Legislative Council.

NOTICE REGARDING LAYOFFS OF STATE EMPLOYEES

Act 1212 (SB318) - The act requires state agencies to report impending layoffs of state employees to the Legislative Council and the Office of Personnel Management.

REPORT REGARDING ARKANSAS COMPREHENSIVE HEALTH INSURANCE POOL

Act 1583 (HB1357) - The act appropriates a sum not to exceed \$8,000,000 from the State Insurance Trust Fund to the Arkansas Comprehensive Health Insurance Pool for each fiscal year of the biennial period ending June 30, 2005. The act also appropriates from the fund a sum not to exceed \$8,000,000 to the Arkansas Rural Risk Underwriting Association for the same biennial period. The act also requires the Legislative Council to conduct a study during the 2003-2005 biennium concerning alternative methods of funding of the Arkansas Comprehensive Health Insurance Pool, and to report the Council's findings to the Joint Budget Committee no later than December 31, 2004.

GENERAL ASSEMBLY

LEGISLATIVE JOINT AUDITING COMMITTEE

MEMBERSHIP

Act 1002 (SB704) - The act provides that Senate members of the Legislative Joint Auditing Committee and the Joint Budget Committee shall be selected in accordance with the procedures prescribed in the Senate Rules.

LEGISLATORS

LOBBYIST PROHIBITION

Act 1453 (SB852) - The act provides that a former member of the Senate or the House of Representatives shall not be eligible to be registered as a lobbyist under §§ 21-8-601 through 21-8-607 until the expiration of the term of office for which he or she was elected.

RETIREMENT SYSTEM PARTICIPATION

Act 1403 (SB113) - The act clarifies that the withdrawal of members of the General Assembly from participation in the Arkansas Public Employees' Retirement System may be undone and they may again participate in the system.

MINORITY BUSINESS PARTICIPATION IN STATE CONTRACTS

Act 1814 (HB2835) - The act requires state agencies to include in all requests for proposals and requests for qualifications language that encourages minority participation. The Director of the Office of State Procurement shall track data regarding minority participation in state contracts that exceed \$25,000, and shall report semi-annually to the Governor and to the cochairs of the Legislative Council, the Legislative Joint Audit Committee, and the Minority Business Advisory Council. The act amends the methods by which members are appointed to the Minority Business Advisory Council.

PUBLIC HEALTH, WELFARE, AND LABOR, INTERIM COMMITTEES ON

MINORITY HEALTH STUDY

Act 1571 (SB945) - The act requires the University of Arkansas for Medical Sciences, the Department of Health, and the Minority Health Commission to study disparities in health and health care between minority and majority communities and to report findings to the House and Senate Interim Committees on Public Health, Welfare, and Labor.

REPORT CONCERNING EMOTIONALLY DISTURBED YOUTH

Act 278 (HB1601) - The act requires the Department of Human Services to report semiannually to the Legislative Council and the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning emotionally disturbed youth.

REPORT ON SCHOOL IMMUNIZATION EXEMPTIONS

Act 999 (SB434) - The act revises the religious exemption to the school immunization law. The act requires the Department of Health to make rules for religious and philosophical exemptions from immunization requirements in schools (K-12), colleges and universities, and child care facilities. The act also requires the Department of Health to make semiannual reports concerning the immunization exemption to the House and Senate Interim Committees on Public Health, Welfare, and Labor.

REPORTS REGARDING OF PHYSICIAN ORGANIZATIONS

Act 1360 (HB2273) - The act grants hospitals, credentialing organizations, and insurance companies the option of utilizing the centralized credentialing verification service or other appropriate organizations. The act also requires the Arkansas State Medical Board to report quarterly to the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning the credentialing process.

GENERAL ASSEMBLY

PUBLIC HEALTH, WELFARE, AND LABOR, INTERIM COMMITTEES ON

STUDY ON DISABLED CHILDREN

Act 767 (HB2530) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study Medicaid eligibility for disabled children not dependent on ventilators and to study improvements in availability of private duty nurses to families in need of in-home care.

PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS, JOINT COMMITTEE

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

Act 1277 (SB94) - The act expands the membership of the Board of Trustees for the Arkansas Local Police and Fire Retirement System from five members to seven members. Beginning January 1, 2004, the Governor will appoint another firefighter and police officer member from lists of candidates submitted by the cochairs of the Joint Committee on Public Retirement and Social Security Programs.

MEMBERSHIP

Act 24 (HB1043) - The act modifies the membership of the Joint Committee on Public Retirement and Social Security Programs, the Joint Committee on Energy, and the Joint Performance Review Committee.

RURAL FIRE DEPARTMENTS STUDY COMMITTEE

Act 198 (SB227) - The act adds the Manager of the Rural Fire Protection Program of the Arkansas Resource Conservation and Development Councils to the Rural Fire Departments Study Committee.

HEALTH

ABORTIONS

Act 1189 (SB729) - The act requires physicians who use ultrasound equipment in the performance of abortions to inform the woman that she has a right to view the ultrasound image.

ADULT ABUSE

Act 1118 (HB2440) - The act adds a definition of "long-term care facility" to the law concerning abuse of adults.

ADULT MALTREATMENT

Act 1046 (HB2579) - The act introduces the term "adult maltreatment" as a cover term for adult abuse law. The act makes various technical corrections in adult maltreatment laws. The act also outlines the responsibilities of the Attorney General in adult maltreatment cases, amends the law regarding the central registry, and repeals sections made obsolete by the act.

ALCOHOL AND DRUG ABUSE PREVENTION PROGRAM TRANSFER

Act 1717 (HB2900) - The act transfers the Alcohol and Drug Abuse Prevention Program of the Department of Health to the Division of Mental Health Services of the Department of Human Services.

ARKIDS FIRST PROGRAM ELIGIBILITY

Act 552 (HB1033) - The act makes qualifying college students eligible for medical coverage under the Arkids First Program. However, the Department of Human Services is not obligated to allow qualifying college student enrollment unless it is able to obtain the waivers necessary to allow the use of matching federal funds from the Centers for Medicare and Medicaid Services.

HEALTH

AUDIOLOGISTS

Act 1455 (SB907) - The act guarantees that each person who is eligible for an ear examination, the payment for which may be made out of public money, shall have his or her freedom of choice between persons licensed under the Licensure Act of Speech-Language Pathologists and Audiologists and persons licensed under the Arkansas Medical Practices Act. The act also ensures that persons licensed under the Arkansas Medical Practices Act or the Licensure Act of Speech-Language Pathologists and Audiologists shall be entitled to payment or reimbursement on an equal basis for service in the audiology field.

BIOLOGICAL AGENTS REGISTRY

Act 1080 (HB2615) - The act creates a biological agents registry within the Department of Health. The act requires the department to promulgate regulations to identify Arkansas persons who use and possess biological agents, requires the registration of those persons and agents, and imposes civil penalties for violation of registry requirements.

BOARD OF HEALTH, STATE

PUBLIC HEALTH LABORATORY

Act 1723 (SB744) - The act ensures the funding necessary to construct and equip a modern public health laboratory. This act authorizes the State Board of Health to enter into a loan from the Arkansas Development Finance Authority in the amount of \$26,000,000 to finance the construction of the laboratory.

BOILER SAFETY

BOILER ADVISORY BOARD

Act 619 (SB347) - The act removes the anhydrous ammonia dealer representative as a member of the Boiler Advisory Board of the Department of Labor.

FEES

Act 1184 (SB443) - The act increases the licensing and examination fees for boiler operators.

CHILD HEALTH ADVISORY COMMITTEE

Act 1220 (HB1583) - The act creates the Child Health Advisory Committee to coordinate statewide efforts to combat childhood obesity and related illnesses.

CHILD MALTREATMENT ACT, ARKANSAS

RIGHTS OF NONCUSTODIAL PARENT

Act 175 (SB30) - The act clarifies that a noncustodial parent shall be interviewed and may obtain information regarding the maltreatment of his or her child under the Arkansas Child Maltreatment Act.

SUSPECTED CHILD ABUSE

Act 1039 (HB2262) - The act amends the Child Maltreatment Act to add persons who are required to report child maltreatment.

CHILD WELFARE AGENCIES

DISCLOSURES

Act 1157 (HB2306) - The act amends the law regarding disclosure of information by child welfare agencies. The act also removes the Director of the Department of Health from the Child Welfare Agency Review Board.

EXEMPTIONS

Act 1285 (SB320) - The act exempts child welfare agencies licensed by the Child Welfare Agency Review Board after March 1, 2003, for licensure by the Office of Long-Term Care of the Department of Human Services and from obtaining a permit from the Health Services Permit Agency and the Health Services Permit Commission.

HEALTH

CHILDHOOD OBESITY

Act 1220 (HB1583) - The act creates the Child Health Advisory Committee to coordinate statewide efforts to combat childhood obesity and related illnesses.

CHILDREN'S CATASTROPHIC ILLNESSES

BABY SHARON ACT

Act 279 (HB1039) - The act is to be known as the Baby Sharon Act. The act creates the state income tax return checkoff for the Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund that allows a person filing a tax return to dedicate a portion of his or her refund, if entitled, to the fund or to enclose a check for an additional amount for the fund.

CHILDREN'S PRODUCT SAFETY

Act 1159 (HB2330) - The act requires the Attorney General to update quarterly a list of recalled children's products, post it on the Internet, and notify child care facilities of the product safety.

CHLORIDE IN STREAMS

Act 1180 (SB266) - The act limits the authority of the Arkansas Pollution Control and Ecology Commission to investigate and regulate chloride levels exceeding 250 parts per million in streams to those that result from a violation of Title 8, Chapter 5, Subchapter 5.

COMMUNITY-BASED HEALTH COOPERATIVES

Act 660 (SB150) - The act defines "community-based health cooperative" and authorizes them to administer community-based health care access programs for adults whose income does not allow them to purchase health insurance and who are not eligible for coverage under Medicare or Medicaid.

CONSUMER-PATIENT RADIATION HEALTH AND SAFETY ACT

Act 1395 (HB2506) - The act makes various changes to the Consumer-Patient Radiation Health And Safety Act. The act authorizes the Medical Ionizing Radiation Licensure Committee to license radiologic technologists, radiation therapists, and nuclear medicine technologists.

CONTACT LENSES

Act 866 (HB2286) - The act revises the requirements for optometrists and ophthalmologists providing contact lens prescriptions. The act also requires out-of-state entities that fill, ship, mail, or deliver contact lenses to register with the State Board of Optometry and the Secretary of State, and to have a contact lens prescription issued by an optometrist or ophthalmologist licensed in Arkansas. An optometrist or ophthalmologist is not liable for injury resulting from properly releasing a contact lens prescription, unless the optometrist or ophthalmologist is also the contact lens seller.

CONTROLLED SUBSTANCES

EPHEDRINE POSSESSION - EXEMPTION

Act 277 (HB1483) - The act allows an exemption for persons under the age of 18 years to purchase a product containing ephedrine if the person is purchasing a pediatric product intended for a child.

PENALTIES

Act 867 (HB2425) - The act amends the exception relating to penalties for possession of illegal drugs by a licensed manufacturer, wholesaler, or distributor.

HEALTH

COSMETOLOGY

CLEAN OUTER GARMENTS

Act 595 (HB2151) - The act requires persons operating under the Cosmetology Act to wear clean outer garments. The act also increases the monetary penalty that may be imposed by the State Board of Cosmetology against the holder of a license, certificate, or other permit issued by the board to \$1,000.

EXAMINATIONS

Act 596 (HB2152) - The act eliminates required additional training as a prerequisite to taking a subsequent examination if an applicant fails to pass an examination mandated under the Cosmetology Act.

LONG-TERM CARE

Act 680 (HB2529) - The act requires all persons providing cosmetology or barbering services to residents of nursing facilities, in which a fee is charged that is separate from the monthly facility charges, to be licensed cosmetologist or licensed barbers.

CREMATION

Act 666 (SB392) - The act holds that crematory operators and funeral directors shall not be liable for disposing of human remains in any lawful manner that is consistent with a decedent's declaration of final disposition, including cremation. The act provides that where the decedent did not execute declaration of final disposition, the person having lawful control of the decedent's remains may dispose of the remains in any manner consistent with law, including cremation. The act also specifies circumstances under which a crematory operator shall not be liable for failing to cremate human remains.

DENTAL HEALTH

DENTAL SCHOOL LOANS

Act 1715 (HB2746) - The act authorizes the Department of Higher Education to make loans to dental students enrolled in professional programs outside of the state if any part of the out-of-state tuition is paid by the State of Arkansas and if the tuition paid to the out-of-state institution exceeds the Southern Regional Education Board contracted rate. The act provides a mechanism for repayment and forgiveness of the loans.

DENTIST LICENSURE - FOREIGN-TRAINED DENTISTS

Act 661 (SB258) - The act authorizes a pilot program for licensure of foreign-trained dentists immigrating to this state.

DENTIST LICENSURE - GENERAL

Act 377 (HB1743) - The act requires dental licensure every two years instead of annually. The act allows the Arkansas State Board of Dental Examiners to retain application fees of applicants who fail to achieve licensure. The act also increases the registration fee for dental assistants who perform expanded duties.

FEES RETAINED

Act 377 (HB1743) - The act requires dental licensure every two years instead of annually. The act allows the Arkansas State Board of Dental Examiners to retain application fees of applicants who fail to achieve licensure. The act also increases the registration fee for dental assistants who perform expanded duties.

DEPARTMENT OF HEALTH, ARKANSAS

ADMINISTRATOR OF LOCAL UNIT

Act 657 (HB1385) - The act provides that the mayor or county judge of any city or county that is providing facilities for a local unit of the Department of Health must be consulted before the hiring of, or the removal of, the administrator of the local unit.

HEALTH

DEPARTMENT OF HEALTH, ARKANSAS

BIOLOGICAL AGENTS REGISTRY

Act 1080 (HB2615) - The act creates a biological agents registry within the Department of Health. The act requires the department to promulgate regulations to identify Arkansas persons who use and possess biological agents, requires the registration of those persons and agents, and imposes civil penalties for violation of registry requirements.

CLEAN-UP OF METHAMPHETAMINE LABS

Act 1270 (HB2606) - The act requires the Department of Health to develop guidelines for the cleanup of former clandestine methamphetamine drug labs by April 1, 2004. The guidelines shall be made available on the Arkansas Department of Health Internet web site, shall be available to law enforcement officials and the public upon request, and shall be updated

INFORMAL DISPUTE RESOLUTION

Act 1108 (SB717) - The act creates an informal dispute resolution process regarding disputes between the Office of Long-Term Care of the Department of Human Services and long-term care facilities. The act requires the Department of Health to administer the process by appointing an impartial decision maker to hear the matter. The act requires that the impartial decision maker be a person or group of persons licensed in the healing arts.

INVESTIGATION OF PHYSICAL THERAPISTS

Act 1076 (HB2307) - The act authorizes the Division of Pharmacy Services and Drug Control of the Department of Health to conduct investigations and inspections of alleged wrongdoing by physical therapists. The act also increases the fees the division may charge boards for conducting investigations.

DEPARTMENT OF HEALTH, ARKANSAS

MINORITY HEALTH STUDY

Act 1571 (SB945) - The act requires the University of Arkansas for Medical Sciences, the Department of Health, and the Minority Health Commission to study disparities in health and health care between minority and majority communities and to report findings to the House and Senate Interim Committees on Public Health, Welfare, and Labor

TATTOO AND PIERCING

Act 266 (SB128) - The act requires the Department of Health to levy and collect an annual fee of \$100 per artist for issuance of a license to perform body piercing, branding, or tattooing.

DISABLED CHILDREN STUDY

Act 767 (HB2530) - The act requires the House and Senate Interim Committees on Public Health, Welfare, and Labor to study Medicaid eligibility for disabled children not dependent on ventilators and to study improvements in availability of private duty nurses to families in need of in-home care.

DRUG AND ALCOHOL PROGRAM LICENSURE

Act 761 (HB2197) - The act provides for the licensing of drug and alcohol programs that are accredited by the Council on Accreditation.

ELDERCHOICES

ELIGIBILITY

Act 1402 (HB2820) - The act requires the Department of Human Services to use the same division of assets and income allowances for Level 1 and Level 2 ElderChoices applications as are used in determining Medicaid eligibility for and providing Medicaid benefits to persons requiring institutional care, if funds are available and if the eligibility requirements do not violate federal law.

HEALTH

ELDERCHOICES

PRIOR AUTHORIZATION

Act 136 (HB1194) - The act requires the Department of Human Services to make the rules regarding prior authorization for Medicaid ElderChoice community-based services the same as the rules regarding prior authorization for nursing homes, to the extent allowed by federal law.

ELEVATORS

Act 360 (SB358) - The act increases inspection fees and operating permit fees for elevators.

EYE HEALTH STUDY

Act 755 (HB1553) - The act establishes a commission to study the adequacy of eye health, vision care, vision screening, and the effects of inadequate vision on the educational performance of children in the Arkansas school systems. The commission expires on June 30, 2005.

GASTRIC BYPASS SURGERY

Act 1356 (SB757) - The act requires that a physician receive informed consent from a patient before performing gastric bypass surgery. The act also requires the Arkansas State Medical Board to promulgate rules defining what is informed consent.

HEALING ARTS

HEALING ARTS BOARDS - ARBITRATION

Act 341 (HB1358) - The act creates procedures for arbitrating differences between boards of the healing arts regarding violations of proper scope of practice.

SCOPE OF PRACTICE

Act 341 (HB1358) - The act creates procedures for arbitrating differences between boards of the healing arts regarding violations of proper scope of practice.

HEALTH ADEQUACY ADVISORY COMMITTEE

Act 1816 (HB2893) - The act creates a Health Adequacy Advisory Committee to coordinate efforts to combat the effects of inadequate health care on the educational performance of children in Arkansas school systems. The act requires the committee to report its findings and strategic plan for meeting the health needs of school age children to the Joint Committee on Educational Adequacy, the House and Senate Interim Committees on Public Health, Welfare, and Labor, and the Governor.

HEALTH DATA INITIATIVE, ARKANSAS

Act 1035 (HB2241) - The act creates the Arkansas Health Data Initiative within the Arkansas Center for Health Improvement to serve as an access point for studies concerning state and federal health information and to inform and support the Arkansas health policy officials.

HEALTH INSURANCE AND PRESCRIPTION DRUGS, JOINT INTERIM COMMITTEE

Act 1392 (HB2240) - The act establishes the Joint Interim Committee on Health Insurance and Prescription Drugs to study health insurance benefits, prescription drug pricing, and quality of healthcare.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

Act 1092 (SB722) - The act authorizes the Arkansas State Board of Pharmacy to provide special licensure for pharmacists who have been licensed for 50 years. The act also modifies the board's investigative authority to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The act authorizes criminal background checks on individuals licensed or permitted by the Arkansas State Board of Pharmacy.

HEALTH

HEALTH, STATE BOARD OF MEMBERSHIP

Act 1450 (SB816) - The act provides that one member of the State Board of Health shall be appointed from a list submitted by the Arkansas Chiropractic Association of the Arkansas Chiropractic Society.

HOME HEALTH CARE SERVICE

Act 1783 (HB2751) - The act exempts certain persons from licensing requirements for Home Health Care Services licensure. The act provides that persons licensed to provide services to developmentally disabled persons are exempt.

HOSPITAL CORPORATIONS AND MEDICAL SERVICE CORPORATIONS

Act 1078 (HB2366) - The act permits a hospital corporation and a medical service corporation to provide reinsurance coverage only in the specific areas of coverage stated in the corporation's certificate of authority.

HUMAN CLONING PROHIBITED

Act 607 (SB185) - The act prohibits performing or participating in human cloning. The act also prohibits shipping, transferring, or receiving any human biological materials for the purpose of human cloning. The act creates criminal penalties.

HUMAN REMAINS, DISPOSAL OF

Act 666 (SB392) - The act holds that crematory operators and funeral directors shall not be liable for disposing of human remains in any lawful manner that is consistent with a decedent's declaration of final disposition, including cremation. The act provides that where the decedent did not execute declaration of final disposition, the person having lawful control of the decedent's remains may dispose of the remains in any manner consistent with law, including cremation. The act also specifies circumstances under which a crematory operator shall not be liable for failing to cremate human remains.

HUMAN SERVICES, DEPARTMENT OF

ALCOHOL AND DRUG ABUSE PREVENTION PROGRAM

Act 1717 (HB2900) - The act transfers the Alcohol and Drug Abuse Prevention Program of the Department of Health to the Division of Mental Health Services of the Department of Human Services.

CHILD WELFARE QUARTERLY REPORTS

Act 178 (HB1153) - The act changes the deadline for the Department of Human Services to submit performance reports regarding child welfare to the Senate Interim Committee on Children and Youth from 30 days to 60 days after the end of each calendar quarter.

COURT ORDERS

Act 338 (HB1152) - The act narrows the limits on court orders for Department of Human Services investigations, studies, and supervision involving those children ordered by the juvenile division of an circuit court.

ELDERCHOICES

Act 136 (HB1194) - The act requires the Department of Human Services to make the rules regarding prior authorization for Medicaid ElderChoice community-based services the same as the rules regarding prior authorization for nursing homes, to the extent allowed by federal law.

Act 1402 (HB2820) - The act requires the Department of Human Services to use the same division of assets and income allowances for Level 1 and Level 2 ElderChoices applications as are used in determining Medicaid eligibility for and providing Medicaid benefits to persons requiring institutional care, if funds are available and if the eligibility requirements do not violate federal law.

HEALTH

HUMAN SERVICES, DEPARTMENT OF

INDIGENT CARE PROVIDERS

Act 1182 (SB321) - The act amends the law regarding the indigent care program to allow the Department of Human Services to contract with and regulate public and private entities for purposes of indigent medical care.

INFORMAL DISPUTE RESOLUTION

Act 1108 (SB717) - The act creates an informal dispute resolution process regarding disputes between the Office of Long-Term Care of the Department of Human Services and long-term care facilities. The act requires the Department of Health to administer the process by appointing an impartial decision maker to hear the matter. The act requires that the impartial decision maker be a person or group of persons licensed in the healing arts.

INVESTIGATION OF ADULT ABUSE

Act 1164 (HB2393) - The act repeals the provisions that give the Department of Human Services jurisdiction to investigate cases of suspected abuse, neglect, or exploitation of an endangered or impaired adult. The act clarifies the Attorney General's power to investigate the suspected abuse, neglect, or exploitation of an endangered or impaired adult.

REPORT CONCERNING EMOTIONALLY DISTURBED YOUTH

Act 278 (HB1601) - The act requires the Department of Human Services to report semiannually to the Legislative Council and the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning emotionally disturbed youth.

IMMUNIZATIONS

EXEMPTIONS AND REPORTS

Act 999 (SB434) - The act revises the religious exemption to the school immunization law. The act requires the Department of Health to make rules for religious and philosophical exemptions from immunization requirements in schools (K-12), colleges and universities, and child care facilities. The act also requires the Department of Health to make semiannual reports concerning the immunization exemption to the House and Senate Interim Committees on Public Health, Welfare, and Labor.

FIRST RESPONDERS

Act 1401 (HB2823) - The act requires the Department of Health to offer a vaccination program for first responders who may be exposed to infectious diseases while deployed to disaster locations.

SMALLPOX VACCINE

Act 1237 (HB1965) - The act adds adverse reactions to smallpox vaccine as a compensable injury under the Workers' Compensation Law.

INCAPACITATED PERSONS

Act 368 (HB1426) - The act limits court orders requiring the gathering of records, investigating of a respondent's condition, or helping to arrange for appropriate professional evaluations by the Department of Human Services to those in which all parties to the proceedings are found by the court to be indigent. The act also limits assistance provided by the department to actions within the State of Arkansas.

INDIGENT MEDICAL CARE

Act 1182 (SB321) - The act amends the law regarding the indigent care program to allow the Department of Human Services to contract with and regulate public and private entities for purposes of indigent medical care.

HEALTH

INSURANCE

COMMUNITY-BASED HEALTH COOPERATIVES

Act 660 (SB150) - The act defines "community-based health cooperative" and authorizes them to administer community-based health care access programs for adults whose income does not allow them to purchase health insurance and who are not eligible for coverage under Medicare or Medicaid.

COMPREHENSIVE HEALTH INSURANCE POOL, ARKANSAS

Act 1327 (HB2279) - The act extends Arkansas Comprehensive Health Insurance Pool eligibility to individuals who are eligible for federal tax credits for health insurance coverage under the federal Trade Adjustment Assistance Reform Act of 2002 and to certain persons who were covered under a Qualified High Risk Pool in another state. The act also makes the pool eligible for federal funds to offset losses to the pool. If the pool experiences a deficit after the end of the fiscal year, the State Insurance Department shall, during the next fiscal year, transfer from the State Insurance Department Trust Fund, in equal quarterly installments, a sum equal to the deficit from those funds in the trust fund that are in excess of the amount needed to meet the requirements of the approved annual budget for the applicable fiscal year, but not to exceed \$8,000,000.

GROUP HEALTH INSURANCE POLICIES

Act 859 (HB1622) - The act requires an insurer who nonrenews or discontinues group health insurance coverage to provide written notice to the individual employees insured under the group health plan. The notice shall allow employees no fewer than 14 days to acquire alternative health coverage without loss of creditable coverage.

HEALTH INSURANCE SAFETY-NET BENEFITS

Act 1044 (HB2413) - The act authorizes the Department of Human Services to establish statewide health insurance limited safety-net benefit packages under the federal Social Security Act. The act establishes a fund to capture federal matching moneys for a program to offer health insurance through employers who could not otherwise afford to offer employee health insurance.

HOSPITAL CORPORATIONS AND MEDICAL SERVICE CORPORATIONS - REINSURANCE

Act 1078 (HB2366) - The act permits a hospital corporation and a medical service corporation to provide reinsurance coverage only in the specific areas of coverage stated in the corporation's certificate of authority.

MASTECTOMY BENEFITS

Act 179 (HB1280) - The act conforms Arkansas insurance law regarding mastectomy benefits to the federal Women's Health and Cancer Rights Act of 1998. The act requires a minimum forty-eight-hour hospital stay unless the decision to discharge is made by an attending physician after consulting with the patient, requires certain medical and surgical benefits and written notice of coverage to the insured, and prohibits certain actions by the insurer.

METABOLIC DISORDERS - REQUIRED INSURANCE COVERAGE

Act 1440 (SB609) - The act provides a tax credit for children afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism. The act requires health insurance policies to cover certain persons afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism.

HEALTH

INSURANCE

NEWBORN METABOLIC DISORDER TESTING

Act 1293 (SB610) - The act authorizes the State Board of Health to increase the types of metabolic disorders for which newborns must be tested. The act authorizes the state Medicaid program to pay for the tests for Medicaid recipients. The act also requires health insurance policies to cover the full range of tests for metabolic disorders in newborns.

STATE AND PUBLIC SCHOOL LIFE AND HEALTH INSURANCE BOARD

Act 1446 (SB716) - The act increases the voting membership of the State and Public School Life and Health Insurance Board to 12 by adding the Executive Director of the Arkansas State Board of Pharmacy and the Director of Health Care Facilities Services of the Arkansas Department of Health as voting members. The act also changes the selection of the chair and vice chair of the board from annual selection by the Governor to annual selection by the membership of the board. The act creates and designates the membership of three subcommittees of the board to study and research health and life plan option benefits, formulary management, and the financial impact of implementing the recommendations made by the formulary management committee to the board.

STUDY REGARDING THIRD PARTY REIMBURSEMENT FOR LICENSED ATHLETIC TRAINERS

Act 851 (HB2703) - The act requires the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce to conduct a study of the impact of allowing licensed athletic trainers to receive third-party reimbursement from insurers and to make their findings and recommendations by October 31, 2004.

UNAUTHORIZED HEALTH CARE BENEFITS PROVIDERS

Act 516 (HB1753) - The act strengthens the Insurance Commissioner's authority to issue cease and desist orders against any unauthorized entity that provides health care benefits. The act also provides civil and criminal penalties against any entity that sells or represents unauthorized products. The act regulates multiple employer welfare arrangements to the fullest extent allowed by the Employee Retirement Income Security Act.

VIATICAL SETTLEMENTS ACT

Act 1782 (HB2750) - The act repeals §§ 23-81-501 through 23-81-512, concerning viatical settlements, and adopts the National Association of Insurance Commissioners' Viatical Settlements Act. The act regulates agreements in which a life insurance policy holder assigns, transfers, sells, devises, or bequests his or her right to part of all of an expected death benefit for compensation or value that is less than the expected death benefit.

INTRACTABLE PAIN MANAGEMENT

INVESTIGATIVE PROCEDURES

Act 1405 (SB265) - The act prohibits disciplinary action by the Arkansas State Medical Board against a physician solely for prescribing dangerous or controlled drugs for the relief of chronic intractable pain. The act establishes the Pain Management Review Committee. The act provides an alternative program for investigating allegations that a physician is improperly prescribing dangerous or controlled drugs.

LONG-TERM CARE

COSMETOLOGY AND BARBERING SERVICES

Act 680 (HB2529) - The act requires all persons providing cosmetology or barbering services to residents of nursing facilities, in which a fee is charged that is separate from the monthly facility charges, to be licensed cosmetologist or licensed barbers.

HEALTH

LONG-TERM CARE

INFORMAL DISPUTE RESOLUTION

Act 1108 (SB717) - The act creates an informal dispute resolution process regarding disputes between the Office of Long-Term Care of the Department of Human Services and long-term care facilities. The act requires the Department of Health to administer the process by appointing an impartial decision maker to hear the matter. The act requires that the impartial decision maker be a person or group of persons licensed in the healing arts.

NUTRITION AND HYDRATION

Act 1322 (HB1834) - The act requires the Office of Long-Term Care of the Department of Human Services to make rules to allow residents of long-term care facilities to direct whether the resident shall receive nutrition, hydration, or both, at the end of life. The act provides model declaration forms.

MASTECTOMY BENEFITS

Act 179 (HB1280) - The act conforms Arkansas insurance law regarding mastectomy benefits to the federal Women's Health and Cancer Rights Act of 1998. The act requires a minimum forty-eight-hour hospital stay unless the decision to discharge is made by an attending physician after consulting with the patient, requires certain medical and surgical benefits and written notice of coverage to the insured, and prohibits certain actions by the insurer.

MEDICAL BOARD, ARKANSAS STATE

CREDENTIALING

Act 1360 (HB2273) - The act grants hospitals, credentialing organizations, and insurance companies the option of utilizing the centralized credentialing verification service or other appropriate organizations. The act also requires the Arkansas State Medical Board to report quarterly to the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning the credentialing process.

DEFERENCE TO FEDERAL DATA

Act 1716 (HB2765) - The act requires the Arkansas State Medical Board to consider and give deference to data from the Center for Disease Control and Prevention or the National Institutes of Health.

INTRACTABLE PAIN MANAGEMENT

Act 1405 (SB265) - The act prohibits disciplinary action by the Arkansas State Medical Board against a physician solely for prescribing dangerous or controlled drugs for the relief of chronic intractable pain. The act establishes the Pain Management Review Committee. The act provides an alternative program for investigating allegations that a physician is improperly prescribing dangerous or controlled drugs.

MEDICAL IONIZING RADIATION LICENSURE COMMITTEE

Act 1395 (HB2506) - The act makes various changes to the Consumer-Patient Radiation Health And Safety Act. The act authorizes the Medical Ionizing Radiation Licensure Committee to license radiologic technologists, radiation therapists, and nuclear medicine technologists.

MEDICAL SCHOOL APPLICANTS

Act 828 (HB1991) - The act requires the Board of Trustees of the University of Arkansas to give additional consideration to rural applicants from medically underserved areas in an effort to address health disparities. The act also requires the board to allow the area health education centers to offer programs to prepare identified medical school candidates from medically underserved areas of the state for the Medical College Admission Test.

HEALTH

MEDICAL SCIENCES, UNIVERSITY OF ARKANSAS FOR

NORTH CENTRAL AREA HEALTH EDUCATION CENTER

Act 197 (SB215) - The act authorizes the University of Arkansas for Medical Sciences to create the North Central Area Health Education Center to serve Baxter, Cleburne, Fulton, Marion, Independence, Izard, Stone, Searcy, Sharp, and Van Buren counties.

MENTAL HEALTH

INVOLUNTARY ADMISSIONS

Act 1789 (HB2830) - The act establishes the definition of "behavior history" as it relates to involuntary admission criteria. The act also revises the involuntary admission criteria to provide that the person's recent behavior or behavior history demonstrates that he or she lacks the capacity to care for his or her own welfare.

METABOLIC DISORDERS

NEWBORN METABOLIC DISORDER TESTING

Act 1293 (SB610) - The act authorizes the State Board of Health to increase the types of metabolic disorders for which newborns must be tested. The act authorizes the state Medicaid program to pay for the tests for Medicaid recipients. The act also requires health insurance policies to cover the full range of tests for metabolic disorders in newborns.

METABOLIC DISORDERS

REQUIRED INSURANCE COVERAGE

Act 1440 (SB609) - The act provides a tax credit for children afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism. The act requires health insurance policies to cover certain persons afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism.

METHAMPHETAMINE LAB CLEAN UP

Act 1270 (HB2606) - The act requires the Department of Health to develop guidelines for the cleanup of former clandestine methamphetamine drug labs by April 1, 2004. The guidelines shall be made available on the Arkansas Department of Health Internet web site, shall be available to law enforcement officials and the public upon request, and shall be updated annually.

MINORITY HEALTH STUDY

Act 1571 (SB945) - The act requires the University of Arkansas for Medical Sciences, the Department of Health, and the Minority Health Commission to study disparities in health and health care between minority and majority communities and to report findings to the House and Senate Interim Committees on Public Health, Welfare, and Labor.

NORTH CENTRAL AREA HEALTH EDUCATION CENTER

Act 197 (SB215) - The act authorizes the University of Arkansas for Medical Sciences to create the North Central Area Health Education Center to serve Baxter, Cleburne, Fulton, Marion, Independence, Izard, Stone, Searcy, Sharp, and Van Buren counties.

NURSING

LEGISLATIVE COMMISSION ON NURSING, ARKANSAS

Act 122 (SB2) - The act establishes the Arkansas Legislative Commission on Nursing to function through June 30, 2005. The main purpose of the commission is to study the economic impact of the nursing and nurse educator shortage on the healthcare industry in Arkansas. The commission will be composed of members of the House and Senate Interim Committees on Public Health, Welfare, and Labor, the House and Senate Interim Committees on Education, and various nonvoting members from the medical and business fields.

HEALTH

NURSING

LICENSURE - BACKGROUND CHECK

Act 103 (SB27) - The act removes the commission of any theft and adds the commission of felony theft from the list of criminal acts that will invalidate a nurse's license. The act also provides that criminal background checks for nurses may be waived when the person poses no threat to the public.

LICENSURE - FINGERPRINTING

Act 1449 (SB772) - The act deletes the requirement that fingerprints of applicants for a nursing license be destroyed.

NURSING, ARKANSAS STATE BOARD OF

Act 41 (HB1085) - The act changes the quorum for the Arkansas State Board of Nursing from nine members to a majority of the members.

STUDENT SCHOLARSHIP

Act 84 (SB25) - The act creates the Nursing Student Loan Revolving Fund and the Nursing Student Loan Program. The act also gives the Arkansas State Board of Nursing the power to regulate the loan program and determine eligibility.

NURSING HOMES

QUALITY ASSURANCE FEES

Act 746 (SB290) - The act repeals the statute prohibiting nursing facilities from listing the quality assurance fee as a separate charge on billing statements.

OPTOMETRY AND OPHTHALMOLOGY

Act 866 (HB2286) - The act revises the requirements for optometrists and ophthalmologists providing contact lens prescriptions. The act also requires out-of-state entities that fill, ship, mail, or deliver contact lenses to register with the State Board of Optometry and the Secretary of State, and to have a contact lens prescription issued by an optometrist or ophthalmologist licensed in Arkansas. An optometrist or ophthalmologist is not liable for injury resulting from properly releasing a contact lens prescription, unless the optometrist or ophthalmologist is also the contact lens seller.

ORAL HEALTH EDUCATION

Act 1216 (SB811) - The act requires the Department of Education to adopt oral health standards as part of the Arkansas physical education and health curriculum framework.

ORGAN DONOR AWARENESS

EDUCATIONAL MATERIALS

Act 546 (SB167) - The act permits the Arkansas Regional Organ Recovery Agency to provide educational and instructional materials regarding organ and tissue donation to school districts after receiving approval of materials from the Director of the Department of Education and the Director of the Department of Health.

LICENSE PLATES

Act 1362 (HB2340) - The act encourages organ donor education by establishing an Organ Donor Education Trust Fund and by issuing an organ donor awareness special license plate.

PAIN MANAGEMENT REVIEW COMMITTEE

Act 1405 (SB265) - The act prohibits disciplinary action by the Arkansas State Medical Board against a physician solely for prescribing dangerous or controlled drugs for the relief of chronic intractable pain. The act establishes the Pain Management Review Committee. The act provides an alternative program for investigating allegations that a physician is improperly prescribing dangerous or controlled drugs.

HEALTH

PHARMACISTS

Act 1092 (SB722) - The act authorizes the Arkansas State Board of Pharmacy to provide special licensure for pharmacists who have been licensed for 50 years. The act also modifies the board's investigative authority to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The act authorizes criminal background checks on individuals licensed or permitted by the Arkansas State Board of Pharmacy.

PHYSICAL THERAPISTS

Act 1076 (HB2307) - The act authorizes the Division of Pharmacy Services and Drug Control of the Department of Health to conduct investigations and inspections of alleged wrongdoing by physical therapists. The act also increases the fees the division may charge boards for conducting investigations.

PHYSICIAN ORGANIZATIONS

CREDENTIALING

Act 1360 (HB2273) - The act grants hospitals, credentialing organizations, and insurance companies the option of utilizing the centralized credentialing verification service or other appropriate organizations. The act also requires the Arkansas State Medical Board to report quarterly to the House and Senate Interim Committees on Public Health, Welfare, and Labor concerning the credentialing process.

PLUMBERS

Act 679 (HB2209) - The act exempts individuals certifying or repairing backflow devices within the scope of a plumbing system, if the individuals hold a certificate of competency from the Department of Health, Committee of Plumbing Examiners.

PROSTATE AND TESTICULAR CANCER, OVERSIGHT COMMITTEE ON

Act 865 (HB2215) - The act requires that one member of the Oversight Committee on Prostate and Testicular Cancer be African-American and also requires the Arkansas Minority Health Commission to support the Oversight Committee on Prostate and Testicular Cancer.

PSYCHOLOGY

Act 1482 (SB133) - The act revises various provisions concerning psychologists and psychological examiners. The act also renames the Arkansas Board of Examiners in Psychology to the Arkansas Psychology Board.

PUBLIC HEALTH LABORATORY

Act 1723 (SB744) - The act ensures the funding necessary to construct and equip a modern public health laboratory. This act authorizes the State Board of Health to enter into a loan from the Arkansas Development Finance Authority in the amount of \$26,000,000 to finance the construction of the laboratory.

RADIOACTIVE MATERIAL

Act 1119 (HB2489) - The act amends various laws pertaining to the licensing and registration of radioactive materials.

RURAL MEDICAL PRACTICE STUDENT LOAN PROGRAM

Act 676 (HB1773) - The act revises the Rural Medical Practice Student Loan program to change the definition of "primary care medicine" to add general surgery as one of the fields eligible for the loans under the program. The act also extends the time to begin loan repayments.

HEALTH

SAFE DRINKING WATER FUND

Act 465 (SB387) - The act transfers the Safe Drinking Water Fund to the Arkansas Soil and Water Conservation Commission. The act authorizes the commission to manage the fund and to use the funds for various programs to improve water resources, including assistance to water systems, assistance to various state water quality programs, and for the execution of capitalization grant agreements.

SANITATION AUTHORITIES

Act 1297 (SB724) - The act permits any municipality or sanitation authority, after soliciting proposals, to enter into contracts with private persons, for the design, building, operation, and maintenance of all or any portion of its wastewater treatment system or storm-water treatment system.

SCHOOL OF PUBLIC HEALTH, ARKANSAS

NAME CHANGE

Act 856 (SB830) - The act renames the Arkansas School of Public Health, created as a part of the University of Arkansas for Medical Sciences, to the College of Public Health of the University of Arkansas for Medical Sciences.

SEWAGE DISPOSAL ACT, ARKANSAS

Act 1170 (HB2599) - The act amends the Arkansas Sewage Disposal Act to authorize the State Board of Health to require designated representatives to post a minimum contractor's bond of \$2,000. The act also authorizes the board to adopt rules to govern the administration of the bonds.

SOLID WASTE MANAGEMENT

DISTRICTS - QUORUM

Act 215 (SB160) - The act allows the quorum of solid waste planning districts to be established by the members in person or by proxy representation.

GRANT ASSISTANCE

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

JOINT COUNTY AND MUNICIPAL SOLID WASTE DISPOSAL ACT

Act 342 (HB1554) - The act amends the Joint County and Municipal Solid Waste Disposal Act to give a sanitation authority the power to own and operate wastewater, storm water, or water treatment facilities and plants. The act gives sanitation authorities the power of eminent domain to take property for those treatment facilities and plants.

LANDFILLS AND TRANSFER STATIONS WITH A CAPACITY BEYOND 30

Act 672 (SB859) - The act authorizes regional solid waste management districts to issue certificates of need for proposed landfills or transfer stations with the permitted projected capacity to exceed 30 years.

REPORTING REQUIREMENTS

Act 1027 (HB1800) - The act amends the Solid Waste Management and Recycling Fund Act to change the "method B" manner of distributing grant assistance to approved regional solid waste management districts. The act also changes some of the reporting requirements imposed on solid waste management boards.

HEALTH

SOLID WASTE MANAGEMENT

WEIGHING SOLID WASTE

Act 1337 (HB2498) - The act authorizes the Director of the Arkansas Department of Environmental Quality to provide alternative methods for weighing solid waste received at landfills.

STATE-MANDATED HEALTH BENEFIT PLAN, REJECTION OF

Act 1359 (HB1344) - The act eliminates the requirement that an individual must reject in writing a state-mandated health benefit plan. The act also authorizes the Insurance Commissioner to promulgate rules regarding notice and rejection requirements for state-mandated health benefit plans. The commissioner is no longer required to file an annual report concerning the number of policies written in the state with the full mandate opinion and the limited mandate option.

SUBSTANCE ABUSE TREATMENT SERVICES, TASK FORCE ON

Act 1457 (SB974) - The act creates the Task Force on Substance Abuse Treatment Services to assess statewide delivery of treatment services.

UNDERGROUND STORAGE TANK INSTALLERS OR TESTERS

Act 486 (HB1513) - The act provides the procedure by which licensed installers or testers of underground storage tanks may have their bonds forfeited.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - COLLEGE OF PUBLIC HEALTH

NAME CHANGE

Act 856 (SB830) - The act renames the Arkansas School of Public Health, created as a part of the University of Arkansas for Medical Sciences, to the College of Public Health of the University of Arkansas for Medical Sciences.

VIATICAL SETTLEMENTS ACT

Act 1782 (HB2750) - The act repeals §§ 23-81-501 through 23-81-512, concerning viatical settlements, and adopts the National Association of Insurance Commissioners' Viatical Settlements Act. The act regulates agreements in which a life insurance policy holder assigns, transfers, sells, devises, or bequeaths his or her right to part of all of an expected death benefit for compensation or value that is less than the expected death benefit.

HIGHWAYS

ESCORT VEHICLES

OVER-LENGTH AND ANNUAL REGISTRATION REQUIREMENTS

Act 331 (HB1454) - The act repeals the specific requirements for escort vehicles to accompany vehicles with over-length loads in excess of 90 feet. The act also repeals the law requiring the State Highway Commission to regulate escort vehicles and to require annual registration of escort vehicles.

PARKING ON THE ROADWAY

Act 863 (HB2184) - The act allows certain public service vehicles and utility vehicles to stop and park on the roadway for a reasonable time to perform the public or utility service. Public service and utility vehicles include motor vehicles used for mail delivery, overnight couriers, electric or gas utility, or solid waste collection.

HIGHWAYS

SCENIC HIGHWAYS

POTEAU AND SUGARLOAF MOUNTAIN SCENIC HIGHWAYS

Act 130 (HB1080) - The act names part of Arkansas Highway 96 in Sebastian County as the "Poteau Mountain Scenic Highway" and part of Arkansas Highway 10 in Sebastian County as the "Sugarloaf Mountain Scenic Highway".

STATE AID ROAD FUND

Act 83 (SB12) - The act amends the State Aid Road Fund law to allow disaster-stricken counties to receive money from the state to match federal disaster relief funding to repair roads and bridges that are damaged as result of other natural disasters, in addition to damage caused by tornadoes, heavy rainfall, and flooding.

STATE HIGHWAY COMMISSION

DESIGN-BUILD HIGHWAY CONTRACTS

Act 460 (SB305) - The act allows the State Highway Commission to enter into design-build project contracts for highway construction. The act provides for two pilot projects to design-build contracts and the contracts must exceed \$50,000,000 to qualify. Contracts will be awarded on the basis of superior qualifications rather than competitive bids.

TURNPIKE PROJECT LAW

Act 296 (SB218) - The act repeals all previous laws regarding toll roads and turnpike projects. The act clarifies the powers of the State Highway Commission regarding the construction of turnpike projects and the issuance of revenue bonds to finance turnpike projects.

INFORMATION TECHNOLOGY

ADVISORY COMMITTEE ON EDUCATIONAL ACCESS

Act 1081 (HB2535) - The act creates the Advisory Committee on Educational Access to Technology to review the technology needs of public schools for grades kindergarten through twelve, to recommend a method to ensure substantially equal access to technology, and to recommend methods for effectively teaching students to use technology. The committee shall report its findings and recommendations periodically to the chairs of certain legislative committees.

CALLER IDENTIFICATION SERVICES

FICTITIOUS OR MISLEADING NAMES OR TELEPHONE NUMBERS

Act 1465 (HB2580) - The act amends Arkansas Code to make it unlawful to display or cause to be displayed a fictitious or misleading name or telephone number on an Arkansas resident's telephone caller identification service. The prohibition does not apply to the transmission of caller identification service by a telecommunications provider.

DIGITAL LIBRARY, ARKANSAS

Act 1810 (HB2497) - The act requires the Department of Higher Education and the Arkansas State Library to create the Arkansas Digital Library as part of the Arkansas State Library, and mandates public access to the digital library in at least one location in each Arkansas county. Public and private entities may receive grants from the department in developing the digital information and providing public access to it.

INHERENTLY VISUAL TECHNOLOGIES

Act 1301 (SB832) - The act exempts inherently visual technologies from the nonvisual access standards otherwise required under § 25-26-204 for contracts for procurement of information technologies.

INFORMATION TECHNOLOGY

INTERNET

CERTIFIED ELECTION RESULTS

Act 131 (HB1084) - The act requires that the certified results for each polling place shall be entered and transmitted to the Secretary of State through the Internet website interface provided by the Secretary of State for all state and federal elections.

METHAMPHETAMINE LAB CLEAN-UP GUIDELINES

Act 1270 (HB2606) - The act requires the Department of Health to develop guidelines for the cleanup of former clandestine methamphetamine drug labs by April 1, 2004. The guidelines shall be made available on the Arkansas Department of Health Internet web site, shall be available to law enforcement officials and the public upon request, and shall be updated annually.

PRIVACY POLICY ON GOVERNMENTAL WEBSITES

Act 1713 (HB2495) - The act requires each state and local government and state agency that operates or maintains a website to incorporate a machine readable privacy policy into each of its websites no later than July 1, 2004. The act specifies certain components that must be included in the privacy statement.

VOTER INFORMATION

Act 1167 (HB2478) - The act requires that the Secretary of State provide access to certain voter information through its Internet website.

UNSOLICITED AND SEXUALLY EXPLICIT ELECTRONIC MAIL

Act 1019 (HB1008) - The act sets requirements for sending unsolicited commercial electronic mail and unsolicited sexually explicit electronic mail and authorizes a service provider to block receipt or transmission of bulk mail sent in violation of the act and to terminate the service of a person violating the act. The act makes a violation with respect to an unsolicited sexually explicit electronic mail a Class B misdemeanor, creates a civil cause of action for any violation, and makes any transmission in violation of the act an unfair and deceptive act.

INSURANCE

AUDIOLOGISTS REIMBURSEMENT

Act 1455 (SB907) - The act guarantees that each person who is eligible for an ear examination, the payment for which may be made out of public money, shall have his or her freedom of choice between persons licensed under the Licensure Act of Speech-Language Pathologists and Audiologists and persons licensed under the Arkansas Medical Practices Act. The act also ensures that persons licensed under the Arkansas Medical Practices Act or the Licensure Act of Speech-Language Pathologists and Audiologists shall be entitled to payment or reimbursement on an equal basis for service in the audiology field.

AUTOMOBILE TOTAL LOSS SETTLEMENT

Act 458 (SB243) - The act requires an insurer to pay sales taxes and certain fees in insurance settlements involving damage to an automobile as a total loss. The act makes the insurer's failure to pay the taxes and fees an unfair claims settlement practice.

BOILER AND MACHINERY INSURANCE

Act 1762 (HB2382) - The act establishes the Multi-Agency Insurance Trust Fund to provide for property, inland marine, boiler and machinery, and related coverage.

INSURANCE

CAPTIVE INSURERS

Act 466 (SB424) - The act amends provisions regarding definitions, application for license, capital requirements, surplus requirements, organization, reporting, and limitations related to captive insurance companies. The act adds new provisions regarding special purpose captive insurance companies.

CHARITABLE ANNUITIES

Act 1099 (SB891) - The act revises the provisions concerning the reserves each insurance corporation or association shall maintain with respect to the annuity or income stream that it has agreed to pay to a charitable donor.

COMMUNITY-BASED HEALTH COOPERATIVES

Act 660 (SB150) - The act defines "community-based health cooperative" and authorizes them to administer community-based health care access programs for adults whose income does not allow them to purchase health insurance and who are not eligible for coverage under Medicare or Medicaid.

COMPREHENSIVE HEALTH INSURANCE POOL, ARKANSAS

Act 1327 (HB2279) - The act extends Arkansas Comprehensive Health Insurance Pool eligibility to individuals who are eligible for federal tax credits for health insurance coverage under the federal Trade Adjustment Assistance Reform Act of 2002 and to certain persons who were covered under a Qualified High Risk Pool in another state. The act also makes the pool eligible for federal funds to offset losses to the pool. If the pool experiences a deficit after the end of the fiscal year, the State Insurance Department shall, during the next fiscal year, transfer from the State Insurance Department Trust Fund, in equal quarterly installments, a sum equal to the deficit from those funds in the trust fund that are in excess of the amount needed to meet the requirements of the approved annual budget for the applicable fiscal year, but not to exceed \$8,000,000.

ELIGIBILITY

Act 1327 (HB2279) - The act extends Arkansas Comprehensive Health Insurance Pool eligibility to individuals who are eligible for federal tax credits for health insurance coverage under the federal Trade Adjustment Assistance Reform Act of 2002 and to certain persons who were covered under a Qualified High Risk Pool in another state. The act also makes the pool eligible for federal funds to offset losses to the pool. If the pool experiences a deficit after the end of the fiscal year, the State Insurance Department shall, during the next fiscal year, transfer from the State Insurance Department Trust Fund, in equal quarterly installments, a sum equal to the deficit from those funds in the trust fund that are in excess of the amount needed to meet the requirements of the approved annual budget for the applicable fiscal year, but not to exceed \$8,000,000.

STUDY ON ALTERNATIVE FUNDING

Act 1583 (HB1357) - The act appropriates a sum not to exceed \$8,000,000 from the State Insurance Trust Fund to the Arkansas Comprehensive Health Insurance Pool for each fiscal year of the biennial period ending June 30, 2005. The act also appropriates from the fund a sum not to exceed \$8,000,000 to the Arkansas Rural Risk Underwriting Association for the same biennial period. The act also requires the Legislative Council to conduct a study during the 2003-2005 biennium concerning alternative methods of funding of the Arkansas Comprehensive Health Insurance Pool, and to report the Council's findings to the Joint Budget Committee no later than December 31, 2004.

INSURANCE

CREDIT INFORMATION USE

Act 1452 (SB846) - The act repeals § 23-66-317, concerning the effect of a consumer report on the issuance or renewal of coverage. The act also establishes the Use of Credit Information in Personal Insurance Act to regulate the use of credit information for personal insurance, so that consumers are afforded certain protections with respect to the use of the information.

CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE

MODEL ACT AMENDMENTS

Act 1794 (HB2906) - The act amends certain provisions of the Model Act for the Regulation of Credit Life Insurance and Credit Disability Insurance, including the provisions regarding the maximum allowable amount of insurance, the issuance, provision and delivery of policies and certificates of insurance, required disclosures, the filing and approval of policies and related documents concerning insurance, insurance premiums and refunds, and limitations on compensation under credit life or credit disability insurance.

CREDIT REPORTING

Act 1452 (SB846) - The act repeals § 23-66-317, concerning the effect of a consumer report on the issuance or renewal of coverage. The act also establishes the Use of Credit Information in Personal Insurance Act to regulate the use of credit information for personal insurance, so that consumers are afforded certain protections with respect to the use of the information.

CURE OF DEFAULT OF PREMIUM

Act 1350 (HB2885) - The act removes an insurance producer's failure to cure a default of premium from punishment as a Class A misdemeanor. The act also provides that § 23-64-232 does not create an affirmative defense to, or a limitation on, a prosecution brought under § 23-64-223 against a licensee for violation of a fiduciary duty.

DEFERRED ANNUITIES

Act 669 (SB735) - The act reduces the rate of interest under § 23-81-304 applied to the minimum nonforfeiture amount at any time at or prior to the commencement of any annuity payment with respect to contracts providing for flexible considerations. The rate is reduced from 3% to 1.5% per annum of percentages of the net considerations paid prior to the commencement of any annuity payment, as decreased by other amounts stated in § 23-81-304. The act also reduces from 3% to 1% the rate at which withdrawals from or partial surrenders of the contract accumulate. The maturity date for benefits calculated for annuity contracts under §§ 23-81-306 and 23-81-307 does not apply to annuities funding funeral and related expenses.

DEMUTUALIZATION OF AN INSURANCE COMPANY

Act 491 (HB1587) - The act provides for the distribution of unclaimed property resulting from the demutualization of an insurance company.

DOMESTIC STOCK OR MUTUAL INSURER

Act 1400 (HB2812) - The act provides the grounds upon which the Insurance Commissioner may disapprove a proposed sale or merger of a domestic stock or mutual insurer. The commissioner may approve the sale or merger if either the plan or the agreement relating to the sale or merger is provided to the commissioner.

DOMESTIC TITLE AND AVIATION TITLE INSURERS

Act 1787 (HB2814) - The act specifies reserve requirements for domestic title insurers and aviation title insurers. The reserve requirements do not apply to foreign or alien title insurers or to foreign or alien aviation title insurers licensed in Arkansas.

INSURANCE

EMPLOYEE HEALTH INSURANCE

Act 1044 (HB2413) - The act authorizes the Department of Human Services to establish statewide health insurance limited safety-net benefit packages under the federal Social Security Act. The act establishes a fund to capture federal matching moneys for a program to offer health insurance through employers who could not otherwise afford to offer employee health insurance.

FIRE DEPARTMENT RENEWAL SUBSCRIPTION NOTICES

Act 1326 (HB2254) - The act authorizes the Insurance Commissioner to annually assess, until December 31, 2006, a \$200 fee on members of the Arkansas Rural Risk Underwriting Association to meet the costs of mailing fire department renewal subscription notices.

FIRE PROTECTION

CONSIDERATION IN PROPERTY INSURANCE RATING PLANS

Act 1749 (HB2222) - The act requires an insurer to include an impact statement concerning a rate or rule filing's effect on fire protection in the affected area, unless the insurer utilizes a public protection classification system maintained by a licensed advisory organization.

FOREIGN AND ALIEN INSURERS

TRUSTEED ASSETS

Act 65 (HB1037) - The act requires alien Lloyd's plan insurers to maintain trusted assets of not less than \$5,000,000 within the United States and exempts foreign Lloyd's plan insurers from the trusted assets requirement.

FUNERALS

PREPAID FUNERAL BENEFITS

Act 987 (HB2183) - The act amends the Arkansas prepaid funeral benefits law to require that the purchaser of prepaid funeral benefits be given advance written notice if the seller will procure a single-pay whole life insurance policy or annuity to fund the contract price or prepaid funeral contract for an amount that is less than what the buyer paid the seller. The act also clarifies the Insurance Commissioner's authority to suspend a permit to sell prepaid funeral benefits. Bulk reparation payments are authorized for the benefit of purchasers, if a licensee is ordered to liquidate under § 23-40-123.

GROUP HEALTH INSURANCE POLICIES

Act 859 (HB1622) - The act requires an insurer who nonrenews or discontinues group health insurance coverage to provide written notice to the individual employees insured under the group health plan. The notice shall allow employees no fewer than 14 days to acquire alternative health coverage without loss of creditable coverage.

GROUP SELF-INSURERS

WORKERS' COMPENSATION LAW

Act 468 (SB528) - The act allows a waiver of the requirement for group self-insurers to maintain excess insurance under the Workers' Compensation Law.

HEALTH INSURANCE AND PRESCRIPTION DRUGS, JOINT INTERIM COMMITTEE

Act 1392 (HB2240) - The act establishes the Joint Interim Committee on Health Insurance and Prescription Drugs to study health insurance benefits, prescription drug pricing, and quality of healthcare.

INSURANCE

HEALTH INSURANCE CONSUMER CHOICE ACT, ARKANSAS

Act 1359 (HB1344) - The act eliminates the requirement that an individual must reject in writing a state-mandated health benefit plan. The act also authorizes the Insurance Commissioner to promulgate rules regarding notice and rejection requirements for state-mandated health benefit plans. The commissioner is no longer required to file an annual report concerning the number of policies written in the state with the full mandate opinion and the limited mandate option.

HEALTH INSURANCE PURCHASING GROUPS

Act 1358 (HB1343) - The act repeals the prohibition against a health insurance purchasing group requiring a contract between the health insurance purchasing group and a purchaser to be effective for longer than 12 months. No purchaser, health insurance purchasing group, health maintenance organization, or health insurer providing coverage to a health insurance purchasing group, shall be subject to any provisions in §§ 26-57-601 through 26-57-616 for insurance premiums collected for health benefit plans of health insurance purchasing groups. Notice to each employee that the health benefit plan chosen by the employer does not contain state-mandated health benefits, or standard provisions as determined by the Insurance Commissioner, shall be provided by the employer in the form as determined by the commissioner.

HOSPITAL CORPORATIONS AND MEDICAL SERVICE CORPORATIONS

Act 1078 (HB2366) - The act permits a hospital corporation and a medical service corporation to provide reinsurance coverage only in the specific areas of coverage stated in the corporation's certificate of authority.

IMPAIRED OR INSOLVENT DOMESTIC INSURERS

Act 540 (HB1748) - The act narrows the class of impaired or insolvent domestic insurers to which the Insurance Commissioner is required to send a sixty-day cure notice. Notice to insolvent or impaired insurers not covered under the act shall be provided under current Arkansas risk-based capital laws.

INLAND MARINE INSURANCE

Act 1762 (HB2382) - The act establishes the Multi-Agency Insurance Trust Fund to provide for property, inland marine, boiler and machinery, and related coverage.

INSURABLE INTEREST

EMPLOYEES

Act 472 (HB1453) - The act restricts an employer's insurable interest to key employees and other employees who have a reasonable expectation of benefiting from a pension and welfare benefit plan. The act requires employers and other entities to obtain the consent of an employee before purchasing a personal insurance policy, such as life insurance, on the employee, if the employer or other entity is named as the beneficiary of the policy. The act also prohibits retaliation against an employee for refusing to consent to the purchase of the policy.

PENSION AND WELFARE BENEFIT PLANS

Act 472 (HB1453) - The act restricts an employer's insurable interest to key employees and other employees who have a reasonable expectation of benefiting from a pension and welfare benefit plan. The act requires employers and other entities to obtain the consent of an employee before purchasing a personal insurance policy, such as life insurance, on the employee, if the employer or other entity is named as the beneficiary of the policy. The act also prohibits retaliation against an employee for refusing to consent to the purchase of the policy.

INSURANCE

INSURANCE COMMISSIONER

CEASE AND DESIST ORDERS

Act 516 (HB1753) - The act strengthens the Insurance Commissioner's authority to issue cease and desist orders against any unauthorized entity that provides health care benefits. The act also provides civil and criminal penalties against any entity that sells or represents unauthorized products. The act regulates multiple employer welfare arrangements to the fullest extent allowed by the Employee Retirement Income Security Act.

MEDICAL MALPRACTICE INSURANCE RATES REPORT

Act 1007 (SB904) - The act requires the Insurance Commissioner to issue an annual report to the Legislative Council and to the chairs of the House and Senate Interim Committees on Insurance and Commerce regarding malpractice insurance rates in Arkansas. The commissioner is to report no later than August 1 of each year and is to recommend changes in Arkansas law relating to medical malpractice insurance.

MEMBER MAILING FEES

Act 1326 (HB2254) - The act authorizes the Insurance Commissioner to annually assess, until December 31, 2006, a \$200 fee on members of the Arkansas Rural Risk Underwriting Association to meet the costs of mailing fire department renewal subscription notices.

INSURANCE COMMISSIONER

SALES OR MERGERS

Act 1400 (HB2812) - The act provides the grounds upon which the Insurance Commissioner may disapprove a proposed sale or merger of a domestic stock or mutual insurer. The commissioner may approve the sale or merger if either the plan or the agreement relating to the sale or merger is provided to the commissioner.

UNAUTHORIZED ENTITIES

Act 516 (HB1753) - The act strengthens the Insurance Commissioner's authority to issue cease and desist orders against any unauthorized entity that provides health care benefits. The act also provides civil and criminal penalties against any entity that sells or represents unauthorized products. The act regulates multiple employer welfare arrangements to the fullest extent allowed by the Employee Retirement Income Security Act.

INSURANCE PRODUCERS

CONTINUING EDUCATION REQUIREMENTS

Act 1784 (HB2769) - Beginning July 1, 2003, the act imposes annual continuing education requirements, including ethics training, on insurance producers, unless exempt under § 23-64-302.

CURE OF DEFAULT OF PREMIUM

Act 1350 (HB2885) - The act removes an insurance producer's failure to cure a default of premium from punishment as a Class A misdemeanor. The act also provides that § 23-64-232 does not create an affirmative defense to, or a limitation on, a prosecution brought under § 23-64-223 against a licensee for violation of a fiduciary duty.

INSURANCE SALES CONSUMER PROTECTION ACT

Act 1747 (HB2192) - The act amends insurance trade practice laws applicable to insurers and depository corporation affiliates to conform with the federal Gramm-Leach-Bliley Act. The act authorizes payments of certain referral fees to unlicensed entities in conformity with federal law. The act also amends the Insurance Sales Consumer Protection Act to conform to federal laws regarding banking and insurance. The Insurance Commissioner may examine and investigate the insurance activities of depository institutions to determine compliance with the act.

INSURANCE

INSURANCE VERIFICATION DATABASE

Act 998 (SB406) - The act requires an insurance company to provide its National Association of Insurance Commissioners' code number on automobile proof of insurance cards and specifies penalties for an insurer's failure to provide information on the proof of insurance card. The act repeals § 27-22-108, which required the Office of Motor Vehicle to compare all current motor vehicle registrations against the Vehicle Insurance Database. The act requires the Arkansas Crime Information Center to provide law enforcement officers with access to the Insurance Verification Database.

KEY MAN POLICIES

Act 472 (HB1453) - The act restricts an employer's insurable interest to key employees and other employees who have a reasonable expectation of benefiting from a pension and welfare benefit plan. The act requires employers and other entities to obtain the consent of an employee before purchasing a personal insurance policy, such as life insurance, on the employee, if the employer or other entity is named as the beneficiary of the policy. The act also prohibits retaliation against an employee for refusing to consent to the purchase of the policy.

MASTECTOMY BENEFITS

Act 179 (HB1280) - The act conforms Arkansas insurance law regarding mastectomy benefits to the federal Women's Health and Cancer Rights Act of 1998. The act requires a minimum forty-eight-hour hospital stay unless the decision to discharge is made by an attending physician after consulting with the patient, requires certain medical and surgical benefits and written notice of coverage to the insured, and prohibits certain actions by the insurer.

MEDICAL MALPRACTICE INSURANCE RATES

ANNUAL REPORT

Act 1007 (SB904) - The act requires the Insurance Commissioner to issue an annual report to the Legislative Council and to the chairs of the House and Senate Interim Committees on Insurance and Commerce regarding malpractice insurance rates in Arkansas. The commissioner is to report no later than August 1 of each year and is to recommend changes in Arkansas law relating to medical malpractice insurance.

METABOLIC DISORDERS

NEWBORN TESTING

Act 1293 (SB610) - The act authorizes the State Board of Health to increase the types of metabolic disorders for which newborns must be tested. The act authorizes the state Medicaid program to pay for the tests for Medicaid recipients. The act also requires health insurance policies to cover the full range of tests for metabolic disorders in newborns.

REQUIRED COVERAGE

Act 1440 (SB609) - The act provides a tax credit for children afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism. The act requires health insurance policies to cover certain persons afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism.

MULTI-AGENCY INSURANCE TRUST FUND

Act 1762 (HB2382) - The act establishes the Multi-Agency Insurance Trust Fund to provide for property, inland marine, boiler and machinery, and related coverage.

INSURANCE

MULTIPLE EMPLOYER TRUSTS REPEALED

Act 1750 (HB2223) - The act repeals Title 23, Chapter 92, Subchapter 3, regarding multiple employer trusts and self-insured plans, and adds a new subchapter to regulate professional employer organizations. The act allocates rights, duties, and obligations under professional employer agreements, including the organization's duty to provide Workers' Compensation coverage. The act also requires professional employer organizations to maintain certain financial standards, provides certain exemptions from registration requirements, and designates certain records as confidential.

MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

Act 516 (HB1753) - The act strengthens the Insurance Commissioner's authority to issue cease and desist orders against any unauthorized entity that provides health care benefits. The act also provides civil and criminal penalties against any entity that sells or represents unauthorized products. The act regulates multiple employer welfare arrangements to the fullest extent allowed by the Employee Retirement Income Security Act.

NOTICE REQUIRED PRIOR TO EXPIRATION OF POLICY

Act 1790 (HB2833) - The act requires, for professional liability and certain property and casualty insurance, that notices concerning increases in premiums or deductibles, or notices of renewal or nonrenewal, be sent to agents and to insureds before the renewal date.

PREMIUMS OR DEDUCTIBLES

Act 1790 (HB2833) - The act requires, for professional liability and certain property and casualty insurance, that notices concerning increases in premiums or deductibles, or notices of renewal or nonrenewal, be sent to agents and to insureds before the renewal date.

PREPAID FUNERAL BENEFITS

Act 987 (HB2183) - The act amends the Arkansas prepaid funeral benefits law to require that the purchaser of prepaid funeral benefits be given advance written notice if the seller will procure a single-pay whole life insurance policy or annuity to fund the contract price or prepaid funeral contract for an amount that is less than what the buyer paid the seller. The act also clarifies the Insurance Commissioner's authority to suspend a permit to sell prepaid funeral benefits. Bulk reparation payments are authorized for the benefit of purchasers, if a licensee is ordered to liquidate under § 23-40-123.

PRODUCER LICENSURE

Act 1203 (HB2729) - The act makes technical corrections to Arkansas' insurance producer laws and amends insurance laws regarding reciprocity and uniformity in producer licensing to comply with the federal Gramm-Leach-Bliley Act of 1999.

PROFESSIONAL EMPLOYER ORGANIZATIONS

Act 1750 (HB2223) - The act repeals Title 23, Chapter 92, Subchapter 3, regarding multiple employer trusts and self-insured plans, and adds a new subchapter to regulate professional employer organizations. The act allocates rights, duties, and obligations under professional employer agreements, including the organization's duty to provide Workers' Compensation coverage. The act also requires professional employer organizations to maintain certain financial standards, provides certain exemptions from registration requirements, and designates certain records as confidential.

PROFESSIONAL LIABILITY INSURANCE

Act 1790 (HB2833) - The act requires, for professional liability and certain property and casualty insurance, that notices concerning increases in premiums or deductibles, or notices of renewal or nonrenewal, be sent to agents and to insureds before the renewal date.

INSURANCE

PROOF OF INSURANCE CARD

Act 998 (SB406) - The act requires an insurance company to provide its National Association of Insurance Commissioners' code number on automobile proof of insurance cards and specifies penalties for an insurer's failure to provide information on the proof of insurance card. The act repeals § 27-22-108, which required the Office of Motor Vehicle to compare all current motor vehicle registrations against the Vehicle Insurance Database. The act requires the Arkansas Crime Information Center to provide law enforcement officers with access to the Insurance Verification Database.

PROPERTY AND CASUALTY INSURANCE

CONSUMER REPORT

Act 1452 (SB846) - The act repeals § 23-66-317, concerning the effect of a consumer report on the issuance or renewal of coverage. The act also establishes the Use of Credit Information in Personal Insurance Act to regulate the use of credit information for personal insurance, so that consumers are afforded certain protections with respect to the use of the information.

PROPERTY AND CASUALTY INSURANCE

FIRE LOSS REPORTING ACT OF 2003

Act 1345 (HB2770) - The act requires each insurance company licensed to write property insurance in Arkansas to file with the Insurance Commissioner a statement of its annual losses related to fire on a county-by-county basis, in a form and manner prescribed by the commissioner. The commissioner shall annually compile the loss information by county, in an aggregate form, for dissemination to the public. Information filed under the act by an insurance company with the commissioner is proprietary information and is exempt from public disclosure except in an aggregate form. The act also provides the form of the notice that insurers writing property insurance in Arkansas shall provide to its policy holders, explaining that the firefighting ability of the holder's fire department affects the holder's insurance rates.

PROPERTY INSURANCE

MULTI-AGENCY INSURANCE TRUST FUND

Act 1762 (HB2382) - The act establishes the Multi-Agency Insurance Trust Fund to provide for property, inland marine, boiler and machinery, and related coverage.

NOTICE REQUIRED PRIOR TO EXPIRATION OF POLICY

Act 1790 (HB2833) - The act requires, for professional liability and certain property and casualty insurance, that notices concerning increases in premiums or deductibles, or notices of renewal or nonrenewal, be sent to agents and to insureds before the renewal date.

STATEMENT OF ANNUAL LOSSES

Act 1345 (HB2770) - The act requires each insurance company licensed to write property insurance in Arkansas to file with the Insurance Commissioner a statement of its annual losses related to fire on a county-by-county basis, in a form and manner prescribed by the commissioner. The commissioner shall annually compile the loss information by county, in an aggregate form, for dissemination to the public. Information filed under the act by an insurance company with the commissioner is proprietary information and is exempt from public disclosure except in an aggregate form. The act also provides the form of the notice that insurers writing property insurance in Arkansas shall provide to its policy holders, explaining that the firefighting ability of the holder's fire department affects the holder's insurance rates.

INSURANCE

REINSURANCE

HOSPITAL CORPORATIONS AND MEDICAL SERVICE CORPORATIONS

Act 1078 (HB2366) - The act permits a hospital corporation and a medical service corporation to provide reinsurance coverage only in the specific areas of coverage stated in the corporation's certificate of authority.

RENEWAL NOTICE

GROUP HEALTH PLAN

Act 859 (HB1622) - The act requires an insurer who nonrenews or discontinues group health insurance coverage to provide written notice to the individual employees insured under the group health plan. The notice shall allow employees no fewer than 14 days to acquire alternative health coverage without loss of creditable coverage.

PROFESSIONAL LIABILITY INSURANCE

Act 1790 (HB2833) - The act requires, for professional liability and certain property and casualty insurance, that notices concerning increases in premiums or deductibles, or notices of renewal or nonrenewal, be sent to agents and to insureds before the renewal date.

SELF-INSURED PLANS

Act 1750 (HB2223) - The act repeals Title 23, Chapter 92, Subchapter 3, regarding multiple employer trusts and self-insured plans, and adds a new subchapter to regulate professional employer organizations. The act allocates rights, duties, and obligations under professional employer agreements, including the organization's duty to provide Workers' Compensation coverage. The act also requires professional employer organizations to maintain certain financial standards, provides certain exemptions from registration requirements, and designates certain records as confidential.

SETTLEMENT OF CLAIM FOR VEHICLE DAMAGE

Act 599 (SB402) - The act amends the definition of "sale" under the Arkansas Gross Receipts Act of 1941 to exclude the transfer of title to a vehicle by the vehicle owner to an insurance company as a result of the settlement of a claim for damages to the vehicle.

SMALL EMPLOYER HEALTH INSURANCE PURCHASING GROUP ACT

Act 1358 (HB1343) - The act repeals the prohibition against a health insurance purchasing group requiring a contract between the health insurance purchasing group and a purchaser to be effective for longer than 12 months. No purchaser, health insurance purchasing group, health maintenance organization, or health insurer providing coverage to a health insurance purchasing group, shall be subject to any provisions in §§ 26-57-601 through 26-57-616 for insurance premiums collected for health benefit plans of health insurance purchasing groups. Notice to each employee that the health benefit plan chosen by the employer does not contain state-mandated health benefits, or standard provisions as determined by the Insurance Commissioner, shall be provided by the employer in the form as determined by the commissioner.

INSURANCE

STATE AND PUBLIC SCHOOL LIFE AND HEALTH INSURANCE BOARD

Act 1446 (SB716) - The act increases the voting membership of the State and Public School Life and Health Insurance Board to 12 by adding the Executive Director of the Arkansas State Board of Pharmacy and the Director of Health Care Facilities Services of the Arkansas Department of Health as voting members. The act also changes the selection of the chair and vice chair of the board from annual selection by the Governor to annual selection by the membership of the board. The act creates and designates the membership of three subcommittees of the board to study and research health and life plan option benefits, formulary management, and the financial impact of implementing the recommendations made by the formulary management committee to the board.

STATE-MANDATED HEALTH BENEFIT PLAN, REJECTION OF

Act 1359 (HB1344) - The act eliminates the requirement that an individual must reject in writing a state-mandated health benefit plan. The act also authorizes the Insurance Commissioner to promulgate rules regarding notice and rejection requirements for state-mandated health benefit plans. The commissioner is no longer required to file an annual report concerning the number of policies written in the state with the full mandate opinion and the limited mandate option.

TAXICAB LIABILITY INSURANCE

Act 1152 (HB1386) - The act sets the amount of liability insurance coverage required for taxicabs at the minimum amounts prescribed for liability insurance under the Motor Vehicle Safety Responsibility Act.

THIRD-PARTY REIMBURSEMENT

LICENSED ATHLETIC TRAINERS

Act 851 (HB2703) - The act requires the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce to conduct a study of the impact of allowing licensed athletic trainers to receive third-party reimbursement from insurers and to make their findings and recommendations by October 31, 2004.

TITLE INSURANCE AGENTS

LICENSURE

Act 1767 (HB2444) - The act revises the provisions concerning the licensing fees for title insurance agents. The act also revises the requirements for issuing a license to an agent.

TRADE PRACTICE LAWS

Act 1747 (HB2192) - The act amends insurance trade practice laws applicable to insurers and depository corporation affiliates to conform with the federal Gramm-Leach-Bliley Act. The act authorizes payments of certain referral fees to unlicensed entities in conformity with federal law. The act also amends the Insurance Sales Consumer Protection Act to conform to federal laws regarding banking and insurance. The Insurance Commissioner may examine and investigate the insurance activities of depository institutions to determine compliance with the act.

UNAUTHORIZED ENTITIES

Act 516 (HB1753) - The act strengthens the Insurance Commissioner's authority to issue cease and desist orders against any unauthorized entity that provides health care benefits. The act also provides civil and criminal penalties against any entity that sells or represents unauthorized products. The act regulates multiple employer welfare arrangements to the fullest extent allowed by the Employee Retirement Income Security Act.

INSURANCE

UNAUTHORIZED PRODUCTS

Act 516 (HB1753) - The act strengthens the Insurance Commissioner's authority to issue cease and desist orders against any unauthorized entity that provides health care benefits. The act also provides civil and criminal penalties against any entity that sells or represents unauthorized products. The act regulates multiple employer welfare arrangements to the fullest extent allowed by the Employee Retirement Income Security Act.

UNINSURED VEHICLES

Act 1043 (HB2317) - The act presumes that the motor vehicle that is involved in an accident is uninsured if the motorist does not file evidence of insurance within 90 days after an accident.

VIATICAL SETTLEMENTS

Act 1782 (HB2750) - The act repeals §§ 23-81-501 through 23-81-512, concerning viatical settlements, and adopts the National Association of Insurance Commissioners' Viatical Settlements Act. The act regulates agreements in which a life insurance policy holder assigns, transfers, sells, devises, or bequeaths his or her right to part of all of an expected death benefit for compensation or value that is less than the expected death benefit.

LABOR

AMUSEMENT RIDE SAFETY ADVISORY BOARD

Act 600 (SB433) - The act eliminates the insurance company representative from the Amusement Ride Safety Advisory Board.

COMPENSATION METHODS

Act 925 (HB1100) - The act allows employers to pay workers by check or direct deposit.

DISCLOSURE OF EMPLOYMENT FILES

Act 1341 (HB2604) - The act allows the disclosure of information from the files of the Arkansas Employment Security Department to the Arkansas State Highway and Transportation Department. The information is normally confidential and may be disclosed by agreement between the departments to study commuter patterns.

EMPLOYEE HEALTH INSURANCE

Act 1044 (HB2413) - The act authorizes the Department of Human Services to establish statewide health insurance limited safety-net benefit packages under the federal Social Security Act. The act establishes a fund to capture federal matching moneys for a program to offer health insurance through employers who could not otherwise afford to offer employee health insurance.

EXISTING WORKFORCE TRAINING ACT, ARKANSAS

Act 609 (SB190) - The act defines "full time instructor or trainer" under the Arkansas Existing Workforce Training Act of 1995. The act also establishes various instructional pay rates under the act.

GENDER DISTINCTION REPEALED

Act 289 (SB50) - The act repeals a provision protecting the morals of female employees in the workplace.

INCOME TAX WITHHOLDING

Act 1017 (SB555) - The act changes the monetary threshold for determining whether an employer under the Arkansas Income Tax Withholding Act of 1965 shall file a monthly or annual withholding return. If the amount an employer is required to withhold from an employee's wages is less than \$1,000 per year, the employer is required to file an annual return. If the amount an employer is required to withhold is more than \$1,000 per year, the employer is required to file a monthly return.

LABOR

MINIMUM WAGE

HOUSEPARENTS EXEMPTED

Act 212 (HB1352) - The act exempts a houseparent from the requirements of the Arkansas Minimum Wage Act if the houseparent is employed by a nonprofit child welfare agency and is compensated at less than \$13,000 annually; or is compensated at less than \$10,000 annually, resides in the residential facility, and receives board and lodging at no cost.

MINING

TESTING REQUIREMENTS

Act 358 (SB337) - The act requires that fire bosses, hoisting engineers, and mine foremen be examined by the Department of Labor or that these persons have met comparable testing requirements in another jurisdiction before being employed in any mine.

PROFESSIONAL ASSOCIATION DUES

Act 1795 (SB820) - The act generally authorizes payroll deductions for unions or professional associations representing state employees and specifically authorizes payroll deductions for American Association of University Professors dues. The state employee must make the request for the payroll deduction for union or professional association dues in writing.

UNEMPLOYMENT

BENEFITS

Act 353 (SB217) - The act increases the threshold wage amount for calculation of unemployment benefits.

UNEMPLOYMENT

DISCLOSURES

Act 1223 (HB1635) - The act amends various sections of the Arkansas Employment Security Law. The act adds to the definition of employment work done in jails and prisons. The act allows persons on family and medical leave to qualify as unemployed. The act amends the law regarding disclosures of information, disqualifications, and hearings regarding unemployment.

JAILS AND PRISONS

Act 1223 (HB1635) - The act amends various sections of the Arkansas Employment Security Law. The act adds to the definition of employment work done in jails and prisons. The act allows persons on family and medical leave to qualify as unemployed. The act amends the law regarding disclosures of information, disqualifications, and hearings regarding unemployment.

UNION DUES

Act 1795 (SB820) - The act generally authorizes payroll deductions for unions or professional associations representing state employees and specifically authorizes payroll deductions for American Association of University Professors dues. The state employee must make the request for the payroll deduction for union or professional association dues in writing.

WORK HOURS

SAW MILLS

Act 924 (HB1099) - The act repeals an obsolete provision that limits work hours only in saw mills.

WORKERS' COMPENSATION

SMALLPOX VACCINE

Act 1237 (HB1965) - The act adds adverse reactions to smallpox vaccine as a compensable injury under the Workers' Compensation Law.

LAW ENFORCEMENT

ARKANSAS STATE POLICE, DEPARTMENT OF

CADETS

Act 1111 (HB1458) - The act allows cadets of the Department of Arkansas State Police to issue citations for parking violations and to prepare traffic accident reports.

PROBATIONARY PERIOD

Act 1041 (HB2288) - The act extends the probationary period for new recruits to one year after completion of the academy and prescribed field training.

BAIL BONDS

Act 1472 (HB1434) - The act requires the appropriate law enforcement agency to make every reasonable effort to apprehend a defendant.

CONCEALED HANDGUN CARRIED BY LAW ENFORCEMENT OFFICER

Act 348 (SB155) - The act requires active law enforcement officers who carry a concealed handgun to carry their badge, gives the Director of the Department of the Arkansas State Police the authority to revoke the authorization of any retired state police officer to carry a concealed handgun for good cause shown, and exempts active and retired law enforcement from the prohibitions of § 5-73-306.

CONFISCATED PROPERTY REPORTS

Act 1447 (SB760) - The act requires the Arkansas Drug Director to establish a standardized confiscation report form to be used by all law enforcement agencies concerning the nature and dollar value of all confiscated property, including firearms.

CORRECTIONAL FACILITIES EMPLOYEES

Act 351 (SB195) - The act allows employees of the Department of Correction who have the powers of peace officers to use blue rotating or flashing emergency lights on Department of Correction vehicles and to exercise other law enforcement powers exercised by police and other law enforcement personnel.

DISPOSITION OF CONTRABAND AND SEIZED PROPERTY

Act 135 (HB1185) - The act allows unclaimed seized property to be auctioned by the chief law enforcement officer of the county, city, or town law enforcement agency that seized the property. The act allows the county, city, or town whose law enforcement agency performed the seizure to transfer the proceeds from the auction sale into its general fund after a designated three-month period.

INSURANCE VERIFICATION DATABASE

Act 998 (SB406) - The act requires an insurance company to provide its National Association of Insurance Commissioners' code number on automobile proof of insurance cards and specifies penalties for an insurer's failure to provide information on the proof of insurance card. The act repeals § 27-22-108, which required the Office of Motor Vehicle to compare all current motor vehicle registrations against the Vehicle Insurance Database. The act requires the Arkansas Crime Information Center to provide law enforcement officers with access to the Insurance Verification Database.

METHAMPHETAMINE LAB CLEAN-UP GUIDELINES

Act 1270 (HB2606) - The act requires the Department of Health to develop guidelines for the cleanup of former clandestine methamphetamine drug labs by April 1, 2004. The guidelines shall be made available on the Arkansas Department of Health Internet web site, shall be available to law enforcement officials and the public upon request, and shall be updated annually.

LAW ENFORCEMENT

MILITARY POLICE

Act 1355 (SB732) - The act allows police officers of the Arkansas Military Department to act as law enforcement officers on federal or state property that adjoins a military reservation.

MOTOR CARRIERS

INSPECTION OF BILLS OF LADING AND OTHER DOCUMENTS

Act 1121 (HB2758) - The act authorizes the inspection of bills of lading and other documentation under the Arkansas Motor Carrier Act. The act allows enforcement officers probable cause to stop trucks to inspect for bills of lading and other documents.

MOTOR VEHICLES

LAW ENFORCEMENT OFFICER SAFETY

Act 1102 (SB926) - The act requires a driver who passes a law enforcement officer stopped on the shoulder of a multi-lane highway with the law enforcement vehicle's lights flashing, to move, when possible, into the furthest lane from the law enforcement vehicle, and to remain in that lane until the vehicle has passed the law enforcement officer's vehicle and any other vehicles involved in the stop. A violation is a misdemeanor and the offender may be fined by not less than \$35.00 nor more than \$500, confined in the county jail for no more than 90 days, or both fined and imprisoned. In addition to a fine or imprisonment, a court may order community service of no more than seven days and may suspend the offender's driver's license

MOTOR VEHICLES

REGISTRATION

Act 1329 (HB2342) - The act requires that every application for registration and certificate of title for a foreign vehicle must be accompanied by a verification of the vehicle identification numbers. The verification shall be conducted by a certified law enforcement officer. The act also defines foreign vehicle.

MUNICIPAL POLICE DEPARTMENT RECORDS

Act 1187 (SB703) - The act prescribes time periods for maintaining various municipal police department records.

POLICE CORPS PROGRAM, ARKANSAS

Act 1296 (SB719) - The act establishes the Criminal Justice Department at the University of Arkansas at Little Rock as the lead agency responsible for the oversight and operation of the Arkansas Police Corps Program.

RACIAL PROFILING PROHIBITED

Act 1207 (SB96) - The act prohibits racial profiling by law enforcement agencies, requires written policies and training regarding racial profiling, and creates a Task Force on Racial Profiling.

RETIRING STATE POLICE OFFICERS

PURCHASE OF DUTY SHOTGUN

Act 547 (SB230) - The act allows retiring state police officers to purchase their duty shotgun.

SURPLUS COMPUTER AND ELECTRONIC EQUIPMENT

Act 1028 (HB1862) - The act amends the Arkansas Computer and Electronic Solid Waste Management act to allow state agencies to donate unsold surplus computer and electronic equipment to law enforcement agencies.

LAW ENFORCEMENT

TRAINING ACADEMY PERSONNEL

Act 1051 (HB1105) - The act classifies full-time teachers and instruction personnel at the Arkansas Law Enforcement Training Academy and the Black River Technical College Law Enforcement Training Academy as law enforcement officers, provided they meet the minimum qualifications for law enforcement officer's certification. The act also awards credit to those persons for years of law enforcement service for time employed at the academies. However, the classification as a law enforcement officer does not qualify academy instructors to enroll in a different retirement system.

TRAINING CONCERNING SEXUAL ASSAULTS

Act 509 (HB1679) - The act requires law enforcement officers to complete a minimum of 20 hours of training concerning sexual assaults as a part of the Basic Police Training Course curriculum.

LIBRARIES

ARKANSAS DIGITAL LIBRARY

Act 1810 (HB2497) - The act requires the Department of Higher Education and the Arkansas State Library to create the Arkansas Digital Library as part of the Arkansas State Library, and mandates public access to the digital library in at least one location in each Arkansas county. Public and private entities may receive grants from the department in developing the digital information and providing public access to it.

DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION

Act 677 (HB1820) - The act allows a library to disclose personally identifiable information to any person who has received an automated telephone notification or other electronic communication for overdue materials or reserve materials, if the person making the request verifies the telephone number or e-mail address to which the notice was sent.

LOCAL LEGISLATION

CRAIGHEAD COUNTY

DEPUTY CLERK AND DEPUTY SHERIFF

Act 667 (SB404) - The act provides for an advisory election at each preferential primary election and general election conducted in Craighead County for the positions of deputy sheriff and deputy clerk in the eastern district of Craighead County.

ELEVENTH JUDICIAL DISTRICT

PROSECUTING ATTORNEY

Act 765 (HB2527) - The act makes the Eleventh Judicial District Prosecuting Attorney a full-time position.

FOURTEENTH JUDICIAL DISTRICT

Act 67 (HB1102) - The act provides for the Fourteenth Judicial District to be a Division B Judicial District.

FRANKLIN COUNTY

SHERIFF AND TAX COLLECTOR SEPARATED

Act 823 (HB1895) - The act creates the separate offices of sheriff and tax collector for Franklin County effective January 1, 2005. Each officer shall be chosen at the 2004 general election and shall provide a performance bond. The Franklin County Quorum Court shall determine compensation and allowances, the number of deputies, and other allowances for each officer.

MARION, ARKANSAS

DISTRICT COURT

Act 464 (SB367) - The act creates the District Court of Marion effective January 1, 2005.

LOCAL LEGISLATION

MAYOR'S COURT EXEMPTION ELIMINATED

Act 114 (HB1186) - The act eliminates the exemption of Clay, Craighead, Greene, Ashley, and Chicot counties from the provisions governing the mayor's court in incorporated towns.

MILLER COUNTY

BAILIFFS FOR CIRCUIT COURTS

Act 1741 (HB1752) - The act provides for the assessment of a mandatory fine of \$100 for all felonies in Miller County to compensate circuit court bailiffs.

PIKE COUNTY

COUNTY CLERK AND CIRCUIT CLERK SEPARATED

Act 538 (HB1930) - The act separates the combined offices of County and Circuit Clerk for Pike County, Arkansas to make two separate elective offices.

SEARCY COUNTY

DEPUTY PROSECUTING ATTORNEY

Act 1755 (HB2298) - The act provides for a part-time deputy prosecuting attorney for the Twentieth Judicial District to be located in Searcy County.

SEBASTIAN COUNTY

COLLECTOR AND TREASURER'S OFFICE CONSOLIDATED

Act 843 (HB2387) - The act separates the office of County Sheriff and Collector of Sebastian County and then consolidates the office of County Treasurer with the office of the County Collector in Sebastian County, Arkansas.

SEBASTIAN COUNTY

SHERIFF AND COLLECTOR'S OFFICE SEPARATED

Act 843 (HB2387) - The act separates the office of County Sheriff and Collector of Sebastian County and then consolidates the office of County Treasurer with the office of the County Collector in Sebastian County, Arkansas.

SIXTH JUDICIAL DISTRICT - NINTH DIVISION

POST ADJUDICATION COURT COORDINATOR

Act 1363 (HB2347) - The act provides that the person employed as the coordinator of the Post Adjudication Court of the Ninth Division of the Sixth Judicial Circuit is not required to be certified as a court reporter.

TWENTIETH JUDICIAL DISTRICT

DEPUTY PROSECUTING ATTORNEY IN SEARCY COUNTY

Act 1755 (HB2298) - The act provides for a part-time deputy prosecuting attorney for the Twentieth Judicial District to be located in Searcy County.

MILITARY

ABSENTEE VOTING

Act 107 (HB1017) - The act corrects the title of the Uniformed and Overseas Voting Act of 1975 to the Uniformed and Overseas Citizens Absentee Voting Act. The act also provides for a write-in ballot for uniformed and overseas citizens.

CLAIMS COMMISSION, ARKANSAS STATE

Act 1282 (SB182) - The act precludes the Arkansas State Claims Commission from hearing a claim by a member of the uniformed armed services against the State Military Department, the State Militia, or any subdivision thereof, if the claim arises out of the performance of the claimant's military duty.

MILITARY

CONCEALED HANDGUN EXEMPTION

Act 545 (SB69) - The act provides an exemption to the concealed handgun license law for military personnel and provides for transferring concealed handgun licenses from reciprocal states.

HIGH SCHOOL DIPLOMA

KOREAN OR VIETNAM WAR VETERANS

Act 453 (HB1886) - The act authorizes the board of a school district to grant a high school diploma to a Korean or Vietnam War veteran who meets certain eligibility requirements.

WORLD WAR II VETERANS

Act 216 (SB4) - The act authorizes the board of directors of a school district to grant a high school diploma to a World War II veteran who meets certain eligibility requirements.

MILITARY POLICE

Act 1355 (SB732) - The act allows police officers of the Arkansas Military Department to act as law enforcement officers on federal or state property that adjoins a military reservation.

MILITARY SERVICE DISCHARGE RECORDS OR DD FORM 214

Act 275 (HB1345) - The act makes a military service discharge record or DD Form 214 for a veteran discharged from service less than 70 years from the current date and filed with the county recorder confidential and exempt from the Arkansas Freedom of Information Act. The act only allows certain persons to view or reproduce the record, and prohibits the charging of a fee for reproduction cost to any person authorized to view or review the record. The act allows the county recorder to maintain a record book that contains certain information about veterans for public record, including name, rank, unit of military service, and medals and awards conferred.

NATIONAL GUARD, ARKANSAS

ADJUTANT GENERAL

Act 1094 (SB749) - The act allows the adjutant general to convey and dispose of the state's interest in excess military property, subject to the approval of the appropriate federal military authority.

EXTENSION FOR PAYMENT OF TAXES, ASSESSMENTS OR TUITION

Act 996 (SB308) - The act allows members of the National Guard or Reserves ordered to active duty to a duty station outside this state at least an additional 90 days after returning to the state to renew state licenses, permits, registrations, credentials, or certificates; and to pay state taxes, fees, assessments or tuition without penalty.

SOLDIERS' AND AIRMEN'S CIVIL RELIEF ACT, ARKANSAS

Act 1003 (SB731) - The act provides civil relief for the soldiers and airmen of the Arkansas National Guard who are called into active military service for the state and who are ineligible for civil relief under federal law.

TUITION ASSISTANCE

Act 1045 (HB2480) - The act allows state-funded colleges and universities to waive up to 25% of tuition costs for qualified soldiers and airmen of the Arkansas National Guard who are participants in the Arkansas National Guard Tuition Assistance Plan.

MILITARY

SICK LEAVE

Act 356 (SB264) - The act amends the Uniform Attendance and Leave Policy Act for state employees to provide a different rate of annual and sick leave for certain fire and emergency service employees. Each fire and emergency service employee of the State Military Department who works a regularly scheduled shift of more than 47 hours per week is entitled to annual and sick leave with full pay computed at increased rates over the regular rates for other state employees.

STATE EMPLOYEE LEAVE POLICY

Act 471 (HB1460) - The act allows state employees who are members of the United States Air Force Auxiliary Civil Air Patrol or the United States Coast Guard Auxiliary to take a leave of absence with pay for a period of 15 days during any one calendar year to participate in emergency and rescue services.

VETERANS

CONFIDENTIALITY OF MILITARY SERVICE DISCHARGE RECORDS OR DD FORM 214

Act 275 (HB1345) - The act makes a military service discharge record or DD Form 214 for a veteran discharged from service less than 70 years from the current date and filed with the county recorder confidential and exempt from the Arkansas Freedom of Information Act. The act only allows certain persons to view or reproduce the record, and prohibits the charging of a fee for reproduction cost to any person authorized to view or review the record. The act allows the county recorder to maintain a record book that contains certain information about veterans for public record, including name, rank, unit of military service, and medals and awards conferred.

WORLD WAR II VETERANS

Act 216 (SB4) - The act authorizes the board of directors of a school district to grant a high school diploma to a World War II veteran who meets certain eligibility requirements.

MINING

COAL MINING INDUSTRIES

Act 993 (SB154) - The act provides a tax credit to coal mining enterprises that mine Arkansas coal.

MINE FOREMEN

Act 358 (SB337) - The act requires that fire bosses, hoisting engineers, and mine foremen be examined by the Department of Labor or that these persons have met comparable testing requirements in another jurisdiction before being employed in any mine.

STATE MINE INSPECTOR

Act 461 (SB348) - The act eliminates the requirement that the State Mine Inspector maintain an office in Fort Smith.

MINORITIES

MINORITY BUSINESS

CERTIFICATION AND REGISTRATION

Act 1456 (SB944) - The act requires the Division of Minority Business Enterprise of the Department of Economic Development to create a certification process for minority business enterprises. The act also requires the Office of State Procurement of the Department of Finance and Administration to cooperate with the division in centralizing the registry process for minority business enterprises.

MINORITIES

MINORITY BUSINESS

MINORITY BUSINESS ADVISORY COUNCIL

Act 1814 (HB2835) - The act requires state agencies to include in all requests for proposals and requests for qualifications language that encourages minority participation. The Director of the Office of State Procurement shall track data regarding minority participation in state contracts that exceed \$25,000, and shall report semi-annually to the Governor and to the cochairs of the Legislative Council, the Legislative Joint Audit Committee, and the Minority Business Advisory Council. The act amends the methods by which members are appointed to the Minority Business Advisory Council.

STATE CONTRACTS

Act 1814 (HB2835) - The act requires state agencies to include in all requests for proposals and requests for qualifications language that encourages minority participation. The Director of the Office of State Procurement shall track data regarding minority participation in state contracts that exceed \$25,000, and shall report semi-annually to the Governor and to the cochairs of the Legislative Council, the Legislative Joint Audit Committee, and the Minority Business Advisory Council. The act amends the methods by which members are appointed to the Minority Business Advisory Council.

MINORITY HEALTH CARE

MINORITY HEALTH COMMISSION STUDY

Act 1571 (SB945) - The act requires the University of Arkansas for Medical Sciences, the Department of Health, and the Minority Health Commission to study disparities in health and health care between minority and majority communities and to report findings to the House and Senate Interim Committees on Public Health, Welfare, and Labor

PROSTATE AND TESTICULAR CANCER, OVERSIGHT COMMITTEE ON

Act 865 (HB2215) - The act requires that one member of the Oversight Committee on Prostate and Testicular Cancer be African-American and also requires the Arkansas Minority Health Commission to support the Oversight Committee on Prostate and Testicular Cancer.

MOTOR VEHICLES

ACCIDENTS

ACCIDENTS INVOLVING LOSS OF HUMAN LIFE

Act 950 (HB1707) - The act requires that a test be administered for the presence of alcohol or drugs, or both, to the driver of a motor vehicle involved in an accident resulting in the loss of human life.

REPORTING

Act 333 (HB1573) - The act increases the property damage threshold required to mandate the reporting of vehicular accidents to the nearest law enforcement agency to \$1,000. The deposit required to show proof of financial responsibility is increased to \$75,000. The act also repeals the provisions regarding cancellation or termination of a certified motor vehicle liability policy and the cancellation, return, or waiver of proof of financial responsibility.

ALL-TERRAIN VEHICLES

DEFENSE TO PROSECUTION CLARIFIED

Act 543 (HB2153) - The act clarifies the defense to prosecution for the violation of operating an all-terrain vehicle on a public street or highway. The defense is only available if all elements of the section are satisfied.

MOTOR VEHICLES

ALL-TERRAIN VEHICLES

DEFINED

Act 1098 (SB853) - The act revises the Arkansas Motor Vehicle Commission Act to expand and update the definition of "all-terrain vehicle". The act divides the all-terrain vehicles into Class 1 and Class 2 vehicles. The act also includes motor scooters within the definition of "motor vehicles".

ALTERING OR CHANGING SERIAL OR ENGINE NUMBER

Act 199 (SB229) - The act increases the penalty for altering the manufacturer's serial or engine number of a motor vehicle from a misdemeanor to a Class C felony.

CERTIFIED MOTOR VEHICLE LIABILITY POLICY

Act 333 (HB1573) - The act increases the property damage threshold required to mandate the reporting of vehicular accidents to the nearest law enforcement agency to \$1,000. The deposit required to show proof of financial responsibility is increased to \$75,000. The act also repeals the provisions regarding cancellation or termination of a certified motor vehicle liability policy and the cancellation, return, or waiver of proof of financial responsibility.

CHILD PASSENGER PROTECTION ACT

Act 1776 (HB2594) - The act requires persons seated in a wheelchair in a motor vehicle to wear a seatbelt and to require the wheelchair to be properly secured in the motor vehicle. The act also makes technical corrections to the Child Passenger Protection Act.

COMMERCIAL DRIVER'S LICENSE

FEDERAL REQUIREMENTS

Act 842 (HB2343) - The act amends the Arkansas Uniform Commercial Driver's License Act to comply with federal requirements regarding commercial driver's licenses. The act provides for an administrative revocation of the commercial driver's license.

FRAUDULENT APPLICATION

Act 217 (SB219) - The act amends the Arkansas Uniform Commercial Driver's License Act to make it unlawful for a person to knowingly apply for or to obtain a commercial driver's license through a fraudulent application or other illegal method. Fraudulently applying for a commercial driver's license, using false test scores, or using false information to apply is a Class A misdemeanor.

COMMERCIAL VEHICLES

Act 854 (SB391) - The act permits the registration of a vehicle or a certificate of title, registration certificate, or registration plate to be suspended or revoked when, due to safety related violations, the owner of a commercial truck is not authorized to operate by the United States Department of Transportation.

DEFENSIVE DRIVING CLASS

Act 768 (HB2674) - The act provides that a person shall not be required to obtain a license from the Arkansas State Board of Private Career Education to teach a court-mandated defensive driving class.

DRIVER'S LICENSE

MANDATORY REVIEW OF WAIVER OF AGE RESTRICTIONS

Act 268 (HB1072) - The act requires the Office of Driver Services to review its waiver of any driver license age restrictions upon receiving a complaint from a prosecuting attorney, a city attorney, or a certified law enforcement officer. The office is to review the grounds for granting a waiver of age restrictions based on need. The age restrictions are reimposed if there is evidence that the need for the waiver has changed, is no longer valid, or that the licensee violated any of the restrictions of the license.

MOTOR VEHICLES

DRIVER'S LICENSE

REINSTATEMENT AND DUPLICATION FEES

Act 1001 (SB659) - The act increases the fees for reinstatement of driver's licenses. Fifty percent of the revenues from reinstatement fees will be credited as special revenues to the Department of Arkansas State Police Fund. The fee for reinstatement of a driver's license after a DWI offense increases from \$75.00 to \$150. The fee for reinstatement of a driver's license for any other suspension increases from \$25.00 to \$100. The act also adds an additional \$5.00 fee for the issuance of a duplicate driver's license to the credit of the Department of Arkansas State Police Fund.

SOCIAL SECURITY NUMBER

Act 836 (HB2234) - The act eliminates several provisions of the driver license laws that allow the use of a person's social security number as a driver's license number. The act also eliminates a requirement that the social security number must appear on a commercial driver's license.

ESCORT VEHICLES

Act 331 (HB1454) - The act repeals the specific requirements for escort vehicles to accompany vehicles with over-length loads in excess of 90 feet. The act also repeals the law requiring the State Highway Commission to regulate escort vehicles and to require annual registration of escort vehicles.

EXPLOSIVES

Act 849 (HB2559) - The act eliminates the requirements that motor vehicles carrying explosives must have warning signs and fire extinguishers. The act delegates to the State Highway Commission the authority to regulate the transportation of explosives over the state highways.

FINANCIAL RESPONSIBILITY PROOF

Act 333 (HB1573) - The act increases the property damage threshold required to mandate the reporting of vehicular accidents to the nearest law enforcement agency to \$1,000. The deposit required to show proof of financial responsibility is increased to \$75,000. The act also repeals the provisions regarding cancellation or termination of a certified motor vehicle liability policy and the cancellation, return, or waiver of proof of financial responsibility.

HORNS

Act 1155 (HB2206) - The act clarifies that the prohibition against the use of a motor vehicle horn, except when authorized, applies to public streets as well as to state highways.

LAW ENFORCEMENT OFFICER SAFETY

Act 1102 (SB926) - The act requires a driver who passes a law enforcement officer stopped on the shoulder of a multi-lane highway with the law enforcement vehicle's lights flashing, to move, when possible, into the furthest lane from the law enforcement vehicle, and to remain in that lane until the vehicle has passed the law enforcement officer's vehicle and any other vehicles involved in the stop. A violation is a misdemeanor and the offender may be fined by not less than \$35.00 nor more than \$500, confined in the county jail for no more than 90 days, or both fined and imprisoned. In addition to a fine or imprisonment, a court may order community service of no more than seven days and may suspend the offender's driver's license

LICENSE PLATES

AFRICAN-AMERICAN FRATERNITY LICENSE PLATES

Act 1302 (SB867) - The act provides for the issuance of a special African-American Fraternity and Sorority license plate. An additional fee of \$25.00 is charged for each license plate to aid traditionally-black colleges in Arkansas.

MOTOR VEHICLES

LICENSE PLATES

ARKANSAS CATTLEMEN'S FOUNDATION SPECIAL LICENSE PLATE

Act 1150 (HB2727) - The act provides for the issuance of an Arkansas Cattlemen's Foundation special license plate. An additional charge of \$25.00 is collected for the plate to provide donations for foundation purposes.

BOY SCOUTS OF AMERICA SPECIAL LICENSE PLATE

Act 1343 (HB2618) - The act provides for the issuance of a Boy Scouts of America special license plate to acknowledge their public service. An additional \$25.00 fee is charged to support scouting programs in Arkansas.

CHOOSE LIFE LICENSE PLATE

Act 344 (HB1020) - The act creates a special automobile license plate to be issued with the "Choose Life" logo on the plate. The additional sum of \$25.00 is charged for the plate to help with financial support for programs advocating adoption as a choice for women with unplanned pregnancies.

CONSTITUTIONAL OFFICER'S LICENSE PLATE

Act 868 (HB2463) - The act provides for the issuance of a Constitutional Officer special license plate for each of the seven constitutional officers.

DEALER LICENSE PLATES

Act 343 (HB1570) - The act expands the uses of the dealer license plate for dealer-owned motor vehicles. The act allows a dealer-owned vehicle to be used by the dealer, a manager, a sales manager, or a sales person, and to be driven to or from work and for personal or business trips inside or outside the dealer's county of residence.

DUCKS UNLIMITED LICENSE PLATES

Act 90 (HB1090) - The act changes the procedure to obtain a Ducks Unlimited license plate, so that the application and application fee is submitted to the state, but the design-use contribution fee is remitted monthly to Ducks Unlimited, Inc.

ORGAN DONOR AWARENESS PLATE

Act 1362 (HB2340) - The act encourages organ donor education by establishing an Organ Donor Education Trust Fund and by issuing an organ donor awareness special license plate.

PEARL HARBOR SURVIVOR LICENSE PLATES

Act 1454 (SB885) - The act provides that the design of the Pearl Harbor Survivor motor vehicle license plate shall be of a design submitted or approved by the Pearl Harbor Survivors Association of Arkansas.

SELF-CERTIFICATION FOR TRAILER DEALERS

Act 361 (SB364) - The act requires a trailer dealer to use a self-certification process to verify that the dealer is in the trailer business to receive a motor vehicle dealer license plate.

SPECIAL LICENSE PLATES ORDERING REQUIREMENTS

Act 371 (HB1523) - The act requires that the Department of Finance and Administration must receive a minimum of 1,000 applications for a special license plate before the department shall order or issue the license plate.

SUSAN G. KOMEN BREAST CANCER LICENSE PLATE

Act 1004 (SB814) - The act authorizes the Department of Finance and Administration to issue a special Susan G. Komen Breast Cancer Education, Research, and Awareness license plate. An additional sum of \$25.00 is collected for the plate to help finance breast cancer education, outreach, and research.

MOTOR VEHICLES

LICENSE PLATES

UNIVERSITY OF ARKANSAS, DIVISION OF AGRICULTURE SPECIAL LICENSE PLATE

Act 1040 (HB2277) - The act provides for the issuance of a University of Arkansas, Division of Agriculture special license plate. An additional sum of \$25.00 is collected for the plate to help fund college scholarships and public education programs for agriculture.

LIGHTS

EMERGENCY VEHICLES

Act 762 (HB2207) - The act requires that emergency vehicles operated in this state shall be equipped with white or amber flashing or rotating, emergency or warning lights only.

ORNAMENTAL WHITE LIGHTS

Act 1096 (SB819) - The act prohibits having more than two ornamental light-emitting diodes mounted on the front of a motor vehicle.

RED, BLUE, OR GREEN LIGHTS

Act 539 (HB1942) - The act makes it unlawful for any person to drive or move any vehicle or equipment upon a highway with any device that displays a red, blue, or green light that is visible from directly in front of the center of the vehicle.

MANUFACTURER'S SERIAL NUMBER OR ENGINE NUMBER

Act 1351 (SB228) - The act makes a second or subsequent offense of knowingly buying or selling a vehicle without a manufacturer's serial number or engine number a Class D felony.

MAXIMUM VEHICLE LENGTHS

BUSES AND SEMITRAILERS

Act 850 (HB2560) - The act increases the maximum length of certain motor vehicles and combinations of vehicles on Arkansas' streets and highways. The act increases the maximum length for buses from 40 feet to 45 feet and semitrailers from 48 feet to 53 feet and 6 inches.

MOTOR CARRIERS

INSPECTION OF BILLS OF LADING AND OTHER DOCUMENTS

Act 1121 (HB2758) - The act authorizes the inspection of bills of lading and other documentation under the Arkansas Motor Carrier Act. The act allows enforcement officers probable cause to stop trucks to inspect for bills of lading and other documents.

REPORTING REQUIREMENTS

Act 1117 (HB2401) - The act repeals laws concerning the duty of a motor carrier engaged in interstate or intrastate commerce to file an annual report and repeals the penalties for failing to file the report or filing false reports.

MOTOR VEHICLE COMMISSION, ARKANSAS

DOCUMENTARY FEES

Act 1722 (SB733) - The act authorizes the Arkansas Motor Vehicle Commission to set a reasonable limit on the amount to be charged for a documentary fee.

PARKING FOR DISABLED PERSONS

DISABLED VETERANS

Act 206 (HB1264) - The act allows vehicles displaying a special "disabled veteran" license plate to park in areas designated for persons with disabilities.

VAN ACCESSIBILITY

Act 1353 (SB399) - The act allows vehicles that load or unload a wheelchair or other related mobility device to load or unload, or otherwise use those parking spaces reserved exclusively for persons with disabilities and designated "van accessible."

MOTOR VEHICLES

REGISTRATION

ALL-TERRAIN CYCLES

Act 845 (HB2466) - The act allows an owner of an all-terrain cycle that was manufactured on or before December 31, 1992, to file a statement of ownership instead of proof of ownership to register the all-terrain cycle.

CLASS ONE TRUCK REGISTRATION

Act 463 (SB365) - The act amends motor vehicle registration law to require that one-ton trucks and vans used for commercial or business purposes have to be registered as commercial vehicles and not registered for use as personal transportation with passenger car tags (Class One). The act also distributes fines for vehicle registration offenses to the jurisdiction that issues the citation for the traffic offense.

FOREIGN VEHICLES

Act 1329 (HB2342) - The act requires that every application for registration and certificate of title for a foreign vehicle must be accompanied by a verification of the vehicle identification numbers. The verification shall be conducted by a certified law enforcement officer. The act also defines foreign vehicle.

NONRESIDENT'S VEHICLE

Act 832 (HB2199) - The act repeals the law requiring that nonresidents register their vehicles within 90 days and obtain a visitor's permit after ten days.

OBSOLETE PROVISIONS REPEALED

Act 833 (HB2200) - The act repeals obsolete provisions concerning registration of vehicles and police reporting of stolen vehicles to the Office of Motor Vehicles.

SEAT BELTS

CHILDREN

Act 764 (HB2308) - The act revises the mandatory seat belt law to make it comply with the 2001 revision of the Child Passenger Protection Act. Children who are properly restrained under the Child Passenger Protection Act are exempt from coverage of the mandatory seat belt

WHEELCHAIR

Act 1776 (HB2594) - The act requires persons seated in a wheelchair in a motor vehicle to wear a seatbelt and to require the wheelchair to be properly secured in the motor vehicle. The act also makes technical corrections to the Child Passenger Protection Act.

STOLEN VEHICLES

Act 833 (HB2200) - The act repeals obsolete provisions concerning registration of vehicles and police reporting of stolen vehicles to the Office of Motor Vehicles.

SUSPENSION OF DRIVER'S LICENSE

DRIVING WHILE INTOXICATED

Act 541 (HB1956) - The act clarifies the procedure for appealing a decision of the Office of Driver Services concerning the suspension of a driver's license for operating a motor vehicle while intoxicated or impaired.

TAXICABS

Act 1152 (HB1386) - The act sets the amount of liability insurance coverage required for taxicabs at the minimum amounts prescribed for liability insurance under the Motor Vehicle Safety Responsibility Act.

UNINSURED VEHICLES

PRESUMPTION

Act 1043 (HB2317) - The act presumes that the motor vehicle that is involved in an accident is uninsured if the motorist does not file evidence of insurance within 90 days after an accident.

MOTORBOATS

DUPLICATE REGISTRATION CERTIFICATE

Act 220 (HB1036) - The act authorizes the Department of Finance and Administration to issue a duplicate registration certificate for motorboats if the original is lost or destroyed. The cost of the duplicate certificate is \$1.00.

LANYARD-TYPE ENGINE CUTOFF SWITCHES

Act 127 (HB1018) - The act requires the operator of a motorboat equipped with a lanyard-type engine cutoff switch to attach the lanyard to the operator when traveling in the vessel. This requirement does not apply to a houseboat, a pontoon boat, or a motorboat traveling less than five miles per hour.

OIL AND GAS

ALTERNATIVE FUELS FUND

Act 120 (SB173) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 121.

Act 121 (HB1306) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 120.

OIL AND GAS

BULK OR LIQUEFIED PETROLEUM GAS METERING DEVICES

Act 112 (HB1178) - The act amends the duties of the Director of the Arkansas Bureau of Standards. The act also requires persons who own bulk or liquefied petroleum gas metering devices used in commercial transactions to engage a registered service agent to annually inspect and test the devices.

MINERAL PROCEEDS ESCROW ACCOUNTS

Act 1763 (HB2384) - The act requires the Oil and Gas Commission to enforce the provisions pertaining to escrow accounts for mineral proceeds and to conduct random audits of the escrow accounts required to be maintained.

PETROLEUM STORAGE TANKS

Act 1114 (HB2344) - The act amends Petroleum Storage Tank Trust Fund coverage and eligibility criteria for reimbursement of third-party claims. The act authorizes compensatory damages for injuries arising from petroleum storage tanks. The act increases the maximum payment for corrective action.

ROYALTIES

Act 276 (HB1383) - The act raises the threshold for annual aggregate payments for oil and gas royalties to \$100.

UNDERGROUND STORAGE TANK INSTALLERS OR TESTERS

Act 486 (HB1513) - The act provides the procedure by which licensed installers or testers of underground storage tanks may have their bonds forfeited.

WELL DRILLING UNITS

Act 964 (HB1943) - The act amends the definition of "drilling unit" to mean a single governmental unit unless a different unit is requested by the owner. The act also clarifies the Oil and Gas Commission's authority to designate and regulate the number of wells that may be drilled and produced within a drilling unit. A well that would not be drilled in compliance with the commission's rules may be drilled if it is likely to prevent waste or protect the correlative rights of the owners within the drilling unit, or both.

PROFESSIONS AND OCCUPATIONS

AUCTIONEERS

CIVIL PENALTIES

Act 1748 (HB2205) - The act eliminates the language in the Auctioneer's Licensing Act that provides for a penalty in lieu of suspension or revocation of license and replaces it with the phrase "civil penalty". The act also revises the fees for licensing.

CRIMINAL BACKGROUND CHECKS

Act 834 (HB2204) - The act requires first-time applicants of a license and applicants seeking reinstatement for a license issued by the Arkansas Auctioneer's Licensing Board to undergo a national criminal background check.

AUDIOLOGISTS

Act 1455 (SB907) - The act guarantees that each person who is eligible for an ear examination, the payment for which may be made out of public money, shall have his or her freedom of choice between persons licensed under the Licensure Act of Speech-Language Pathologists and Audiologists and persons licensed under the Arkansas Medical Practices Act. The act also ensures that persons licensed under the Arkansas Medical Practices Act or the Licensure Act of Speech-Language Pathologists and Audiologists shall be entitled to payment or reimbursement on an equal basis for service in the audiology field.

PROFESSIONS AND OCCUPATIONS

BAIL BOND COMPANIES AND AGENTS

APPEALS FROM BOARD ORDERS

Act 1174 (HB2825) - The act repeals a provision concerning the process for appeals from an order by the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board.

BAIL BOND AGENTS

Act 1648 (HB1889) - The act revises the licensing requirements for bail bond agents. The act also provides that no prisoner shall be denied the right to consult an attorney or to call a physician while in jail.

PUBLIC DEFENDER USER FEE

Act 1778 (HB2696) - The act provides for each bail bond company to charge and collect a \$10 fee for the Arkansas Public Defender User Fee Fund.

CONSUMER-PATIENT RADIATION HEALTH AND SAFETY ACT

Act 1395 (HB2506) - The act makes various changes to the Consumer-Patient Radiation Health And Safety Act. The act authorizes the Medical Ionizing Radiation Licensure Committee to license radiologic technologists, radiation therapists, and nuclear medicine technologists.

CONTRACTORS

CONTRACTORS LICENSING BOARD HEARINGS

Act 91 (HB1106) - The act requires that the time and place for hearings conducted by the Contractors Licensing Board shall be fixed by the board and held within the State of Arkansas.

GRAIN BIN CONSTRUCTION

Act 1346 (HB2807) - The act repeals the exemption from the laws regarding contractors for the construction of grain bins that are used solely for the purpose of storing grain harvested by the owner or lessee of the farm.

RESIDENTIAL BUILDING CONTRACTORS COMMITTEE

Act 203 (HB1109) - The act increases the number of members on the Residential Building Contractors Committee to seven members. The act also requires that the financial statement attached to each new application for licensure not be made available for public inspection and that the contractor destroy the financial statement or return it to the contractor.

COUNSELORS

BACKGROUND CHECKS

Act 1388 (HB1907) - The act updates sex offenses in the list of offenses for background checks on counselors.

BOARD OF EXAMINERS IN COUNSELING

Act 870 (HB2619) - The act amends the qualification of certain members of the Arkansas Board of Examiners in Counseling.

DENTISTS

FOREIGN-TRAINED DENTISTS

Act 661 (SB258) - The act authorizes a pilot program for licensure of foreign-trained dentists immigrating to this state.

LICENSURE

Act 377 (HB1743) - The act requires dental licensure every two years instead of annually. The act allows the Arkansas State Board of Dental Examiners to retain application fees of applicants who fail to achieve licensure. The act also increases the registration fee for dental assistants who perform expanded duties.

PROFESSIONS AND OCCUPATIONS

ELECTRICIANS

Act 1055 (HB1598) - The act provides penalties for violating the State Electrical Code and the provisions concerning the examination and licensing of electricians.

HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION LICENSING BOARD, ARKANSAS

MINIMUM LIABILITY INSURANCE

Act 1712 (HB2403) - The act authorizes the Arkansas Heating, Ventilation, Air Conditioning, and Refrigeration Licensing Board to establish by regulation a minimum level of general liability insurance coverage for a license, if the board determines a specific class of license requires insurance coverage.

SHEET METAL WORKERS

Act 748 (SB692) - The act adds sheet metal workers to the list of workers and adds Class D licenses to the types of licenses exempted from licensure for work on heating, ventilation, air conditioning, and refrigeration.

HOME HEALTH CARE WORKERS

Act 1783 (HB2751) - The act exempts certain persons from licensing requirements for Home Health Care Services licensure. The act provides that persons licensed to provide services to developmentally disabled persons are exempt.

NURSES

BACKGROUND CHECKS

Act 1386 (HB1905) - The act updates sex offenses in the list of offenses for background checks on nurses.

FINGERPRINTS

Act 1449 (SB772) - The act deletes the requirement that fingerprints of applicants for a nursing license be destroyed.

OPTOMETRY AND OPHTHALMOLOGY

CONTACT LENSES

Act 866 (HB2286) - The act revises the requirements for optometrists and ophthalmologists providing contact lens prescriptions. The act also requires out-of-state entities that fill, ship, mail, or deliver contact lenses to register with the State Board of Optometry and the Secretary of State, and to have a contact lens prescription issued by an optometrist or ophthalmologist licensed in Arkansas. An optometrist or ophthalmologist is not liable for injury resulting from properly releasing a contact lens prescription, unless the optometrist or ophthalmologist is also the contact lens seller.

LICENSING

Act 288 (SB302) - The act restricts the power of the State Board of Optometry to license only optometric physicians beginning July 1, 2003. The act allows a person licensed as an optometrist prior to July 1, 2003, but who does not meet the standard for licensure as an optometric physician to continue to practice as an optometrist, as prescribed by the board.

PHARMACISTS

Act 1092 (SB722) - The act authorizes the Arkansas State Board of Pharmacy to provide special licensure for pharmacists who have been licensed for 50 years. The act also modifies the board's investigative authority to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The act authorizes criminal background checks on individuals licensed or permitted by the Arkansas State Board of Pharmacy.

PROFESSIONS AND OCCUPATIONS

PHYSICAL THERAPISTS

Act 1076 (HB2307) - The act authorizes the Division of Pharmacy Services and Drug Control of the Department of Health to conduct investigations and inspections of alleged wrongdoing by physical therapists. The act also increases the fees the division may charge boards for conducting investigations.

PLUMBERS

LICENSURE

Act 679 (HB2209) - The act exempts individuals certifying or repairing backflow devices within the scope of a plumbing system, if the individuals hold a certificate of competency from the Department of Health, Committee of Plumbing Examiners.

Act 1217 (SB897) - The act revises the definition of "approved backflow preventor" and "plumbing". The act also revises the licensing requirements concerning plumbers.

PROFESSIONAL COUNSELOR

Act 753 (HB1482) - The act modifies the licensure requirement for professional counselors so that the necessary graduate hours must meet the academic and training content standards established by the Arkansas Board of Examiners in Counseling.

PSYCHOLOGY

EXAMINERS

Act 1482 (SB133) - The act revises various provisions concerning psychologists and psychological examiners. The act also renames the Arkansas Board of Examiners in Psychology to the Arkansas Psychology Board.

PSYCHOLOGISTS - BACKGROUND CHECKS

Act 1385 (HB1904) - The act updates sex offenses in the list of offenses for background checks on psychologists.

PSYCHOLOGY BOARD, ARKANSAS

Act 1482 (SB133) - The act revises various provisions concerning psychologists and psychological examiners. The act also renames the Arkansas Board of Examiners in Psychology to the Arkansas Psychology Board.

RESIDENTIAL BUILDING CONTRACTORS

FINANCIAL STATEMENT

Act 203 (HB1109) - The act increases the number of members on the Residential Building Contractors Committee to seven members. The act also requires that the financial statement attached to each new application for licensure not be made available for public inspection and that the contractor destroy the financial statement or return it to the contractor.

LICENSURE

Act 1103 (HB2284) - The act repeals the provision which exempts from the licensure requirement, a residential building contractor who constructs three or fewer single family residences per calendar year.

SOCIAL WORK

SOCIAL WORK LICENSING BOARD

Act 1274 (SB954) - The act requires that when the Social Work Licensing Board is made aware of a possible violation, the board shall send a letter to the individual in question. The act also requires a licensee involved in independent private practice with the public to display his or her license.

SOCIAL WORKERS - BACKGROUND CHECKS

Act 1384 (HB1903) - The act updates sex offenses in the list of offenses for background checks on social workers.

PROPERTY

ASSIGNMENT OF MORTGAGE, DEED OF TRUST, OR OTHER LIEN

Act 1173 (HB2819) - The act requires each county recorder to record in the county's index concerning lands and tenements, certain information regarding the assignment of a mortgage, deed of trust, or other lien.

CHILD SUPPORT LIENS

RELEASE OR SATISFACTION

Act 1176 (HB2862) - The act allows the disclosure of child support payment records when authorized in writing by the custodial or non-custodial parent, for use by attorneys and abstractors, to facilitate the release or satisfaction of child support liens on real property.

DELINQUENT MINERAL INTEREST

Act 1279 (SB75) - The act allows the surface owner of property to purchase the severed tax delinquent mineral interest of the property.

DISCLAIMER OF PROPERTY INTERESTS

Act 610 (SB303) - The act repeals the current subchapter concerning the right to disclaim an interest in property effective September 1, 2003. The act contains new provisions relating to the disclaimer of rights in property, including a power of appointment, a power both held and not held in a fiduciary capacity, a right of a survivorship in jointly-held property, and an interest by a trustee and a taker in default. The act also bars or limits disclaimers under certain conditions.

FAIR HOUSING

Act 1775 (HB2556) - The act amends various provisions of the fair housing law to conform with federal law. The act clarifies penalties for violation of the fair housing law. The act also clarifies the process for filing and investigating complaints and for prosecuting violators.

LEVEE IMPROVEMENT DISTRICTS

ADVERSE POSSESSION

Act 861 (HB1804) - The act provides that a levee improvement district shall not lose real property or easements of the district to adverse possession. The real property rights of the levee district cannot be defeated by a claim of adverse possession commenced after the effective date of the act.

OUTDOOR ADVERTISING SIGNS

JUST COMPENSATION

Act 1268 (HB2406) - The act provides that the chapter pertaining to municipal planning shall not be construed to authorize the legislative body of any city, incorporated town, or county to adopt any ordinance, law, or regulation that requires the taking, elimination, alteration, or diminishment of a legally erected outdoor advertising sign without first making the payment of just monetary compensation therefor.

PSYCHOLOGICALLY IMPACTED PROPERTY

LIABILITY OF REAL ESTATE LICENSEES AND APPRAISERS

Act 1739 (HB1655) - The act gives real estate licensees and appraisers immunity from causes of action for failure to inquire about, make a disclosure about, or release information about the existence of any fact or circumstance, or suspicion of the existence of any fact or circumstance that indicates that the real property is psychologically impacted or located in the vicinity of a sex offender.

REAL ESTATE RECOVERY FUND

Act 837 (HB2242) - The act permits the Real Estate Recovery Fund to be used for the production and distribution of informational literature of an educational nature.

PROPERTY

REAL ESTATE TRANSFER TAX

Act 1086 (SB346) - The act revises the real estate transfer tax law to clarify that instruments conveying land between partnerships, limited liability companies, or other business entities, as a result of a reorganization or merger, are exempt from the real estate transfer tax.

RULE IN SHELLEY'S CASE ABOLISHED

Act 1030 (HB1983) - The act annuls the application or effect of the Rule in Shelley's Case on any instrument or interest in real property.

SALES UNDER JUDICIAL DECREE

Act 1740 (HB1684) - The act allows the court to set reasonable fees for commissioners who sell real property under judicial decrees.

STATUTORY FORECLOSURE ACT

ATTORNEYS' LIENS

Act 1047 (HB2702) - The act makes attorneys' liens applicable to procedures under the Statutory Foreclosure Act.

TAXES

ASSESSMENT COORDINATION DEPARTMENT

Act 1714 (HB2719) - The act creates the Task Force to Study the Assessment Coordination Department of the Arkansas Public Service Commission.

ASSESSMENT OF PROPERTY SOLD BY AN ELDERLY OR DISABLED PERSON

Act 646 (SB159) - The act amends the definition of "disabled person" to adopt recent changes in federal law and to include a person who has received permanent and total disability insurance benefits for any period of time during the calendar year. The act clarifies that after a sale of the property by the elderly or disabled person, the purchaser shall not be entitled to claim any reduction to the property's assessed value, and on or after January 1 of the year following the date of the sale, the county assessor shall assess the property at its full market value.

HOMESTEAD PROPERTY TAX CREDIT

Act 864 (HB2287) - The act amends the definition of "property owner" as it relates to the homestead property tax credit to include the previous record owner of tax-delinquent property that has been vested in the state in care of the Commissioner of State Lands, if the previous record owner continues to occupy the residence subject to his or her right of redemption.

Act 1354 (SB560) - The act clarifies the prohibited conduct, penalties, and time limitations regarding the homestead property tax credit.

TAX-FORFEITED LAND

REDEMPTION

Act 1376 (HB1332) - The act allows a homestead owner to redeem his or her land if he or she did not receive actual notice of the sale. The act increases the length of time that the owner of record has to redeem his or her land.

TRESPASSING

Act 1178 (SB176) - The act allows notices to cease trespassing to be sent by certified mail, deliverable to addressee only.

UNCLAIMED PROPERTY

DEMUTUALIZATION OF AN INSURANCE COMPANY

Act 491 (HB1587) - The act provides for the distribution of unclaimed property resulting from the demutualization of an insurance company.

PROPERTY

UNCLAIMED PROPERTY

MINERAL PROCEEDS

Act 1307 (HB1076) - The act reduces the time required for unclaimed mineral proceeds to be presumed abandoned to five years.

NONPROFIT ELECTRIC COOPERATIVE CORPORATIONS

Act 334 (HB1590) - The act exempts unclaimed capital credits of a nonprofit electric cooperative from the Uniform Disposition of Unclaimed Property Act, if the corporation transmits notice to the last known address of the beneficiary of the credit.

UNCLAIMED PROPERTY PROCEEDS TRUST FUND

Act 1033 (HB2231) - The act amends the law governing distributions from the Unclaimed Property Proceeds Trust Fund to require the administrator of the fund to annually transfer to each county all funds collected from that county that have been held unclaimed for three years. The act also requires each county receiving funds to maintain an accounting of the funds in perpetuity and to pay funds to the rightful owner or the rightful owner's heir upon a finding by a court of competent jurisdiction that the person is the rightful owner or the rightful owner's heir.

PUBLIC EMPLOYEES

BACKGROUND CHECKS

Act 1377 (HB1896) - The act updates the references to certain sex offenses that may not be waived on background checks of certain state employees in designated positions.

Act 1379 (HB1898) - The act updates sex offenses in the list of offenses for background checks on certain state employees in designated positions.

Act 482 (HB1427) - The act makes technical changes in the law concerning background checks on state employees.

KILLED IN THE LINE OF DUTY

PAYMENT OF CLAIMS TO SURVIVORS

Act 355 (SB236) - The act provides payment of \$75,000 to the survivors of specified public employees who are killed in the line of duty after January 1, 2003, while engaged in exceptionally hazardous duty.

LAYOFF NOTICE

Act 1212 (SB318) - The act requires state agencies to report impending layoffs of state employees to the Legislative Council and the Office of Personnel Management.

LEAVE POLICIES

CATASTROPHIC SICK LEAVE PROGRAM

Act 194 (SB11) - The act amends the catastrophic sick leave program for state employees and employees of higher education institutions to allow a state agency director or a president of an institution of higher education to waive the requirement that an employee may receive catastrophic sick leave hours unless he or she has accumulated a combined minimum of 80 hours of annual leave and sick leave. The agency director may waive the requirement if the director determines there are extraordinary circumstances for the employee's situation based on guidelines promulgated by the Director of the Department of Finance and Administration.

GRANDCHILDREN

Act 835 (HB2220) - The act amends the Uniform Attendance and Leave Policy Act to allow an employee to use sick leave to care for a sick grandchild. The act also revises various provisions concerning leave without pay.

PUBLIC EMPLOYEES

LEAVE POLICIES

LEAVE WITHOUT PAY

Act 835 (HB2220) - The act amends the Uniform Attendance and Leave Policy Act to allow an employee to use sick leave to care for a sick grandchild. The act also revises various provisions concerning leave without pay.

MILITARY

Act 471 (HB1460) - The act allows state employees who are members of the United States Air Force Auxiliary Civil Air Patrol or the United States Coast Guard Auxiliary to take a leave of absence with pay for a period of 15 days during any one calendar year to participate in emergency and rescue services.

SICK LEAVE - FIRE AND EMERGENCY SERVICE EMPLOYEES

Act 356 (SB264) - The act amends the Uniform Attendance and Leave Policy Act for state employees to provide a different rate of annual and sick leave for certain fire and emergency service employees. Each fire and emergency service employee of the State Military Department who works a regularly scheduled shift of more than 47 hours per week is entitled to annual and sick leave with full pay computed at increased rates over the regular rates for other state employees.

PAYROLL DEDUCTIONS

PROFESSIONAL ASSOCIATION DUES

Act 1795 (SB820) - The act generally authorizes payroll deductions for unions or professional associations representing state employees, and specifically authorizes payroll deductions for American Association of University Professors dues. The state employee must make the request for the payroll deduction for union or professional association dues in writing.

UNION DUES

Act 1795 (SB820) - The act generally authorizes payroll deductions for unions or professional associations representing state employees, and specifically authorizes payroll deductions for American Association of University Professors dues. The state employee must make the request for the payroll deduction for union or professional association dues in writing.

STATE AND PUBLIC SCHOOL LIFE AND HEALTH INSURANCE BOARD

Act 1446 (SB716) - The act increases the voting membership of the State and Public School Life and Health Insurance Board to 12 by adding the Executive Director of the Arkansas State Board of Pharmacy and the Director of Health Care Facilities Services of the Arkansas Department of Health as voting members. The act also changes the selection of the chair and vice chair of the board from annual selection by the Governor to annual selection by the membership of the board. The act creates and designates the membership of three subcommittees of the board to study and research health and life plan option benefits, formulary management, and the financial impact of implementing the recommendations made by the formulary management committee to the board.

UNIFORM CLASSIFICATION AND COMPENSATION ACT

Act 923 (SB756) - The act established the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act.

VETERANS PREFERENCES

Act 653 (HB1545) - The act revises the definition of "veteran" as it applies to The Veterans Preference Law. The act also revises various procedures of The Veterans Preference Law concerning the failure to hire a veteran, reduction in force policies, and reemployment.

PUBLIC EMPLOYEES

WHISTLE BLOWER ACT

Act 601 (SB651) - The act requires that a public employer shall not take action against a public employee that communicates in good faith the existence of waste of public funds, property, or manpower; including federal funds, property, or manpower administered or controlled by a public employee.

PUBLIC PROPERTY

ARKANSAS HISTORY COMMISSION

Act 611 (SB316) - The act allows the Arkansas History Commission and State Building Services to determine the facility needs of the commission. The act also allows State Building Services to locate and negotiate an appropriate facility for the commission with the commission's approval.

LEVEE DISTRICTS

ADVERSE POSSESSION

Act 861 (HB1804) - The act provides that a levee improvement district shall not lose real property or easements of the district to adverse possession. The real property rights of the levee district cannot be defeated by a claim of adverse possession commenced after the effective date of the act.

SURPLUS COMPUTER AND ELECTRONIC EQUIPMENT

Act 1028 (HB1862) - The act amends the Arkansas Computer and Electronic Solid Waste Management act to allow state agencies to donate unsold surplus computer and electronic equipment to law enforcement agencies.

RETIREMENT

DISTRICT COURT CLERKS

Act 1375 (HB1240) - The act provides for district court clerk's retirement benefits under the Arkansas Public Employees' Retirement System. The act eliminates any benefits for municipal court clerks in the municipal judge's retirement systems within cities and counties after December 31, 2004.

DISTRICT JUDGE'S RETIREMENT SYSTEM

Act 1374 (HB1231) - The act creates the Arkansas District Judge's Retirement System to provide retirement benefits for district judges of Arkansas after January 1, 2005. The act repeals and closes the municipal judge's and clerk's retirement systems within the cities and counties. District judges will be able to retire at age 50 with 20 years of service, at age 60 with 16 years of service, and at age 65 with 8 years of service.

GOVERNMENT REORGANIZATION

Act 751 (HB1215) - The act requires that all state employees and members of boards and commissions shall remain in and covered by the retirement system applicable to them immediately prior to a reorganization of state government.

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

ANNUAL 3% COLA COMPOUNDED

Act 475 (HB1126) - The act changes the method of redetermining benefits annually (COLA) for the Arkansas Local Police and Fire Retirement System by compounding the annual benefit by 3% per year.

ANNUITY INCREASE

Act 777 (HB1229) - The act increases the annuity amounts for retirees under the Arkansas Local Police and Fire Retirement System.

RETIREMENT

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

ANNUITY OPTION CHANGES

Act 473 (HB1121) - The act changes the assumed annuity option for members of the Arkansas Local Police and Fire Retirement System from a straight-life to a sixty-month certain annuity (Option A60). The act also increases the percentages for the different annuity option reductions under the retirement system.

BOARD OF TRUSTEES

Act 1277 (SB94) - The act expands the membership of the Board of Trustees for the Arkansas Local Police and Fire Retirement System from five members to seven members. Beginning January 1, 2004, the Governor will appoint another firefighter and police officer member from lists of candidates submitted by the cochairs of the Joint Committee on Public Retirement and Social Security Programs.

DEATH OF MEMBER IN VOLUNTEER SERVICE

Act 477 (HB1132) - The act reduces the years of credited service required for eligibility to receive benefits under the Arkansas Local Police and Fire Retirement System from 20 years to five years, for members who die while in volunteer service.

DEFERRED RETIREMENT OPTION PLAN

Act 1734 (HB1196) - The act establishes a deferred retirement option plan for the Arkansas Local Police and Fire Retirement System. Members may participate in the deferred retirement option plan (DROP) for up to five years and will receive 75% of their retirement annuity paid into the DROP plan account for deferred payment at the end of the time period.

DIRECT DEPOSIT OF INSURANCE PREMIUM TAX FUNDS

Act 1737 (HB1246) - The act directs the Arkansas Fire and Police Pension Review Board and the Board of Trustees of the Arkansas Local Police and Fire Retirement System to develop and adopt rules and procedures to allow insurance premium tax money that is allocated to the retirement system to be deposited directly with the system. The rules and procedures are to be adopted by May 1, 2004.

DISABILITY ANNUITY INCREASE RETROACTIVE

Act 481 (HB1198) - The act increases the benefits to disabled members of the Arkansas Local Police and Fire Retirement System injured in the actual performance of their duties prior to July 1, 2001. The act is made retroactive to give those disabled members (before 2001) a minimum 65% of their final salary rather than annuity based solely on their amount of earned service credit.

DISABILITY RETIREMENT

Act 507 (HB1124) - The act includes workers' compensation benefits in the definition of "final average pay" for the purpose of calculating the amount of an annuity for disability retirement in the Arkansas Local Police and Fire Retirement System.

EMPLOYER CONTRIBUTION RATE

Act 1368 (HB1146) - The act provides for increases in the employer contribution rate under the Arkansas Local Police and Fire Retirement System above 1% per year if benefit increases are mandated by the 84th General Assembly.

FIRE FIGHTER DEFERRED RETIREMENT OPTION PLAN

Act 1369 (HB1218) - The act allows firefighters on the deferred retirement option plan to extend the participation period up to ten years if approved by the board of trustees of the firemen's pension and relief fund. The ten-year participation is allowed only if approved by the board and firefighters will receive only 75% of the benefit paid into the DROP plan account.

RETIREMENT

LOCAL POLICE AND FIRE RETIREMENT SYSTEM

FUTURE VOLUNTEER SERVICE

Act 1367 (HB1123) - The act allows an employer to participate in the Arkansas Local Police and Fire Retirement System for volunteer service only. The employer will not be required to pay for all previous service credit for its members. Beginning January 1, 2004, an employer may elect to cover only the future volunteer service credit for its members to reduce the actuarial cost of joining the retirement system.

INSURANCE PREMIUM TAX ALLOCATION

Act 1797 (HB1244) - The act changes the allocation of insurance premium tax turnback funds to the police and fire pension and relief funds and the Arkansas Local Police and Fire Retirement System. The act provides political subdivisions with a larger portion of the premium tax funds based more on their population rather than the subdivision's area or size.

MILITARY SERVICE CREDIT REVISED

Act 474 (HB1125) - The act revises the military service credit under the Arkansas Local Police and Fire Retirement System to comply with federal law. The act requires a certain amount of service credit for members ordered to active military service and allows them to purchase certain service credit for the military service.

MULTIPLIERS INCREASED

Act 480 (HB1197) - The act increases the benefit multipliers and revises Benefit Programs 1 and 2 for the Arkansas Local Police and Fire Retirement System. Multipliers for Program 1 were increased from 2.2% to 2.5% and from 1.2% to 1.5%. Multipliers for Program 2 were increased from 2% to 2.5% and from 1% to 1.5%.

OPTIONS FOR VOLUNTEER FIRE DEPARTMENTS TO JOIN THE SYSTEM

Act 479 (HB1145) - The act allows a volunteer fire department to join the Arkansas Local Police and Fire Retirement System without paying for all of the service credit for its member's prior employment. Different options are allowed. The current law requires a department to join and pay for all prior employment for members.

PURCHASE OF MILITARY SERVICE CREDIT

Act 478 (HB1133) - The act reduces the service credit requirement to purchase military service time in the Arkansas Local Police and Fire Retirement System from sixteen years to five years.

SERVICE BY A RETIREE

Act 476 (HB1131) - The act authorizes a retiree from the Arkansas Local Police and Fire Retirement System to return to active employment and to again become a member of the system. The member must be reemployed for at least 12 months and must have been retired for at least 30 days. The member can earn more retirement credit, but may only be reemployed one time.

Act 1733 (HB1173) - The act authorizes a volunteer firefighter retiree from the Arkansas Local Police and Fire Retirement System or a firemen's pension and relief fund to return to volunteer status after qualifying for a retirement annuity or pension.

SURVIVING SPOUSE BENEFITS

Act 1736 (HB1243) - An act to allow the board of trustees of a local fire and police pension fund to elect to continue paying survivor benefits to a spouse who remarries after he or she begins receiving benefits under the plan.

VOLUNTEER FIREFIGHTERS

Act 1370 (HB1223) - An act to increase from \$50 to \$100 the minimum retirement benefits paid to volunteer firefighters under a local fire pensions and relief fund.

RETIREMENT

POLICE AND FIRE PENSION FUNDS

BOARD OF TRUSTEES

Act 778 (HB1254) - The act authorized a change of the membership of the board of trustees of a police pension and relief fund. If the pension fund has 75% of its members as retirees, the act revised the current law to require the board to have four retiree members instead of three retiree members and one active member.

CONTINUED EMPLOYMENT

Act 1372 (HB1228) - The act provides that members of the deferred retirement option plan (DROP) for police and fire pension and relief funds may remain employed at the conclusion of the DROP period.

DEPOSIT OF FUNDS

Act 1371 (HB1226) - The act allows the participants of police and fire pension fund's deferred retirement option plans (DROP) to continue to deposit funds in the DROP plan after the expiration of the participation period. The act allows the funds to remain until the participant reaches age 70 1/2.

FIREFIGHTER DEFERRED RETIREMENT OPTION PLAN

Act 1369 (HB1218) - The act allows firefighters on the deferred retirement option plan to extend the participation period up to ten years if approved by the board of trustees of the firemen's pension and relief fund. The ten-year participation is allowed only if approved by the board and firefighters will receive only 75% of the benefit paid into the DROP plan account.

FIREFIGHTER PURCHASE OF MILITARY SERVICE CREDIT

Act 602 (HB1061) - The act authorizes full-time members of firemen's pension funds to purchase service credit for active-duty service in the U.S. military. The member may purchase two years of service credit.

FUTURE SUPPLEMENT FUND DISTRIBUTIONS

Act 1373 (HB1239) - The act authorizes the Arkansas Fire and Police Pension Review Board to distribute of a portion of the Future Supplement Fund to the local fire and police pension funds under certain circumstances. The act requires that 90% of the funds available in the supplement fund shall be distributed to retired firemen and police officers.

INSURANCE PREMIUM TAX ALLOCATION

Act 1797 (HB1244) - The act changes the allocation of insurance premium tax turnback funds to the police and fire pension and relief funds and the Arkansas Local Police and Fire Retirement System. The act provides political subdivisions with a larger portion of the premium tax funds based more on their population rather than the subdivision's area or size.

SERVICE BY A RETIREE

Act 1733 (HB1173) - The act authorizes a volunteer firefighter retiree from the Arkansas Local Police and Fire Retirement System or a firemen's pension and relief fund to return to volunteer status after qualifying for a retirement annuity or pension.

SPOUSE AND BENEFICIARY BENEFITS

Act 674 (HB1122) - The act clarifies the authority of police and fire pension and relief funds to increase benefits for surviving spouses and beneficiaries after the death of an active or retired member. If financially sound, the boards have the authority to increase benefits for all or some classes of the members or beneficiaries of the funds.

SURVIVING SPOUSE BENEFITS AFTER REMARRIAGE

Act 1278 (SB43) - The act allows the surviving spouse of a firefighter who is killed while in the performance of his or her duties and who was married for at least five years to a retired firefighter, to receive the deceased firefighter's pension benefits.

RETIREMENT

PUBLIC EMPLOYEES' RETIREMENT SYSTEM, ARKANSAS

EMPLOYEE CONTRIBUTIONS

Act 339 (HB1216) - The act directs that the Board of Trustees of the Arkansas Public Employees' Retirement System to annually review the actuarial value of the plan and to consider establishing a contributory component. It further requires the board to implement a contributory plan beginning July 1, 2005.

MUNICIPAL EMPLOYEES

Act 1281 (SB108) - The act requires certain employees of municipalities that are participating employers under the Arkansas Public Employees' Retirement System to become members of the system unless they opt out and to extend the definition of paid non-uniformed employees in municipalities with non-uniformed employees' pension funds.

WITHDRAWAL OF A GENERAL ASSEMBLY MEMBER'S PARTICIPATION

Act 1403 (SB113) - The act clarifies that the withdrawal of members of the General Assembly from participation in the Arkansas Public Employees' Retirement System may be undone and they may again participate in the system.

STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM, ARKANSAS

ANNUITY OPTIONS

Act 205 (HB1147) - The act changes the calculation of annuity benefit options A and B under the Arkansas State Highway Employees' Retirement System to be based on an actuarial equivalent benefit.

DEFERRED RETIREMENT OPTION

Act 776 (HB1220) - The act provides for exceptions to the five-year limitation on participation in the deferred retirement option.

STATE POLICE RETIREMENT SYSTEM

SURVIVOR BENEFITS

Act 1735 (HB1230) - An act to allow a surviving spouse of a state police officer who is killed in the line of duty to receive reduced benefits immediately.

TEACHERS

ADDITIONAL MONTHLY BENEFIT PAYABLE TO SURVIVORS

Act 853 (SB136) - The act clarifies that the additional monthly benefit under § 24-7-713 payable to retirees shall also be paid to survivors and beneficiaries under the Arkansas Teacher Retirement System.

BENEFITS

Act 659 (SB106) - The act deletes the requirement that the Teacher Deferred Retirement Option Plan benefit be determined with regard to the member's annuity options under the Arkansas Teacher Retirement System.

COST OF LIVING INCREASE

Act 347 (SB121) - The act clarifies that the annual 3% benefit cost of living increase under the Arkansas Teacher Retirement System may be awarded without limitation by the thirty-year unfunded actuarial accrued liability requirement.

RETIREMENT

TEACHERS

EMPLOYER CONTRIBUTION RATE

Act 340 (HB1221) - The act authorizes the Board of Trustees of the Arkansas Teacher Retirement System to set the employer contribution rate for the Arkansas Teacher Retirement System based on actuarial determinations. The rate shall be 12% until June 30, 2003. Beginning July 1, 2003, the board may increase the rate up to an additional one percent, up to 13%, if justified by actuarial necessity. Beginning July 1, 2004, the board can increase the employer contribution rate up to another one percent, up to 14%, based on actuarial soundness of the system. The board must reduce the contribution rate before giving any benefit increases.

FEDERAL SERVICE CREDIT

Act 1479 (SB8) - The act allows a member of the Arkansas Teacher Retirement System to purchase service credit for service as a teacher with the federal government on military bases. The act provides for up to ten years of purchased service.

TEACHER DEFERRED RETIREMENT OPTION PLAN

Act 991 (SB122) - The act alters the amount of the member's plan contributions to the plan account under the Teacher Deferred Retirement Option Plan (TDROP). For participant members reaching normal retirement age or 30 years of service before September 1, 2003, the amount of plan contributions into the plan account will continue to increase to a 100% contribution. For participant members reaching normal retirement age or 30 years of service on or after September 1, 2003, the plan contribution to the plan account will remain at the reduced level of 1% for each contributory year and .6% for each noncontributory year of service.

Act 992 (SB123) - The act requires employers to contribute to the Arkansas Teacher Retirement System after September 1, 2003, for participants under the Teacher Deferred Retirement Option Plan (TDROP). Employer contributions for TDROP participants gradually increase from 1% in 2003 to 12% in 2011.

TEACHER RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE ARKANSAS

Act 196 (SB120) - The act provides a method for filling vacancies on the Board of Trustees of the Arkansas Teacher Retirement System that occur during a term of office for a member or retirant trustee. The vacancy shall be filled during the next annual system election for board members utilizing approved election procedures and requirements for the position in board regulations.

STATE AGENCIES - GENERALLY

ETHICS IN PUBLIC CONTRACTING

Act 1093 (SB734) - The act revises the definition of "commodities" and "services" as they apply to ethics in public contracting.

MINORITY BUSINESS PARTICIPATION IN STATE CONTRACTS

Act 1814 (HB2835) - The act requires state agencies to include in all requests for proposals and requests for qualifications language that encourages minority participation. The Director of the Office of State Procurement shall track data regarding minority participation in state contracts that exceed \$25,000, and shall report semi-annually to the Governor and to the cochairs of the Legislative Council, the Legislative Joint Audit Committee, and the Minority Business Advisory Council. The act amends the methods by which members are appointed to the Minority Business Advisory Council.

STATE AGENCIES - GENERALLY

PROCUREMENT LAWS

INHERENTLY VISUAL TECHNOLOGIES

Act 1301 (SB832) - The act exempts inherently visual technologies from the nonvisual access standards otherwise required under § 25-26-204 for contracts for procurement of information technologies.

OMNIBUS REVISIONS

Act 487 (HB1544) - The act amends various provisions of the Arkansas Procurement Law. The act revises the definitions of "nonexpendable commodities", "public agencies", "commodities", and "minority" as they relate to the Arkansas Procurement Law. The act also provides that the State Procurement Director has exclusive jurisdiction over the procurement of an electronic commerce procurement solution consistent with the established financial systems of the state.

PROFESSIONAL AND CONSULTANT CONTRACTS

Act 1315 (HB1543) - The act requires that professional and consultant services contracts comply with the Arkansas Procurement Law and the general accounting and budgetary procedures law.

PROMPT PAYMENT

Act 1710 (HB2386) - The act requires a state agency to process payments for services or goods purchased by the state agency within 20 days of receiving the request for payment.

TECHNOLOGY SYSTEMS CONTRACTS

Act 1095 (SB767) - The act authorizes a state agency procurement official to enter into contracts to acquire technology systems for performing the revenue-generating functions and duties of the agency.

PUBLIC FINANCE

GENERAL ACCOUNTING AND BUDGETARY PROCEDURES

Act 656 (HB2212) - The act revises various provisions of the general accounting and budgetary procedures law concerning state-issued credit cards, retroactive payments, and the purchase of state vehicles.

JOB ORDER CONTRACTING

Act 1476 (HB2601) - The act provides for job order contracting and on-call contractor procurements that relate to the construction of buildings and facilities.

PERFORMANCE BUDGETING AND ACCOUNTABILITY SYSTEM

Act 1463 (HB2297) - The act exempts various boards and commissions from preparing a strategic plan under § 19-4-605(a). The act also sets a schedule to determine when state agencies are required to begin participating in the performance budgeting and accountability system. The act provides various clarifications and corrections to the provisions concerning performance-based budgeting.

RULES PUBLICATION

Act 1478 (HB2635) - The act requires the Secretary of State to publish all adopted rules of each state agency and provides the procedures for publication via the Internet. The act also deletes references to the word "regulations" in the Arkansas Administrative Procedure Act and uses in its place the word "rule".

SOVEREIGN IMMUNITY

Act 298 (SB269) - The act clarifies that the state does not waive its sovereign immunity by entering into negotiations concerning the possible settlement of a pending or threatened claim or litigation, or by communicating to a court, counsel, citizens, or otherwise, with respect to the possibility of settling any pending or threatened claim or litigation.

STATE AGENCIES - GENERALLY

SURPLUS COMPUTER AND ELECTRONIC EQUIPMENT

Act 1028 (HB1862) - The act amends the Arkansas Computer and Electronic Solid Waste Management act to allow state agencies to donate unsold surplus computer and electronic equipment to law enforcement agencies.

WEBSITES

Act 1713 (HB2495) - The act requires each state and local government and state agency that operates or maintains a website to incorporate a machine readable privacy policy into each of its websites no later than July 1, 2004. The act specifies certain components that must be included in the privacy statement.

STATE AGENCIES - VARIOUS

ARTS COUNCIL, ARKANSAS

Act 608 (SB18) - The act renames the Office of Arkansas State Arts and Humanities to the Arkansas Arts Council.

ATHLETIC TRAINERS, ARKANSAS STATE BOARD OF

EXPENSES

Act 1300 (SB759) - The act permits the Arkansas State Board of Athletic Trainers to receive a stipend and expense reimbursement.

BUILDING AUTHORITY, ARKANSAS

ARCHITECTURAL SECTION

Act 827 (HB1984) - The act revises and renames the Architectural Section of the Arkansas State Building Services. The act also abolishes the Engineering Section of the Arkansas State Building Services.

CAPITAL IMPROVEMENTS

Act 364 (HB1325) - The act revises various provisions concerning the State Building Services oversight, authority, and responsibility of capital improvements.

ENGINEERING SECTION

Act 827 (HB1984) - The act revises and renames the Architectural Section of the Arkansas State Building Services. The act also abolishes the Engineering Section of the Arkansas State Building Services.

RENAMED

Act 250 (HB1339) - The act renames the Arkansas State Building Service and the various funds under this name to the Arkansas Building Authority. The act also renames the State Building Services Council to the Arkansas Building Authority Council.

DEVELOPMENT FINANCE AUTHORITY, ARKANSAS

ANNUAL AUDITS

Act 1037 (HB2253) - The act allows the annual audit of the Arkansas Development Finance Authority to be performed by an independent certified public accountant.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

IDENTIFICATION CARDS

Act 211 (HB1340) - The act allows the Department of Finance and Administration to issue identification cards to persons five years of age and older.

TAXES

ARKANSAS TAX PROCEDURE ACT

AD VALOREM TAXES

Act 831 (HB2198) - The act exempts ad valorem taxes from the Arkansas Tax Procedure Act. The act gives the Director of the Department of Finance and Administration the power to recover and collect delinquent taxes.

TAXES

ARKANSAS TAX PROCEDURE ACT

REFUND

Act 1718 (SB340) - The act amends the Arkansas Tax Procedure Act to clarify the definition of taxpayer, the time for claiming a refund of overpaid tax, and the procedure for appealing a tax assessment after payment.

ASSESSMENT COORDINATION DEPARTMENT

Act 1714 (HB2719) - The act creates the Task Force to Study the Assessment Coordination Department.

BABY SHARON ACT

CHARITABLE GIFTS

Act 279 (HB1039) - The act is to be known as the Baby Sharon Act. The act creates the state income tax return checkoff for the Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund that allows a person filing a tax return to dedicate a portion of his or her refund, if entitled, to the fund or to enclose a check for an additional amount for the fund.

COUNTY SALES AND USE TAX

CHANGED USE OF REVENUES

Act 1156 (HB2229) - The act creates a procedure to change an indicated use of revenues derived from a county sales or use tax with voter approval.

COUNTY SALES TAX

TECHNICAL OR COMMUNITY COLLEGES

Act 64 (HB1019) - The act requires the county treasurer to send the tax revenues directly to the college if a county sales tax is levied for support of a technical college, community college, two-year college, or satellite campus of a community college.

COUNTY TAX

COLLECTION MADE OUTSIDE OF THE COLLECTION PERIOD

Act 1443 (SB660) - The act allocates the cost of adding a tax or fee on county tax books outside of the collection period to the entity seeking to have the tax added outside of the collection period. The entity is also required to pay any additional expense incurred by the county in collecting the tax or fee.

DELINQUENT MINERAL INTEREST

PURCHASE

Act 1279 (SB75) - The act allows the surface owner of property to purchase the severed tax delinquent mineral interest of the property.

DELINQUENT TAXES

COLLECTION

Act 831 (HB2198) - The act exempts ad valorem taxes from the Arkansas Tax Procedure Act. The act gives the Director of the Department of Finance and Administration the power to recover and collect delinquent taxes.

SETOFF AGAINST STATE TAX REFUND

Act 826 (HB1982) - The act revises the provision concerning the setoff against state tax refund to allow the Employment Benefits Division of the Department of Finance and Administration to be a claimant agency for purposes of collecting delinquent taxes.

EMPLOYMENT BENEFITS DIVISION

COLLECTION OF DELINQUENT TAXES

Act 826 (HB1982) - The act revises the provision concerning the setoff against state tax refund to allow the Employment Benefits Division of the Department of Finance and Administration to be a claimant agency for purposes of collecting delinquent taxes.

TAXES

EQUALIZATION BOARD

Act 202 (HB1022) - The act permits the clerk of the county court to serve as the secretary of the equalization board of the clerk's county or to appoint a designee. The act also requires the clerk or the clerk's designee to file a statement showing the name and address of each member of the board with the Assessment Coordination Department.

ESTATE TAX

Act 645 (SB60) - The act amends various provisions of the Estate Tax Law of Arkansas to conform with recent changes in the federal Internal Revenue Code. The act provides that when the federal Credit for State Death Taxes set forth in 26 U.S.C .§ 2011 is repealed completely for the estates of decedents dying on or after January 1, 2005, then Title 26, Chapter 59 shall cease to be effective.

EXCISE TAX

BEER

Act 272 (HB1200) - The act extends until June 30, 2005, the special alcoholic beverage excise tax of 3% upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund account with 20% of the funds to be used for subsidized child care for low-income families and 80% of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education.

HUMAN SERVICES GRANTS FUND ACCOUNT, DEPARTMENT OF

Act 272 (HB1200) - The act extends until June 30, 2005, the special alcoholic beverage excise tax of 3% upon all retail receipts or proceeds derived from the sale of beer. The revenues derived from the excise tax on beer shall be deposited in the Department of Human Services Grants Fund account with 20% of the funds to be used for subsidized child care for low-income families and 80% of the funds to be used to support and expand the Arkansas Better Chance Program of the Department of Education.

EXTENSION FOR PAYMENT OF TAXES AND ASSESSMENTS

NATIONAL GUARD OR RESERVES

Act 996 (SB308) - The act allows members of the National Guard or Reserves ordered to active duty to a duty station outside this state at least an additional 90 days after returning to the state to renew state licenses, permits, registrations, credentials, or certificates; and to pay state taxes, fees, assessments or tuition without penalty.

FILING FEES

RECOVERY

Act 1085 (SB345) - The act permits the recovery by the state of any filing or lien release fees.

INCOME TAX

BIODIESEL SUPPLIERS TAX CREDIT

Act 1287 (SB363) - The act provides a tax credit for biodiesel suppliers in the state. The act provides incentives in the form of grants for biodiesel producers in the state.

BUSINESS TAX CREDITS

Act 182 (HB1179) - The act organizes the state into four divisions on the basis of economic prosperity. The act creates several types of tax credits for business development with each type of tax credit ranked according to the location of the business within one of the four divisions of the state. The act authorizes the Department of Economic Development to conduct the tax credit program.

TAXES

INCOME TAX

CAPITAL GAINS AND LOSSES

Act 857 (HB1374) - The act revises the definition of "qualified technology incubator", "qualified technology incubator client", and "qualified technology-based enterprise" as they relate to the provisions concerning computing capital gains and losses.

COAL MINING INDUSTRIES TAX CREDIT

Act 993 (SB154) - The act provides a tax credit to coal mining enterprises that mine Arkansas coal.

CONTRIBUTIONS TO MEDICAL SAVINGS ACCOUNTS

Act 336 (SB55) - The act adopts recent changes to Section 220 of the federal Internal Revenue Code regarding the deductibility of contributions made to a medical savings account. The act applies to tax years beginning on or after January 1, 2003.

DEADLINE FOR FILING STATE INCOME TAX RETURNS

Act 774 (SB432) - The act changes the due date for filing state income tax returns to April 15, the same date that federal income tax returns are due. The act applies to tax years beginning on or after January 1, 2003.

DEDUCTIONS

Act 1286 (SB334) - The act clarifies the income tax deduction available to a corporation for interest or intangible expenses paid to a related party.

DEFERRED COMPENSATION

Act 218 (SB107) - The act adopts certain sections of the Internal Revenue Code of 1986 that were in effect on January 1, 2002, and that relate to annuities, retirement savings, and employee benefits for Arkansas income tax purposes. The act also adopts the federal educational individual retirement account section of the Internal Revenue Code that was in effect on January 1, 2002, for the purpose of computing Arkansas income tax liability. Both provisions are applicable to tax returns filed for tax years beginning on or after January 1, 2002.

EDUCATIONAL INDIVIDUAL RETIREMENT ACCOUNTS

Act 218 (SB107) - The act adopts certain sections of the Internal Revenue Code of 1986 that were in effect on January 1, 2002, and that relate to annuities, retirement savings, and employee benefits for Arkansas income tax purposes. The act also adopts the federal educational individual retirement account section of the Internal Revenue Code that was in effect on January 1, 2002, for the purpose of computing Arkansas income tax liability. Both provisions are applicable to tax returns filed for tax years beginning on or after January 1, 2002.

LIMITED LIABILITY COMPANIES AND PARTNERSHIPS

Act 965 (HB1959) - The act amends Arkansas law to make it consistent with federal law regarding the income taxation of limited liability companies and partnerships.

MARRIED TAXPAYERS

Act 997 (SB343) - The act amends state income tax law to clarify that married taxpayers must both elect to use the standard deduction or both claim itemized deductions.

METABOLIC DISORDERS TAX CREDIT

Act 1440 (SB609) - The act provides a tax credit for children afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism. The act requires health insurance policies to cover certain persons afflicted with galactosemia, organic acidemias, and disorders of amino acid metabolism.

TAXES

INCOME TAX

NONRESIDENTS AND PART-YEAR RESIDENTS

Act 662 (SB331) - The act amends the state income tax law regarding the calculation of income tax for nonresidents and part-year residents. The act clarifies the credit available for income tax paid to another state.

RENT SETOFF

Act 1023 (HB1497) - The act allows a setoff against state income tax refunds for any past due rent owed to a housing authority created under Chapter 169 of Title 14 of the Arkansas Code.

SETOFF AGAINST REFUND

Act 1800 (HB2726) - The act allows county and district courts to be included in the definition of "claimant agencies". The act allows county and district courts to obtain a setoff against state income tax refunds for past due fines and restitutions.

TAXPAYER TAXABLE IN ANOTHER STATE

Act 1183 (SB336) - The act clarifies the law concerning taxpayers who are taxable in another state for the purposes of allocation and apportionment of income under the Uniform Division of Income for Tax Purposes Act.

TECHNICAL CORRECTIONS

Act 663 (SB332) - The act amends various sections of the Arkansas Income Tax Act to adopt recent changes to the federal Internal Revenue Code.

WITHHOLDING REQUIREMENTS

Act 1017 (SB555) - The act changes the monetary threshold for determining whether an employer under the Arkansas Income Tax Withholding Act of 1965 shall file a monthly or annual withholding return. If the amount an employer is required to withhold from an employee's wages is less than \$1,000 per year, the employer is required to file an annual return. If the amount an employer is required to withhold is more than \$1,000 per year, the employer is required to file a monthly return.

WORKING TAXPAYER CREDIT REPEAL

Act 1724 (SB776) - The act repeals the federal social security tax credit, also known as the working taxpayer payer credit, against individual income tax imposed by the Arkansas Income Tax Act.

INCOMPLETE PAYMENT

PENALTY

Act 1084 (SB342) - The act imposes a penalty for making incomplete payments for taxes, licenses, or fees by electronic funds transfer to the Director of the Department of Finance and Administration.

IN-LIEU-OF TAX PAYMENTS

Act 1289 (SB501) - The act repeals the expiration date for the requirement that municipalities and counties negotiate in-lieu-of tax payments when negotiating a contract for the sale or lease of municipal or county property to a private, for-profit entity. The act sets guidelines for determining the aggregate amount of the ad valorem taxes that would be paid if the property was on the tax roll during the initial term of the lease or contract for sale. The act provides exceptions for certain agreements.

LIEN RELEASE FEES

RECOVERY

Act 1085 (SB345) - The act permits the recovery by the state of any filing or lien release fees.

TAXES

LOCAL SALES AND USE TAXES

ANNEXATION

Act 383 (SB344) - The act eliminates the requirement that local governments file a map with the Department of Finance and Administration showing recently annexed areas for purposes of local sales tax collections.

METER AND ROUTE DELIVERY

Act 374 (HB1614) - The act clarifies the application of local sales and use tax to items delivered outside of a city or county and to items sold by meter and route delivery.

MIXED DRINK TAX

Act 335 (SB54) - The act requires the Department of Finance and Administration to notify the city or county of an audit for the supplemental tax on the sale of alcoholic beverages consumed on premises if the department audits a taxpayer or private club, if the department makes an assessment related to the audit against the taxpayer or private club, and if the taxpayer or private club operates in a city or county that imposes a supplemental tax on the sale of alcoholic beverages consumed on the premises.

MUNICIPAL OCCUPATIONAL TAXES AND LICENSES

Act 1191 (SB771) - The act repeals the penalties for violating the provisions concerning municipal occupational taxes and licenses.

NOTICE

Act 214 (SB238) - The act eliminates the requirement that a final notice of assessment provided to a taxpayer by the Director of the Revenue Division of the Department of Finance and Administration must be sent by certified or registered mail. The act also provides that service of any notice required to be given to a taxpayer by the director may be sent by regular mail and that service of the notice is presumptively complete upon mailing.

PROPERTY TAX

DISABLED PERSONS

Act 646 (SB159) - The act amends the definition of "disabled person" to adopt recent changes in federal law and to include a person who has received permanent and total disability insurance benefits for any period of time during the calendar year. The act clarifies that after a sale of the property by the elderly or disabled person, the purchaser shall not be entitled to claim any reduction to the property's assessed value, and on or after January 1 of the year following the date of the sale, the county assessor shall assess the property at its full market value.

HOMESTEAD PROPERTY TAX CREDIT

Act 864 (HB2287) - The act amends the definition of "property owner" as it relates to the homestead property tax credit to include the previous record owner of tax-delinquent property that has been vested in the state in care of the Commissioner of State Lands, if the previous record owner continues to occupy the residence subject to his or her right of redemption.

Act 1354 (SB560) - The act clarifies the prohibited conduct, penalties, and time limitations regarding the homestead property tax credit.

SALES AND USE TAX

CUSTOM MANUFACTURED HOMES

Act 365 (HB1412) - The act changes the terminology used in the sales and use tax exemption from "custom manufactured homes" to "modular homes". The act becomes effective on the first day of the calendar month following the ninetieth day after the sine die adjournment or after a recess or adjournment for a period of longer than 90 days.

TAXES

SALES AND USE TAX

HEALTH AND FITNESS FACILITIES

Act 1112 (HB1634) - The act clarifies the taxation of dues and fees paid to health spas, health clubs, fitness clubs, and private clubs.

RETURNS AND FILINGS

Act 664 (SB350) - The act amends various provisions of the sales and use tax law regarding tax returns and filing requirements.

STREAMLINED SALES AND USE TAX AGREEMENT

Act 1273 (SB483) - The act enables Arkansas to enter into the Streamlined Sales and Use Tax Agreement.

TRUCK TRACTORS AND SEMITRAILERS

Act 551 (HB1030) - The act limits the state sales and use tax to the first \$9,150 of gross receipts or gross proceeds from the sale of a truck tractor. The act limits the state sales and use tax to the first \$1,000 of gross receipts or gross proceeds from the sale of a semitrailer.

SALES TAX

PREPAYMENT

Act 665 (SB351) - The act requires taxpayers to use electronic funds transfer when prepaying sales tax.

DEFINITION OF "SALE"

Act 599 (SB402) - The act amends the definition of "sale" under the Arkansas Gross Receipts Act of 1941 to exclude the transfer of title to a vehicle by the vehicle owner to an insurance company as a result of the settlement of a claim for damages to the vehicle.

RETAILER DEDUCTION OR DISCOUNT

Act 747 (SB335) - The act clarifies that the limitations on the 2% deduction for prompt payment of state gross receipts tax does not apply to local gross receipts tax. The act repeals outdated provisions of the Arkansas Code related to the 2% discount.

TOBACCO

Act 627 (SB532) - The act provides for the redemption by a retailer of coupons supplied to consumers by manufacturers, if the sum of the coupon is not below the cost to the retailer. However, a retailer must compute the applicable gross receipts tax on the full selling price before deducting the manufacturer's coupon. The act also allows any manufacturer promotional allowance to a wholesaler or retailer to be passed on to the purchaser, if the sum of the manufacturer allowance is not below the cost to the wholesaler or retailer. However, a retailer must compute the applicable gross receipts tax on the full selling price before deducting the manufacturer promotional allowance.

TOTAL AUTOMOBILE LOSS SETTLEMENT

Act 458 (SB243) - The act requires an insurer to pay sales taxes and certain fees in insurance settlements involving damage to an automobile as a total loss. The act makes the insurer's failure to pay the taxes and fees an unfair claims settlement practice.

TAX-DEFERRED SAVINGS PROGRAMS

TUITION FOR HIGHER EDUCATION

Act 515 (HB1735) - The act amends various sections of the Arkansas Tax-Deferred Tuition Savings Program Act to adopt current federal Internal Revenue Code changes.

TAXES

TAX-FORFEITED LAND

REDEMPTION

Act 1376 (HB1332) - The act allows a homestead owner to redeem his or her land if he or she did not receive actual notice of the sale. The act increases the length of time that the owner of record has to redeem his or her land.

TOBACCO

REGISTRATION AND LICENSING

Act 372 (HB1593) - The act provides that a person is guilty of a Class C misdemeanor if he or she pleads guilty or nolo contendere to, or is found guilty of buying, selling, or otherwise doing business in cigarettes or tobacco products in this state without obtaining a license or permit.

SALES

UNFAIR CIGARETTE SALES ACT

Act 1808 (HB2453) - The act amends the Unfair Cigarette Sales Act regarding the sale of cigarettes and another item for a combined price.

UNLAWFUL PRACTICES

Act 373 (HB1595) - The act provides that it is unlawful for any wholesaler, retailer, or salesperson with the intent to injure competitors to advertise, offer to sell, or sell cigarettes at less than cost to the wholesaler or retailer. The act also provides that it is unlawful for any wholesaler, retailer, or salesperson with the intent to injure competitors to offer a rebate or to give a rebate in price in connection with the sale of cigarettes.

SALES TAX

Act 627 (SB532) - The act provides for the redemption by a retailer of coupons supplied to consumers by manufacturers, if the sum of the coupon is not below the cost to the retailer. However, a retailer must compute the applicable gross receipts tax on the full selling price before deducting the manufacturer's coupon. The act also allows any manufacturer promotional allowance to a wholesaler or retailer to be passed on to the purchaser, if the sum of the manufacturer allowance is not below the cost to the wholesaler or retailer. However, a retailer must compute the applicable gross receipts tax on the full selling price before deducting the manufacturer promotional allowance.

TOBACCO MASTER SETTLEMENT AGREEMENT

Act 1073 (HB2194) - The act requires every tobacco product manufacturer whose cigarettes are directly or indirectly sold in Arkansas to execute and deliver an annual written certification prescribed by the Attorney General no later than the thirtieth day of April. No person or entity shall be issued a license or permit or granted a renewal of a license or permit by the Director of the Arkansas Tobacco Control Board unless the person or entity has certified in writing, under penalty of perjury, that the person or entity will comply fully with the act. Within 90 days after the effective date of the act, the Attorney General shall develop, make available for public inspection, and publish on its website a directory list of all tobacco product manufacturers that have complied with the act and all brand families that are required by the act to be listed in the certifications. The unlawful stamping, sale, or import of cigarettes of a tobacco product manufacturer or a brand family that is not in the directory is a deceptive or unconscionable trade practice. Penalties for noncompliance include license revocation, a civil penalty, seizure of the cigarettes, and an injunction.

TOBACCO

WARNINGS SIGNS

Act 846 (HB2470) - The act removes the specific lettering and signage requirements for persons with a permit or license under § 26-57-21. The act requires a display in a conspicuous place or on each vending machine to indicate that the sale of tobacco products to, purchase of, or possession of tobacco products by a person under the age of 18 years of age is prohibited by law.

UTILITIES

ALTERNATIVE FUELS FUND

Act 120 (SB173) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 121.

Act 121 (HB1306) - The act establishes an Alternative Fuels Fund for the purposes of operating the Alternative Fuels Commission office and providing grants or loans for alternative fuels research and projects. The fund will consist of fees assessed against electric or natural gas utilities that elect to contribute to the fund. Each contributing electric utility shall be assessed a fee of 0.1¢ per kilowatt hour sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. Each contributing natural gas utility shall be assessed a fee of 0.1¢ per hundred cubic feet sold to each residential customer in Arkansas, but no more than one dollar per customer in any month. The utility may recover the cost of this fee by assessing a direct charge on each residential customer bill. The Alternative Fuels Commission is required to annually report to the Legislative Council by September 15 concerning the number of grants awarded during the previous fiscal year and the results achieved. The act also establishes the Arkansas Weatherization Assistance Fund to be funded from a portion of the Alternative Fuels Fund, to be administered by the Department of Human Services, to assist Arkansans in weatherizing their homes. The Department of Human Services shall report annually to the Legislative Council by September 15, to provide an overview of weatherization activity during the previous fiscal year. This act is identical to Act 120.

UTILITIES

CABLE TELEVISION

THEFT OF COMMUNICATION SERVICES

Act 1806 (HB2361) - The act broadens the scope of certain criminal laws in Title 5, Chapter 37, Subchapter 4, pertaining to theft of cable television services to include theft of communication services. Violation of this subchapter is a Class C felony if a defendant has been previously convicted on at least two occasions for offenses under this subchapter or for any similar crime in Arkansas or any other state or federal jurisdiction. A court shall order restitution in addition to any other sentence imposed for the violation of the subchapter, and may direct that a defendant forfeit any communication or unlawful access device in the defendant's possession or control that was used to carry out the violation. The act also prescribes additional civil remedies and specifies how damages may be computed. A court may increase damages up to \$50,000 for each communication or unlawful access device involved, if the court finds the violation was committed willfully and for the purpose of obtaining commercial advantage or financial gain.

ELECTRIC

ELECTRIC CONSUMER CHOICE ACT OF 1999 - REPEAL

Act 204 (HB1114) - The act repeals the Electric Consumer Choice Act of 1999 and related provisions that would have required utilities to implement retail open access by no later than October 1, 2005. The act also reenacts certain provisions that would have expired if retail open access had been implemented. The act expands the statutory powers and the rulemaking authority of the Arkansas Public Service Commission to regulate the provision of electric services. The commission may allow an electric utility to recover transition costs associated with the utility's efforts to implement retail open access and nuclear decommissioning costs associated with the utility's generating assets. The act generally prohibits the use of revenue from any regulated asset to subsidize the provision of unregulated electric service.

NONPROFIT ELECTRIC COOPERATIVE CORPORATIONS

Act 334 (HB1590) - The act exempts unclaimed capital credits of a nonprofit electric cooperative from the Uniform Disposition of Unclaimed Property Act, if the corporation transmits notice to the last known address of the beneficiary of the credit.

PUBLIC UTILITY PROPERTY VALUATION

Act 1317 (HB1571) - The act establishes the methods that the Arkansas Public Service Commission shall use to value public utility property for ratemaking purposes. Generally, the commission shall use the net book value of the plant or property unless the commission determines that an adjustment is appropriate. An adjustment may be appropriate if the plant or property was acquired at above or below the book value or if the commission finds the original cost of the plant or property was unreasonable or imprudent.

TELECOMMUNICATIONS

ARKANSAS INTRASTATE CARRIER COMMON LINE POOL

Act 1788 (HB2817) - The act amends the Telecommunications Regulatory Reform Act of 1997 by providing criteria for determining, as of January 1, 2004, which incumbent local exchange carriers (ILECs) shall no longer be members of the Arkansas Intrastate Carrier Common Line Pool, and which ILECs will be allowed to exit the pool after that date. Beginning January 1, 2004, the act generally reduces intrastate carrier common line charges to 1.65¢ per intrastate access minute, but allows ILECs that are no longer part of the pool to charge a lower rate and to recover the difference. The act provides the methodology for determining a carrier's monthly payment to the pool and the means by which a carrier may recover a shortfall in its fixed carrier common line revenue requirement.

UTILITIES

TELECOMMUNICATIONS

CALLER IDENTIFICATION

Act 1465 (HB2580) - The act amends Arkansas Code to make it unlawful to display or cause to be displayed a fictitious or misleading name or telephone number on an Arkansas resident's telephone caller identification service. The prohibition does not apply to the transmission of caller identification service by a telecommunications provider.

EMERGENCY TELEPHONE SERVICE CHARGES

Act 111 (HB1157) - The act allows the governing authority of a political subdivision under § 12-10-318 to reduce its emergency phone service rate. The rate may be no less than 4% of the tariff rate for those telephone service users, who, as of the date of the election to institute an emergency telephone service charge was conducted, are served by a telephone company with fewer than 200 access lines in Arkansas.

EXTENDED AREA SERVICE CHARGES

Act 1764 (HB2409) - The act excludes charges for providing extended area services in determining telephone service rate increases under § 23-17-412. The act also authorizes the Arkansas Public Service Commission to promulgate rules concerning customer election of extended area service.

INCUMBENT LOCAL EXCHANGE CARRIERS

Act 1788 (HB2817) - The act amends the Telecommunications Regulatory Reform Act of 1997 by providing criteria for determining, as of January 1, 2004, which incumbent local exchange carriers (ILECs) shall no longer be members of the Arkansas Intrastate Carrier Common Line Pool, and which ILECs will be allowed to exit the pool after that date. Beginning January 1, 2004, the act generally reduces intrastate carrier common line charges to 1.65¢ per intrastate access minute, but allows ILECs that are no longer part of the pool to charge a lower rate and to recover the difference. The act provides the methodology for determining a carrier's monthly payment to the pool and the means by which a carrier may recover a shortfall in its fixed carrier common line revenue requirement.

ORIGINATING INTRASTATE INTEREXCHANGE TELEPHONE NUMBERS

Act 1766 (HB2441) - The act requires a telecommunications provider whose customer originates or forwards an intrastate interexchange message to be terminated over the public-switched telecommunications network in Arkansas, to transmit, where technically feasible, the jurisdictionally appropriate telephone number of the originating party sending the message to the terminating telecommunications provider. Penalties include reimbursement of the underpayment by the telecommunications provider or a civil sanction imposed by the Arkansas Public Service Commission.

PUBLIC SAFETY COMMUNICATIONS ACT, ARKANSAS

Act 668 (SB723) - The act amends the definition of "tariff rate" under the Arkansas Public Safety Communications Act of 1985. The tariff rate per county may include extended service area charges only if an emergency telephone service charge has been levied in a county and a resolution of intent has been passed by a county's quorum court that defines a tariff rate as including extended service area charges.

TELECOMMUNICATIONS REGULATORY REFORM ACT OF 1997

Act 1764 (HB2409) - The act excludes charges for providing extended area services in determining telephone service rate increases under § 23-17-412. The act also authorizes the Arkansas Public Service Commission to promulgate rules concerning customer election of extended area service.

UTILITIES

TELECOMMUNICATIONS

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WATER

DELINQUENT ACCOUNTS

Act 769 (HB1389) - The act provides that if a person who is delinquent on the payment for water service provided by a water system moves into another area of this state and applies for or receives water from another water system, the new water system shall refuse to provide water service to the delinquent person until the person provides proof of payment of the delinquency. The former water service must establish the delinquency is undisputed and must notify the subsequent water service. The act does not apply to any water service utility regulated by the Public Service Commission.

REGIONAL WATER DISTRIBUTION DISTRICTS

Act 1210 (SB280) - The act revises the powers of a regional water distribution district regarding the meetings of the board of directors. The act authorizes the board to have executive sessions in accordance with the Freedom of Information Act provisions for open meetings.

VETERANS

CONFIDENTIALITY OF RECORDS

MILITARY SERVICE DISCHARGE RECORDS OR DD FORM 214

Act 275 (HB1345) - The act makes a military service discharge record or DD Form 214 for a veteran discharged from service less than 70 years from the current date and filed with the county recorder confidential and exempt from the Arkansas Freedom of Information Act. The act only allows certain persons to view or reproduce the record, and prohibits the charging of a fee for reproduction cost to any person authorized to view or review the record. The act allows the county recorder to maintain a record book that contains certain information about veterans for public record, including name, rank, unit of military service, and medals and awards conferred.

HIGH SCHOOL DIPLOMA

KOREAN OR VIETNAM WAR VETERANS

Act 453 (HB1886) - The act authorizes the board of a school district to grant a high school diploma to a Korean or Vietnam War veteran who meets certain eligibility requirements.

VETERANS

HIGH SCHOOL DIPLOMA

WORLD WAR II VETERANS

Act 216 (SB4) - The act authorizes the board of directors of a school district to grant a high school diploma to a World War II veteran who meets certain eligibility requirements.

WATER RESOURCES

CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND

Act 548 (SB389) - The act transfers the Construction Assistance Revolving Loan Fund to the Arkansas Soil and Water Conservation Commission for the purpose of financing or refinancing wastewater system projects, water systems, solid and hazardous waste facilities, recycling facilities, nonpoint source management facilities, wetlands conservation and management facilities, and other environmental projects or parts of environmental projects.

NUTRIENT MANAGEMENT

AREAS HAVING A SURPLUS

Act 1061 (HB1654) - The act declares various areas of the state to be nutrient surplus areas for phosphorus and nitrogen. The act authorizes the Arkansas Soil and Water Conservation Commission to make rules concerning management of nutrients in nutrient surplus areas. The act also creates penalties for violations of the act.

NUTRIENT MANAGEMENT CERTIFICATION PROGRAM

Act 1059 (HB1652) - The act creates a nutrient management education, training, and certification program within the Arkansas Soil and Water Conservation Commission. The act defines "nutrient surplus area" and makes the program mandatory inside of nutrient surplus areas and voluntary outside of nutrient surplus areas.

PUBLIC WATER AUTHORITY

NONPROFIT CORPORATION CONVERSION

Act 1330 (HB2349) - The act permits a qualified corporation to adopt a plan to convert its status as a nonprofit corporation to a water authority, if the conversion is approved by the board of directors and members of the corporation.

PUBLIC WATER SYSTEMS

DELINQUENT ACCOUNTS

Act 769 (HB1389) - The act provides that if a person who is delinquent on the payment for water service provided by a water system moves into another area of this state and applies for or receives water from another water system, the new water system shall refuse to provide water service to the delinquent person until the person provides proof of payment of the delinquency. The former water service must establish the delinquency is undisputed and must notify the subsequent water service. The act does not apply to any water service utility regulated by the Public Service Commission.

FREEDOM OF INFORMATION ACT

Act 763 (HB2245) - The act provides an exemption for various records and meetings of public agencies concerning public water systems in an effort to protect the security of those systems.

REGIONAL WATER DISTRIBUTION DISTRICTS

Act 1210 (SB280) - The act revises the powers of a regional water distribution district regarding the meetings of the board of directors. The act authorizes the board to have executive sessions in accordance with the Freedom of Information Act provisions for open meetings.

WATER RESOURCES

REVENUE BONDS

Act 598 (SB388) - The act authorizes the Arkansas Soil and Water Conservation Commission to issue revenue bonds to provide funds for various resource development funds managed by the commission.

RIVERS AND STREAMS

CHLORIDE IN STREAMS

Act 1180 (SB266) - The act limits the authority of the Arkansas Pollution Control and Ecology Commission to investigate and regulate chloride levels exceeding 250 parts per million in streams to those that result from a violation of Title 8, Chapter 5, Subchapter 5.

HAZARDOUS MATERIALS ON NAVIGABLE WATERWAYS

Act 1101 (SB906) - The act amends the law regarding the use of dangerous materials while on navigable waterways to allow interested citizens to remove dangerous and environmentally hazardous materials without penalty. The act also defines and allows the use of "sturdy containers".

SAFE DRINKING WATER FUND

Act 465 (SB387) - The act transfers the Safe Drinking Water Fund to the Arkansas Soil and Water Conservation Commission. The act authorizes the commission to manage the fund and to use the funds for various programs to improve water resources, including assistance to water systems, assistance to various state water quality programs, and for the execution of capitalization grant agreements.

WASTEWATER TREATMENT SYSTEMS

Act 1297 (SB724) - The act permits any municipality or sanitation authority, after soliciting proposals, to enter into contracts with private persons, for the design, building, operation, and maintenance of all or any portion of its wastewater treatment system or storm-water treatment system.

WATER WELLS

CONSTRUCTION, APPRENTICESHIP, AND PENALTIES

Act 297 (SB241) - The act updates water well construction laws. The act also creates an apprenticeship program for persons interested in becoming registered as a pump installer or a water well driller. The act also increases civil and criminal penalties for unlawful water well construction.

UNLICENSED WELL CONSTRUCTION OR PUMP INSTALLATION

Act 855 (SB702) - The act authorizes the Commission on Water Well Construction to confiscate water well rigs, vehicles, and other property used or intended to be used to engage in unlicensed well construction or pump installation in violation of § 17-50-104. The act allows the property to be seized, forfeited, and sold at a public auction. After payment of the balance due on any lien preserved by the court in the forfeiture proceedings and costs incurred in the forfeiture, the proceeds of any sale under the act shall be divided between the commission and the law enforcement agency to which the property is forfeited.

WELFARE REFORM

TRANSITIONAL EMPLOYMENT BOARD, ARKANSAS

PERFORMANCE MANAGEMENT PLANS

Act 1306 (SB942) - The act clarifies the processes for filling vacancies on the Arkansas Transitional Employment Board. The act requires the board to create, implement, and oversee performance management plans to measure the progress in helping former welfare recipients to achieve self-sufficiency. The act sets out goals to be met by the board and by agencies involved in the transitional employment assistance program.

WELFARE REFORM

TRANSITIONAL EMPLOYMENT BOARD, ARKANSAS

VACANCIES

Act 1306 (SB942) - The act clarifies the processes for filling vacancies on the Arkansas Transitional Employment Board. The act requires the board to create, implement, and oversee performance management plans to measure the progress in helping former welfare recipients to achieve self-sufficiency. The act sets out goals to be met by the board and by agencies involved in the transitional employment assistance program.

WORKFORCE INVESTMENT BOARD AND ADULT EDUCATION STUDY COMMITTEE, ARKANSAS

Act 1204 (HB2714) - The act creates the Arkansas Workforce Investment Board and Adult Education Study Committee to review the programs and services offered by workforce centers.

CONSTITUTIONAL AMENDMENTS

TERM LIMITS

HJR1006 - The House Joint Resolution proposes to amend Amendment 73 of the Constitution of the State of Arkansas to change the number of terms a member of the House of Representatives may serve from three to six. It would change the number of terms a member of the Senate may serve from two to three. The proposed amendment also provides that terms in the House of Representatives and terms in the Senate, served prior to January 1, 1993, shall not be counted in calculating the number of terms served.

BOND APPROVAL

HJR1028 - The House Joint Resolution proposes to an amendment to the Constitution of the State of Arkansas to allow the Arkansas General Assembly, meeting in special or regular session, to authorize the Arkansas Development Finance Authority to issue general obligation bonds, not to exceed 5% of state general revenues collected during the most recent fiscal year, to finance infrastructure or other needs to attract large economic development projects. The proposed amendment also requires that the prospective employer must be planning an economic development project that will invest more than five hundred million dollars (\$500,000,000) in capital expenditures and plan on hiring over 500 new employees.

FIRST EXTRAORDINARY SESSION

EDUCATION

EDUCATOR COMPENSATION ACT

Act 51 (HB 1017) - Section 25 of the act amends the Educator Compensation Act of 2001 to require salary increases to be implemented for targeted educators if the local school district has received sufficient state funds as determined by the Department of Education to implement the required salary increase or portion thereof for the given fiscal year.

PYGMALION COMMISSION ON NONTRADITIONAL EDUCATION

Act 51 (HB 1017) - Section 24 of the act eliminates a provision that would have caused the Pygmalion Commission on Nontraditional Education to expire on June 30, 2003.

PROFESSIONS AND OCCUPATIONS

CRIMINAL HISTORY INFORMATION

Act 63 (HB 1053) - The act allows the Department of Arkansas State Police and the Arkansas Crime Information Center to disseminate felony criminal history information to employers and professional licensing boards for a fee not to exceed \$20.

PUBLIC EMPLOYEES

UNIFORM CLASSIFICATION AND COMPENSATION ACT

Act 22 (SB 28) - The act revises the Uniform Classification and Compensation Act for the 2003-2005 biennial period and revises the provisions concerning the implementation procedure for grade changes. The act also revises the provisions concerning competency-based promotions and salary adjustments to permit the Chief Fiscal office of the State to determine the percentage amount not to exceed 8% for bonus payments that may be awarded to employees who satisfy competency based criteria developed by agencies and institutions approved by the Office of Personnel management of the Department of Finance and Administration. The act also creates a provision for lump sum payments to be given for severance pay if it is necessary to implement the state workforce reduction policy.

STATE AGENCIES – VARIOUS

ENTERTAINERS HALL OF FAME

Act 31 (HB 1018) - Section 32 of the act transfers all authority, rights, powers, duties, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, privileges, and jurisdiction belonging to or granted to the Arkansas Entertainers Hall of Fame Board to the Department of Parks and Tourism.

TAXES

INCOME TAX SURCHARGE

Act 38 (HB1039) -- The act increases general revenue by levying an additional wholesale cigarette tax of 25¢ per pack; an additional 7% tobacco excise tax on tobacco products other than cigarettes; and a 3% income tax surcharge.

TOBACCO TAX

Act 38 (HB1039) -- The act increases general revenue by levying an additional wholesale cigarette tax of 25¢ per pack; an additional 7% tobacco excise tax on tobacco products other than cigarettes; and a 3% income tax surcharge.

GENERAL ASSEMBLY – MEETING DATES

GENERAL ASSEMBLY	YEAR	DATES IN SESSION	TOTAL DAYS
59 th	1953	January 12 - March 12	60
60 th	1955	January 10 - March 10	60
61 st	1957	January 14 - March 1	60
61 st - FES	1957	March 25 - March 27	3
61 st - SES	1958	August 26 - September 12	18
62 nd	1959	January 12 - March 12	60
62 nd - FES	1960	January 19 - January 21	3
63 rd	1961	January 9 - March 9	60
63 rd - FES	1961	August 24 - September 1	9
63 rd - SES	1961	September 18 - September 21	4
64 th	1963	January 14 - March 14	60
64 th - FES	1964	March 24 - March 27	4
65 th	1965	January 11 - March 11	60
65 th - FES	1965	May 24 - June 8	16
65 th - SES	1965	November 2 - November 4	2½
65 th - TES	1965	November 4 - November 6	2½
66 th	1967	January 9 - Recessed March 9, Reconv. March 27, Adjourned March 31	65
66 th - FES	1968	February 5 - February 21	17
66 th - SES	1968	May 20 - May 30	11
67 th	1969	January 13 - Recessed April 11, Reconv. May 5 - Adjourned May 8	93
67 th - FES	1970	March 2 - March 7	6
68 th	1971	January 11 - Recessed April 2, Reconv April 19 - Adjourned April 19	82
68 th - FES	1972	February 7 - February 16	10
69 th	1973	January 8 - Recess on April 5 until April 24- Recess until Jan 14, 1974 - Adjourned Jan 14, 1974	88
69 th - FES	1974	June 24 - Recessed July 12 - Reconv. Aug. 1 - Adjourned Aug 1	19
70 th	1975	January 13 - March 27 - Recess Until Apr. 9 - Adjourned Apr. 9	74
70 th - Exten	1976	January 12 - January 28	17
70 th - FES	1976	September 8 - September 10	3

GENERAL ASSEMBLY	YEAR	DATES IN SESSION	TOTAL DAYS
71 st	1977	January 10 - Recessed March 18 Until Apr 6 - Recessed Apr 6 until Aug 14 - Adjourned Aug 14	68
71 st - FES	1977	August 2 - August 5	4
72 nd	1979	January 8 - Recessed April 4, Reconv. Apr. 20 - Adjourned Apr 20	87
72 nd - EXT.	1980	January 7 - January 17	10½
72 nd - FES	1980	January 17 - January 24	7½
72 nd - SES	1980	April 15 - April 18	4
73 rd	1981	January 12, - March 18	66
73 rd - FES	1981	November 16 - November 25	10
74 th	1983	January 10 - Recessed on March 18, Reconv April 4 - Adjn. Apr. 4	68
74 th - FES	1983	October 4 - November 10	37
75 th	1985	January 14 - Recessed March 22, Reconv. March 29 - Adjn. March 29	68
75 th - FES	1985	June 17 - June 21	5
75 th - SES	1986	April 28 - May 1	4
76 th	1987	January 12 - Recessed April 3 - Reconv. April 20 - Adjn. April 20	82
76 th - FES	1987	June 2 - June 5	4
76 th - SES	1987	October 6 - October 9	4
76 th - TES	1988	January 26 - February 5	11
76 th - 4thES	1988	July 11 - July 14, 1988	4
77 th	1989	January 9 - March 17 - Recess until April 3 - Adjn. April 3	68
77 th - FES	1989	June 20 - June 23	4
77 th - SES	1989	July 25 - July 27	3
77 th - TES	1989	October 23 - November 3	12
78 th	1991	January 14 - March 27 - Recess until April 15 - Adjn. April 15	73
78 th - FES	1992	February 24 - February 27 - Recess until March 4 - Adjn March 4	4
78 th - SES	1992	December 14 - December 18	5
79 th	1993	January 11 - April 8 - Recess until May 14 - Adjn May 14	88
79 th - FES	1994	February 28 - March 2	3
79 th - SES	1994	August 15 - August 24	10
80 th	1995	January 9 - April 7 - Recess until April 28 - Adjn April 28	89

GENERAL ASSEMBLY	YEAR	DATES IN SESSION	TOTAL DAYS
80 th - FES	1995	October 17 - October 20	4
81 st	1997	January 13 - April 17 - Recess until May 2 - Adjn. May 2	96
82 nd	1999	January 11 – April 9 – Recess until April 30 – Adjn. April 30	89
82 nd – FES	2000	April 3 – April 7	5
SES	2000	December 13 – 15	3
83 RD	2001	January 8 – April 13 – Recess until May 14 – Adjn May 14	97
83 rd – FES	2002	June 10 – June 12, 2002	3
84 th	2003	January 13 - Apr. 16, 2003	94
84 th - FES	2003	May 5, 2003 - May 9, 2003	5

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