

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

As Engrossed: H4/3/25

A Bill

HOUSE BILL 1683

5 By: Representative McAlindon
6 By: Senator C. Penzo
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE PURCHASE OF AN
10 ELECTRIC VEHICLE OR A COMPONENT OF AN ELECTRIC
11 VEHICLE BY A GOVERNMENTAL ENTITY; TO PROHIBIT THE
12 PROCUREMENT BY A GOVERNMENTAL ENTITY OF AN ELECTRIC
13 VEHICLE OR A COMPONENT OF AN ELECTRIC VEHICLE THAT
14 WAS MANUFACTURED IN WHOLE OR IN PART USING FORCED
15 LABOR; AND FOR OTHER PURPOSES.
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Subtitle

18 TO PROHIBIT THE PROCUREMENT BY A
19 GOVERNMENTAL ENTITY OF AN ELECTRIC
20 VEHICLE OR A COMPONENT OF AN ELECTRIC
21 VEHICLE THAT WAS MANUFACTURED IN WHOLE
22 OR IN PART USING FORCED LABOR.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. DO NOT CODIFY. Legislative findings.

28 The General Assembly finds that:

29 (1) Many electric vehicles are being made with components
30 created through the use of forced labor, including materials mined by Uyghur
31 and other Muslim minorities in the People’s Republic of China’s Xinjiang
32 Uyghur Autonomous Region;

33 (2) Concerns about the use of forced labor to create these
34 components and materials prompted the United States Government to pass the
35 Uyghur Forced Labor Prevention Act, Pub. L. No. 117-78, with overwhelming
36 bipartisan support;



1 (3) Under the Uyghur Forced Labor Prevention Act, Pub. L. No.
2 117-78, there is a rebuttable presumption that any product manufactured in
3 whole or in part in the Xinjiang Uyghur Autonomous Region was produced by
4 forced labor;

5 (4) The United States Government recently restricted the
6 application of its newly created tax credits for electric vehicles so that
7 "[b]eginning in 2024, an eligible clean vehicle may not contain any battery
8 components that are manufactured by a foreign entity of concern, and
9 beginning in 2025, an eligible clean vehicle may not contain any critical
10 minerals that were extracted, processed, or recycled by a foreign entity of
11 concern";

12 (5) The United States Government recently proposed a regulation
13 for another act that any company subject to the People's Republic of China's
14 jurisdiction will be defined as a "foreign entity of concern," which would
15 prevent federal tax credits from supporting sales of electric vehicles made
16 with battery components from entities of the People's Republic of China;

17 (6) Many electric vehicles are also being made with components
18 created through the use of oppressive child labor, most notably, through
19 cobalt ore mined in dangerous conditions by thousands of young children in
20 the Democratic Republic of the Congo and sent to the People's Republic of
21 China for use in manufacturing lithium-ion batteries;

22 (7) The United States Government recently concluded that
23 "downstream products containing lithium-ion batteries may be produced with an
24 input produced with child labor, such as electric cars";

25 (8) The use of forced labor is repugnant and deplorable,
26 violates basic human rights, constitutes unacceptable discrimination, and
27 damages free and fair competition; and

28 (9) State governments should take steps to ensure that taxpayer
29 dollars are not being used to pay for electric vehicles that may have been
30 partially manufactured through forced labor.

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32 SECTION 2. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended
33 to add an additional section to read as follows:

34 25-1-130. Purchase of electric vehicle.

35 (a) As used in this section:

36 (1) "Electric vehicle" means a motor vehicle that is propelled

1 to a significant extent by an electric motor that draws electricity from a
2 battery that is capable of being recharged from an external source of
3 electricity;

4 (2) "Forced labor" means labor or service that is:

5 (A) Obtained by force, fraud, or coercion, including by:

6 (i) Threat of serious harm to or physical restraint
7 against any person;

8 (ii) Means of a scheme, plan, or pattern intended to
9 cause the person to believe that if the person did not perform the labor or
10 services, the person or another person would suffer serious harm or physical
11 restraint; or

12 (iii) Means of the abuse or threatened abuse of law
13 or the legal process;

14 (B) Imposed on the basis of a characteristic protected by
15 the Arkansas Civil Rights Act of 1993, § 16-123-101 et seq.;

16 (C) Not offered or provided voluntarily by the worker; or

17 (D) Produced through a condition of employment under which
18 a person under the age of fourteen (14) years of age is employed in an
19 occupation hazardous for the employment of children, including without
20 limitation manufacturing or mining; and

21 (3) "Governmental entity" means a:

22 (A) State agency, including without limitation any
23 department, agency, board, commission, office, and other authority of the
24 state;

25 (B) Political subdivision of the state, including without
26 limitation a county, municipality, public school district, water district,
27 and improvement district; and

28 (C) College, university, authority, or other enterprise
29 operated by the state or a political subdivision of the state.

30 (b) A governmental entity shall not enter into a contract for the
31 procurement of an electric vehicle or a component of an electric vehicle
32 unless the manufacturer of the electric vehicle or component of an electric
33 vehicle in good faith provides the governmental entity a sworn certification
34 that certifies that no entity involved in the production of the electric
35 vehicle or the component of an electric vehicle being sold, including the
36 production of a constituent part or the mining or other sourcing of materials

1 for the electric vehicle or the component of an electric vehicle, used forced
2 labor in its activities.

3 (c)(1) In addition to any other remedies available at law or equity,
4 if the manufacturer or seller is found to have knowingly provided false or
5 misleading information under subsection (b) of this section, a civil penalty
6 shall be imposed against the manufacturer for the greater of:

7 (A) Ten thousand dollars (\$10,000) for each false or
8 misleading statement; or

9 (B) One-half (1/2) of the total price paid by the
10 governmental entity for the electric vehicle or the component of an electric
11 vehicle.

12 (2) A governmental entity that is found to have knowingly
13 violated subsection (b) of this section shall pay to the state the greater
14 of:

15 (A) Ten thousand dollars (\$10,000) for each false or
16 misleading statement; or

17 (B) The total price paid by the governmental entity for
18 the electric vehicle or the component of an electric vehicle.

19 (3) An employee of a governmental entity who is found to have
20 knowingly violated subsection (b) of this section shall be found to be acting
21 outside the course and scope of his or her employment and is personally
22 liable for a civil penalty of five thousand dollars (\$5,000) to the state.

23 (4) Each member of a board who votes in the affirmative to authorize
24 the purchase of an electric vehicle that is found to violate subsection (b)
25 of this section shall personally pay a fine of five thousand dollars (\$5,000)
26 to the state.

27 (d) This section applies to a procurement contract for an
28 electric vehicle or a component of an electric vehicle that is entered into,
29 amended, or renewed on or after the effective date of this act.

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31 /s/McAlindon
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