

Exhibit B

Minutes of July 17, 2025, meeting

MINUTES OF ARKANSAS CODE REVISION COMMISSION MEETING

Thursday, July 17, 2025

3:00 P.M.

Room B, MAC Little Rock, Arkansas

Commission members and others present: Representative Matthew Shepherd, Chair (TEAMS); Representative Jimmy Gazaway; Senator Joshua Bryant; Senator Clarke Tucker; Commissioner Julie Mullenix (TEAMS); Commissioner Vaughan Hankins (TEAMS); Kevin Koon, Arkansas Code Revisor; Matthew Miller, Deputy Director for Legal Services of the Bureau of Legislative Research. Others present: Representative McAlindon (TEAMS); Commissioner Colin Crawford (TEAMS); Commissioner Robert F. Thompson (TEAMS); Commissioner Cynthia Nance (TEAMS); Senator Bryan King; Representative Lincoln Barnett; Representative Jesse McGruder; Representative Aaron Pilkington; Representative Jeff Wardlaw; Representative Fred Allen; Representative Kenneth Ferguson; Representative Keith Brooks; Representative Denise Ennett; Jake Winley, Director of Legislative Affairs for the Department of Commerce; Michael McAllister, Deputy Chief Counsel for the Department of Energy and Environment; Christy Bjornson, Regulatory Administrator of Arkansas Alcoholic Beverage Control & Arkansas Tobacco Control; Daniel Shults, Counsel for the Dept. of Education; Don Berry, Colonel, Military Affairs

Chair Shepherd called the meeting to order. Chair Shepherd addressed the need for everyone participating to announce themselves by name so that each person could be recognized by roll call for today's meeting for the record due to some members participating via TEAMS. Chair Shepherd authorized Senator Tucker to chair the meeting.

Minutes of the June 19, 2025, Meeting Item B/Exhibit B

Representative Gazaway moved to approve the minutes of the June 19, 2025, meeting, and Senator Bryant seconded the motion. The motion was adopted.

Items held over from June 19, 2025, meeting concerning 2025 Act Errors and Issues – Item C/Exhibit C

Senator Tucker recognized Mr. Koon to introduce the 2025 Act Errors and Issues that were held over from the June 19, 2025, meeting.

Item A7

Mr. Koon introduced item A7 from the June 19, 2025, meeting. Mr. Koon stated that at the last meeting staff indicated that there appeared to be a reference to "division" that should be "commission", and that Chair Shepherd requested that staff contact the sponsors. Senator Tucker recognized Mr. Michael McAllister, Deputy Chief Counsel for the Department of Energy and Environment, for comments on the issue. Mr. McAllister stated that the commission promulgates rules, not the division. There was also discussion on a memorandum in Exhibit C1 prepared by Mr. Walter Wright.

Representative Gazaway moved to change "division" to "commission" on Page 3, Line 11, of Exhibit C, and Representative Shepherd seconded the motion. The motion was adopted.

Item C5

Mr. Koon introduced item C5 from the June 19, 2025, meeting. Mr. Koon stated that at the last meeting staff indicated that there appeared to be references to "Blind" that were erroneously changed to "Deaf and Blind", and that Chair Shepherd requested staff contact the sponsors and the Department of Commerce. Senator Tucker recognized Mr. Jake Winley, Director of Legislative Affairs for the Department of Commerce, for comments on the issue. Mr. Winley stated that the department agreed

that the indicated references to “Blind” should not have been changed.

Senator Bryant moved to change “Deaf and Blind” to “Blind” on Page 5, Lines 5, 6, and 8, and Page 7, Lines 1 and 5 of Exhibit C, and Representative Gazaway seconded the motion. The motion was adopted.

Item C6

Mr. Koon introduced item C6 from the June 19, 2025, meeting. Mr. Koon stated that there appeared to be confusing language of “at the discretion”, “may also”, and “shall” but that staff did not have initial thoughts on the issue. Senator Tucker recognized Representative McAlindon, primary sponsor. Representative McAlindon stated that there appeared to be an error in the use of “shall” rather than “may”. Representative McAlindon also stated that the “also” on Page 8, Line 29, should be deleted. There was discussion on the commission’s authority to change word usage and the meaning of the language in the act.

Senator Bryant moved to delete “also” from Page 8, Line 29 of Exhibit C, and Representative Gazaway seconded the motion. The motion was adopted.

Item D9

Mr. Koon introduced item D9 from the June 19, 2025, meeting. Mr. Koon stated that the issue involved an earlier act, Act 500, repealing a provision, versus a later act, Act 762, amending that provision and that past practice of the commission was to treat the repealing act as controlling. Senator Tucker recognized Ms. Christy Bjornson, Regulatory Administrator of Arkansas Alcoholic Beverage Control and Arkansas Tobacco Control, to speak on the issue. Ms. Bjornson stated that she did not see any reason to deviate from the commission’s past practice of treating the repeal as controlling and that the repeal did not have a substantive effect on the amending act. Senator Tucker recognized Representative Pilkington, primary sponsor of Act 500, who concurred with Ms. Bjornson’s comments. Mr. Koon stated that Senator Irvin, primary sponsor of Act 762, informed him that she was fine with whatever resolution the commission chose as long as her act could be fully implemented.

Representative Gazaway moved that the repeal by Act 500 prevail over the amendment by Act 762, and Senator Bryant seconded the motion. The motion was adopted.

Acts 340/341 and Act 501 – Item D/Exhibit D

Senator Tucker recognized Mr. Koon to introduce item D. Mr. Koon stated that Acts 340/341 created a Purple Star School designation and Act 501 created a Purple Star School program. Mr. Koon further stated that Representative Karilyn Brown, primary sponsor of Act 501, had concerns that Acts 340/341 and Act 501 conflicted with one another. Mr. Koon stated that Chair Shepherd requested that staff contact the Department of Education and that Mr. Daniel Shults with the department was present. Senator Tucker recognized Mr. Daniel Shults, counsel for the Department of Education. Mr. Shults stated that his initial review was that the acts could be read together without conflict, but that others believed that there may be a conflict. Senator Tucker recognized Colonel Don Berry to speak on behalf of Representative Karilyn Brown. Colonel Berry stated that the conflict arose from the permissive nature of Acts 340/341 and the mandatory nature of Act 501. Senator Tucker recognized Chair Shepherd, primary sponsor of Acts 340/341. Chair Shepherd stated that he did not think there was a conflict as his act was creating a voluntary designation and Act 501 was creating a mandatory program and that these were different things. Chair Shepherd further stated that DESE could implement both acts through rulemaking. Senator Tucker recognized Colonel Berry for further thoughts, and Colonel Berry stated that he agreed with Chair Shepherd. Mr. Miller asked for clarification that if no action was taken both acts would be codified, and Mr. Koon stated that was correct.

The commission took no action on this item.

Act 934 – Item E/Exhibit E

Senator Tucker recognized Mr. Koon to introduce item E. Mr. Koon stated that the Attorney General's office contacted the Bureau about an apparent manifest reference error in Act 934. Mr. Koon stated on Page 3, Line 23 of Exhibit E there is a reference to penalties under § 26-57-256, however, that section does not contain penalties, and the penalties are found in § 26-57-255. Mr. Koon stated that staff agrees with the Attorney General's office that this appears to be a manifest reference error, and that the reference should be changed to § 26-57-255.

Representative Gazaway moved to change the reference on Page 3, Line 23 of Exhibit E to § 26-57-255, and Representative Shepherd seconded the motion. The motion was adopted.

Report of Code Revisor – Item F/Exhibit F

Senator Tucker recognized Mr. Koon to introduce item F. Mr. Koon updated the commission on the supplement work and the publication schedule. Mr. Koon asked the commission for their interest in staff pursuing work on a technical corrections bill to address State Treasury funds codified in multiple places. Mr. Koon stated that the Department of Finance and Administration had agreed to work with staff on this project. Senator Tucker and Representative Gazaway indicated that they supported this project. Chair Shepherd asked staff to work with and keep informed the BLR Fiscal Division and the Chairs of the Joint Budget Committee on the project. With no further business, Senator Tucker asked for a motion to adjourn.

Chair Shepherd moved to adjourn, and Representative Gazaway seconded the motion. The motion was adopted.