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ADOPTION

HOME STUDIES

Act 598, (HB 1585), provides that upon request of any interested party, agency or the court, the petitioner shall file an affidavit with the court stating the number of adoption home studies which have been conducted on the petitioner's home.

NOTIFICATION OF GRANDPARENTS

Act 1204, (HB 1574), eliminates the exception to the notification of grandparents' requirement in certain adoption proceedings.

RECORDS

Act 758, (HB 1330), provides that the probate clerk is the custodian of all adoption records even if the adoption is filed in the juvenile court.

SUBSIDIZED ADOPTION ACT

Act 800, (HB 1532), authorizes adoptive parents to receive retroactive adoption subsidies for any preexisting unknown medical or psychiatric condition resulting in severe conditions which require extensive treatment.

AGRICULTURE

ALTERNATIVE LIVESTOCK

Act 377, (SB 425), classifies certain creatures as alternative livestock and provides that they are subject to all laws, rules and regulations relating to other farm animals and birds.

BOLL WEEVILS

Act 854, (HB 1898), amends various sections of the Boll Weevil Suppression Eradication Act.

DISPOSAL OF FOWL CARCASSES

Act 241, (HB 1405), authorizes the Livestock and Poultry Commission to prescribe acceptable methods for the disposal of fowl carcasses.

DISPOSAL OF FOWL CARCASSES

Act 250, (SB 324), prohibits the use of burial pits as an acceptable method of poultry carcass disposal and requires the Livestock and Poultry Commission to prescribe acceptable methods of disposing of poultry carcasses, including but not limited to: (1) composting; (2) cremation or incineration; (3) extrusion; (4) on-farm freezing; (5) rendering; and (6) cooking for swine feed. The Commission is to specify, by regulation, acceptable methods of the disposal of fowl carcasses in the event of a major die-off.

EGG STORAGE TEMPERATURE

Act 115, (HB 1119), provides that eggs packed in containers for the purpose of resale to consumers shall be stored and transported under refrigeration at an ambient temperature no greater than forty-five degrees Fahrenheit and the containers shall be labelled "Keep refrigerated at or below 45 degrees Fahrenheit". The act further provides that packers shall not be responsible for the interior quality of eggs unless the aforementioned handling procedures are followed by all parties after the sale of the eggs by the packer.

AGRICULTURE (Cont.)

EMPLOYEE INCOME TAX WITHHOLDING

Act 1205, (HB 1579), requires agricultural employers, who have more than four (4) employees in a reporting period and who are required to withhold for federal purposes, to collect, account for and pay over Arkansas income taxes for that reporting period. Employers, who employ three (3) or fewer employees, may collect, account for and pay over Arkansas income taxes for that reporting period if they so chose.

FARMERS' MARKET NUTRITION PROGRAM CREATED

Act 1218, (HB 1939), creates the Arkansas Farmers' Market Nutrition Program to provide nutritionally at-risk individuals and families nutrition education and to distribute non-taxable coupons to purchase fresh locally grown fruit, nuts and vegetables.

FERTILIZER

Act 352, (HB 1462), and Act 373, (SB 344), removes the restriction on fractional units of primary plant food from appearing in the guaranteed analysis of a specialty fertilizer.

FOOD PROCESSING AND AGRICULTURAL BUSINESS TASK FORCE

Act 907, (SB 694), establishes an Arkansas Task Force on Food Processing and Agricultural Business to examine ways the state can assist rural areas in decreasing unemployment by attracting, developing and expanding the food processing industry and other industries related to agricultural business, research and development.

GOAT MILK

Act 816, (SB 471), allows incidental sales of raw goat milk directly to consumers at the farm where the milk is produced. The act also allows the incidental sales to be advertised.

GRAIN BIN CONSTRUCTION

Act 856, (HB 1930), exempts the construction of grain bins on a farm which are to be used solely for the purpose of storing grain harvested by the owner or the lessee of the farm from contractor licensing requirements.

AIDS

Act 616, (HB 1560), requires defendants convicted of specified sexual offenses, upon request of victims, to submit to testing for AIDS or HIV; results will be released only to defendants and victims and are not subject to the Freedom of Information Act. Victims may also receive counseling, HIV testing, and referral or delivery for health and support services.

ALCOHOLIC BEVERAGES

ALCOHOLIC BEVERAGE CONTROL BOARD QUALIFICATIONS

Act 122, (SB 200), removes the prohibition, except at the state level, against holding elected or appointed office and being eligible to serve as a member of the Alcoholic Beverage Control Board.

BEER PERMIT FEE

Act 528, (HB 1427), increases the fee for wholesale and retail beer permits.

ALCOHOLIC BEVERAGES (Cont.)

FURNISHING ALCOHOLIC BEVERAGES TO MINORS

Act 875, (SB 563), increases the criminal penalties for the criminal offenses of unknowingly furnishing intoxicating liquor to a minor, and knowingly furnishing or selling alcoholic beverages to a minor.

LOCAL OPTION ELECTION

Act 243, (SB 21), amends the local option law to increase from thirty percent to thirty-eight percent the number of signatures necessary to call a wet/dry election.

MIXED DRINK PERMITS FOR LARGE ATTENDANCE FACILITIES

Act 1247, (HB 1523), creates a new special alcoholic beverage permit for "large attendance facilities with pari-mutuel wagering".

NATIVE BRANDY

Act 1028, (HB 1865), allows manufacturers of native brandy to sell their product at retail on their premises.

PERMITS

DELINQUENT STATE TAXES

Act 779, (SB 719), requires the Department of Finance and Administration to report delinquent state taxes to the Alcoholic Beverage Control Board. It also amends various code sections relating to alcoholic beverage permits.

KIND AND TYPE BEFORE 1983

Act 826, (SB 706), allows the Alcoholic Beverage Control Division to continue to issue permits of the same kind and type issued prior to the effective date of Act 418 of 1983, except where the electorate of a political subdivision has, since the effective date of Act 418 of 1983, held an election under the provisions of Initiated Act 1 of 1942.

PENALTIES

Act 172, (SB 179), increases the minimum monetary fines that may be levied against an alcoholic beverage control permittee and designates additional permit violations.

TRANSFER OF INTEREST

Act 433, (HB 1173), allows persons, firms, or corporations holding multiple retail liquor permits that were lawfully issued before the effective date of Act 106 of 1971 (which prohibits issuance of permits to anyone with an interest in another retail liquor permit) to transfer their interest in multiple retail liquor permitted businesses to any other person, firm, or corporation without violating the law.

RESPONSIBLE PERMITTEE PROGRAM

Act 173, (SB 181), creates a program for persons who are licensed by the Alcoholic Beverage Control Board to sell or dispense alcoholic beverages to be certified as responsible permittees if they comply with certain requirements, such as attending courses dealing with the effects of alcoholic consumption and underage customers and requiring their employees to attend similar training courses.

ALCOHOLIC BEVERAGES (Cont.)

WINE TASTING EVENTS

Act 1258, (HB 1867), authorizes the Alcoholic Beverage Control Division to allow native wineries and licensed wine and spirit wholesalers to conduct wine tasting events for educational and promotional purposes anywhere in the state.

ANIMALS

ALTERNATIVE LIVESTOCK

Act 377, (SB 425), classifies certain creatures as alternative livestock and provides that they are subject to all laws, rules and regulations relating to other farm animals and birds.

DISPOSAL OF FOWL CARCASSES

Act 241, (HB 1405), authorizes the Livestock and Poultry Commission to prescribe acceptable methods for the disposal of fowl carcasses.

Act 250, (SB 324), prohibits the use of burial pits as an acceptable method of poultry carcass disposal and requires the Livestock and Poultry Commission to prescribe acceptable methods of disposing of poultry carcasses, including but not limited to: (1) composting; (2) cremation or incineration; (3) extrusion; (4) on-farm freezing; (5) rendering; and (6) cooking for swine feed. The Commission is to specify, by regulation, acceptable methods of the disposal of fowl carcasses in the event of a major die-off.

DISPOSAL OF LARGE ANIMAL CARCASSES

Act 522, (HB 1239), regulates the disposal of carcasses of large animals, excluding dogs and cats.

DOUBLE-CRESTED CORMORANT

Act 575, (SB 345), declares the double-crested cormorant a nuisance and requests that the Arkansas Game and Fish Commission work with various agencies and individuals to eliminate depredating double-breasted cormorants.

LIVESTOCK AND POULTRY COMMISSION FEES AND CHARGES

Act 1174, (HB 2031), assesses a two dollar (\$2) fee per head on all private ownership cow tests in the state and on all horses sold in the state. It also levies a four and one half percent (4-1/2%) surcharge on fair admissions. The act provides for continued vaccination of heifers on farms and at the sale barns for brucellosis. The act further provides that certain employees of the Arkansas Livestock and Poultry Commission may perform in the capacity of Livestock and Poultry Compliance Officers or NPIP Inspectors.

PURPLE MARTIN CAPITOL

FORT SMITH - NORTHWEST CAPITOL

Act 871, (SB 101), designates Fort Smith as the Northwest Purple Martin Capitol of Arkansas.

LAKE VILLAGE - SOUTHEAST CAPITOL

Act 469, (SB 52), designates the city of Lake Village as the Southeast Purple Martin Capitol of Arkansas.

ANIMALS (Cont.)

SUBURBAN IMPROVEMENT DISTRICT REGULATIONS

Act 622, (HB 1635), authorizes a county, upon the request of the governing board of a suburban improvement district, to regulate dogs and cats within all or any part of the suburban improvement district.

WHITE TAIL DEER AS THE OFFICIAL STATE MAMMAL

Act 892, (HB 2110), designates the white tail deer as the official mammal of the state.

APPRAISERS

Act 413, (SB 310), and Act 1270, (SB 670), revise the Appraiser Licensing and Certification Act.

ARBITRATION OR DISPUTE RESOLUTION

AGREEMENTS TO ARBITRATE

Act 287, (SB 256), provides that a written agreement to submit any existing controversy to arbitration arising between the parties bound by the terms of the writing is valid, enforceable, and irrevocable, save upon such grounds as exist at law or in equity for the revocation of any contract.

DISPUTE RESOLUTION PROCESSES

Act 641, (HB 1238), requires courts, state and local officers and agencies and governments to encourage the use of dispute resolution processes as alternatives to litigation and recommends that attorneys licensed to practice in the state do likewise. The act also makes confidential communications by participants in a dispute resolution process and relieves impartial third parties from liability for civil damages.

ARCHITECTS

Act 578, (SB 416), defines the practice of architecture and other terms used in the Arkansas Architectural Act, increases licensing fees for architects and allows the State Board of Architecture to levy civil penalties.

ARKANSAS CODE ANNOTATED

IDENTICAL ACTS OR MULTIPLE ACTS ON THE SAME SUBJECT

Act 1167, (HB 1072), provides that when identical acts are enacted during the same legislative session, the last signed by the Governor will repeal those enacted earlier. When multiple acts on the same subject are enacted, all shall be given effect except where there are irreconcilable conflicts, in which case the last signed by the Governor will prevail.

VARIOUS CORRECTIONS

Act 403, (HB 1566), makes various technical corrections to the Arkansas Code of 1987 Annotated.

ATTORNEY GENERAL

MEDICAID FRAUD

CIVIL PENALTIES

Act 1299, (HB 1959), grants the Attorney General authority to collect civil penalties and restitution from persons who make false claims relating to Medicaid program benefits and payments.

REWARDS FOR INFORMATION

Act 1300, (HB 1960), authorizes a monetary reward for persons who provide information leading to the detection and bringing to trial and punishment any persons guilty of Medicaid fraud.

ATTORNEYS

ATTORNEYS' FEES

Act 793, (SB 689), provides that court ordered attorneys' fees awarded to attorneys who are appointed to represent indigent defendants may be paid from the Trial Expense Assistance Fund.

NOTICE TO SUPREME COURT ON DELINQUENT SUPPORT

Act 1253, (HB 1750), authorizes the Child Support Enforcement Unit and the Arkansas Supreme Court to develop a cooperative agreement whereby the Unit will notify the Clerk of the Supreme Court regarding the review of the law license whenever a noncustodial parent who is an attorney is delinquent on a court-ordered child support payment in an amount equal to six (6) months obligation or more.

BAIL BONDS

ADVERTISING

Act 400, (HB 1529), requires advertising by professional bail bond companies or individual bondsmen to include the prominent display of the company name and prohibits information that would indicate that a bail bondsman is independent of the company.

CONTINUING EDUCATION FOR BAIL BONDSMEN

Act 499, (HB 1553), establishes a mandatory continuing education program for professional bail bondsmen.

FORFEITURE OF BONDS

Act 841, (HB 1528), provides that if a defendant is apprehended within one hundred twenty (120) days from the date of receipt of written notification to the surety of the defendant's failure to appear, no judgment or forfeiture of bond may be entered against the surety, except as otherwise provided by law.

LICENSING BOARD CREATED

Act 500, (HB 1552), creates the Professional Bail Bond Company and Professional Bail Bondsmen Licensing Board and authorizes the board to administer and enforce the laws relating to the licensing and regulation of professional bail bond companies and professional bail bondsmen.

BAIL BONDS (Cont.)

POSTED LIST OF COMPANIES

Act 402, (HB 1559), revises the form and order of the list of Professional Bail Bond Companies posted at facilities having individuals or prisoners in custody.

UNSECURED BOND COMMITMENT

Act 1278, (HB 1526), allows a professional bond company's maximum bond commitment to be ten times the net worth of the company as stated on the company's financial statement filed with the commissioner or \$100,000 for each \$25,000 letter of credit or certificate of deposit filed with the commissioner by the company.

BARBERS

Act 1056, (HB 2080), makes various revisions to the Arkansas Barber Law and the Cosmetology Act.

BEAUTY PAGEANTS

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine licenses, inedible fats and oils, salt water disposal and fortune telling.

BONDS

AMORTIZATION OF PREMIUM

Act 236, (SB 331), allows for the amortization of bond premiums or the accretion of discounts by bond trustees.

CITIES

JOINT MUNICIPAL ELECTRIC POWER GENERATION REVENUE BONDS

Act 543, (HB 1825), and Act 611, (SB 593), eliminate the requirement that execution of joint municipal electric power generation revenue bonds require one manual signature.

STREET AND PARKING REVENUE BONDS

Act 832, (SB 802), amends the Municipal Street and Parking Revenue Bond Act to define the term "automobile" to mean any vehicle which is self-propelled, including but not limited to passenger cars, trucks, vans and buses.

WASTEWATER SYSTEM BONDS

Act 3, (HB 1018), expands the type of financial obligations which are subject to the recourse provisions for failure of the municipalities to repay the water pollution control loans to include bonds, notes and other types of indebtedness.

BONDS - CITIES (Cont.)

WATERWORKS REVENUE BONDS

Act 295, (HB 1217), repeals a section of the Arkansas Code inconsistent with newer laws requiring public notice and hearings prior to a city's adoption of ordinances authorizing waterworks revenue bonds and also clarifies provisions for giving public notice of adopting ordinances in cities where no newspaper is published.

CITIES AND COUNTIES

LIBRARY BONDS

Act 920, (SB 769), provides for the implementation of Amendment 72 of the Arkansas Constitution regarding the levy of property taxes (up to 3 mills) for libraries in cities and counties. It defines the purposes for which library bonds may be issued and provides for the procedures for the election on the levy and pledge of ad valorem taxes for libraries and library improvements.

TAX REVENUES USED TO RETIRE REVENUE BONDS

Act 1014, (HB 1788), allows the revenues from the short-term sales and use tax, authorized by §14-164-338, to be used to retire existing revenue bonds issued for capital improvements.

DEVELOPMENT FINANCE AUTHORITY

GUARANTY LIMIT

Act 184, (HB 1185), increases the amount of qualified bonds which may be guaranteed under the Arkansas Development Finance Authority Guarantee Act from seventy-five million dollars to one hundred and fifty million dollars.

RESIDENTIAL COMMUNITY DEVELOPMENT

Act 1309, (SB 797), authorizes the Arkansas Development Finance Authority to issue bonds for residential community development.

SUPPLEMENTAL GUARANTY RESERVE

Act 185, (HB 1186), authorizes the Development Finance Authority to establish a supplemental guaranty reserve account.

PROFESSIONAL BOND COMPANIES

UNSECURED BOND COMMITMENT

Act 1278, (HB 1526), allows a professional bond company's maximum bond commitment to be ten times the net worth of the company as stated on the company's financial statement filed with the commissioner or \$100,000 for each \$25,000 letter of credit or certificate of deposit filed with the commissioner by the company.

SCHOOL BONDS

INVESTMENTS FOR PREPAID BENEFIT TRUST FUNDS

Act 406, (SB 7), allows prepaid benefit trust funds to be invested in any bonds of any school district in this state, provided that no more than 30% of the total trust assets may be invested in such school bonds.

BONDS (Cont.)

SELF-INSURED FIDELITY BONDS

LIMITATION OF LOSS

Act 319, (HB 1434), limits fidelity bond coverage for loss of property, other than money or securities, to the actual value of the loss. The act deems the Fidelity Bond Program and participating governmental entities as victims for purposes of restitution. It provides that any participating governmental entity which sustains a loss exceeding the amount of indemnity by the Fidelity Bond Program is entitled to recovery on account of such loss until fully recovered and any remainder is to be applied to the reimbursement of the Fidelity Bond Program.

TECHNICAL AND COMMUNITY COLLEGES

Act 374, (SB 365), sets forth the manner by which technical and community colleges may issue revenue bonds to finance capital improvements. It also authorizes the use of student tuition and fees to pay for capital outlay expenses.

UNDERGROUND STORAGE TANKS

Act 1019, (HB 1816), requires the bonding of persons or entities who remove, repair, close or upgrade any underground storage tank.

BUSINESS LAW

CORPORATIONS

INSOLVENCY

Act 444, (HB 1562) repeals §4-25-104 dealing with the dissolution of insolvent corporations, which is adequately covered by other sections of the Arkansas Code.

TRANSFER OF LAND

Act 1046, (HB 1984), exempts from the real property transfer tax conveyances of land between corporations or between a corporation and its shareholders incident to the organization, reorganization, merger, consolidation or liquidation of a corporation.

FRAUDULENT TRANSFERS

Act 1279, (HB 1539), amends the Arkansas Fraudulent Transfers Act to provide that no court order or judgement is an obligation under the act and it changes certain statutes of limitations under the Act..

LEASES

Act 439, (HB 1449), adds Chapter 2A concerning leases to the Uniform Commercial Code.

LIMITED LIABILITY COMPANIES

Act 1003, (HB 1419), authorizes a new form of business entity, the limited liability company, which is an unincorporated association affording its members partnership tax status and the limited liability identified with corporations.

LIMITED PARTNERSHIP VOTING RIGHTS

Act 693, (HB 1621), provides that limited partnership agreements may grant to all or a specified group of the limited partners the right to vote on a per capita or other basis upon any matter and any such right to vote may be exercised in person by a limited partner or by a limited partner's attorney-in-fact.

BUSINESS LAW (Cont.)

MORTGAGE FEES

Act 451, (SB 444), provides that all recording, satisfaction, and termination fees with respect to mortgages shall be collected at the time of the initial filing with the circuit clerk or the Secretary of State.

NONPROFIT CORPORATION ACT

Act 1147, (SB 330), is the Arkansas Nonprofit Corporation Act of 1993.

SECURED TRANSACTIONS

FINANCING STATEMENTS FOR LEASED AUTOMOBILES

Act 877, (SB 717), permits financing statements for leased automobiles to be filed like financing statements for other security instead of requiring they be filed with the Office of Motor Vehicles.

SMALL BUSINESS

CAPITAL ACCESS PROGRAM FOR SMALL BUSINESS

Act 733, (SB 642), and Act 886, (HB 1855), create the Arkansas Capital Access Program For Small Business to provide assistance to financial institutions in providing financing to small businesses in Arkansas.

REVOLVING LOANS

Act 183, (HB 1184), provides an alternative method of approval by the Arkansas Development Finance Authority for small business revolving loans.

STATIONARY SOURCE ASSISTANCE PROGRAM

Act 242, (HB 1421), creates a Compliance Advisory Panel for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program to be administered by the Department of Pollution Control and Ecology for the purpose of helping eligible small businesses understand and comply with the Federal Clean Air Act.

CHARITABLE ORGANIZATIONS

BENEFICIARY OF PERSONAL LIFE INSURANCE

Act 1015, (HB 1791), authorizes an applicant for insurance upon his or her own life to name any charitable entity as beneficiary or owner of the policy.

CONTRACTS WITH PROFESSIONAL FUND RAISERS

Act 1055, (HB 2070), requires each contract between a professional fund raiser and a charitable organization to contain a provision requiring the delivery to the charitable organization of the names and addresses of all persons making contributions and the amount of each person's contribution.

CHILD ABUSE

EXPUNGEMENT OF UNFOUNDED REPORTS

Act 1088, (SB 675), provides for the immediate destruction of central registry records of cases of child abuse, neglect, sexual abuse or exploitation which have been determined by a court of competent jurisdiction to be unfounded.

CHILD ABUSE (Cont.)

WITHHOLDING OF MEDICAL TREATMENT

Act 1126, (HB 1996), amends the Arkansas Juvenile Code and the Child Maltreatment Act to require the authorities of the State of Arkansas to seek medical assistance for a child when the parents fail to seek medical treatment for the child. It also eliminates the religious exemption of withholding medical or surgical treatment of a child from the criminal offense of permitting abuse of a child.

CHILD CARE FACILITIES

CONSTRUCTION MATERIALS TAX EXEMPTION

Act 820, (SB 574), exempts construction materials and furnishings purchased for use in the initial construction and equipping of a child care facility operated by a business to provide child care service to their employees from sales and use tax. It also allows an income tax credit of 3.9% of the annual salaries of employees employed exclusively in providing child care services.

CRIMINAL RECORDS CHECK

Act 1293, (HB 2025), requires the Child Care Facilities Review Board to perform a criminal records and fingerprint check of each person applying for a child care facility license. It also requires a criminal records background check for all applicants for employment at a child care facility in Arkansas. It prohibits a person from being employed or from holding a license if the person has been convicted of any several enumerated violent crimes or other enumerated sex or abuse crimes.

STAFF

CPR CERTIFIED EMPLOYEE

Act 493, (HB 1640), requires, as a condition of licensing, that at least one adult member of the staff of a child care facility who is certified in infant and child cardiopulmonary resuscitation be present within the physical confines of the facility during regular business hours.

EDUCATION

Act 900, (HB 1945), requires all persons working directly with children in any child care facility to receive continuing early childhood education and requires, as a condition of licensing, child care facilities to maintain continuing education records as part of the facility's personnel records.

CHILD SUPPORT

ARREARAGE

Act 396, (HB 1022), provides that the additional amount of periodic child support payment to be withheld and applied toward liquidation of any accrued arrearage due under an order shall be no less than ten percent (10%) of the periodic payment. The Act provides that income withholding does not constitute an election of remedies.

CHILD SUPPORT (Cont.)

ASSIGNMENT OF HEALTH CARE BENEFIT RIGHTS

Act 965, (HB 1024) creates an assignment of health care benefit rights to the custodial parent or to the children's health care provider when the noncustodial parent has been ordered by the court to provide health care coverage.

ATTORNEY-NONCUSTODIAL PARENT

Act 1253, (HB 1750), authorizes the Child Support Enforcement Unit and the Arkansas Supreme Court to develop a cooperative agreement whereby the Unit will notify the Clerk of the Supreme Court regarding the review of the law license whenever a noncustodial parent who is an attorney is delinquent on a court-ordered child support payment in an amount equal to six (6) months obligation or more.

ATTORNEYS IN THE EMPLOY OF THE STATE

Act 927, (HB 1025), clarifies that the attorneys employed by the State of Arkansas in either the Department of Human Services or the Child Support Enforcement Unit to establish and enforce orders of child support represent the State of Arkansas and not the assignee of an interest in the child support ordered, and no attorney-client relationship is created between the attorney and the assignee.

AUTOMATIC TERMINATION OF OBLIGATION

Act 326, (SB 238), provides for the automatic termination of child support obligations when a child becomes 18 years of age or should have graduated from high school, whichever is later, or when the child is emancipated by a court of competent jurisdiction, marries, or dies, unless the child support order provides otherwise.

CHILD SUPPORT COLLECTION AGENCIES

Act 1245, (HB 1381) requires state licensure of child support collection agencies and exempts collection services for delinquent child support from the Gross Receipts Tax.

ENFORCEMENT FUND

Act 180, (HB 1028), requires that all funds in the Child Support Enforcement Fund be utilized by the Child Support Enforcement Program for the operation and improvement of the program in Arkansas and clarifies what monies shall be deposited in the fund.

ENFORCEMENT UNIT

ACKNOWLEDGEMENT OF PATERNITY - HOSPITALS, ETC.

Act 928, (HB 1031), permits the Child Support Enforcement Unit to enter into agreements to compensate hospitals, birthing centers, midwives, etc., \$20.00 for filling out each acknowledgement of paternity. It also requires hospitals, birthing centers, etc., to provide the mother with an opportunity to fill out an affidavit form acknowledging the paternity of the child at the time of birth.

CONTRACTS FOR PROFESSIONAL SERVICES

Act 1249, (HB 1601), authorizes the manager of the Child Support Enforcement Unit to enter into professional service contracts with private individuals or businesses and public agencies concerning the establishment and enforcement of the collection, monitoring, and distribution of child support obligations. It also authorizes the Child Support Enforcement Unit to collect unreimbursed public or medical assistance under a cooperative agreement with the state's IV-A or Medicaid agencies for any unreimbursed public or medical assistance owed the state.

CHILD SUPPORT - ENFORCEMENT UNIT (Cont.)

COOPERATION BY BUSINESS AND FINANCIAL ENTITIES

Act 964, (HB 1023), requires businesses and financial entities to cooperate with the Child Support Enforcement Unit in discovering, retrieving, and transmitting information contained in the business records that would be useful in locating absent parents or enforcing child support orders.

NOTICE TO SUPREME COURT ON DELINQUENT ATTORNEYS

Act 1253, (HB 1750), authorizes the Child Support Enforcement Unit and the Arkansas Supreme Court to develop a cooperative agreement whereby the Unit will notify the Clerk of the Supreme Court regarding the review of the law license whenever a noncustodial parent who is an attorney is delinquent on a court-ordered child support payment in an amount equal to six (6) months obligation or more.

TRANSFER

Act 795, (SB 767), transfers the Child Support Enforcement Unit of the Department of Human Services to the Department of Finance and Administration.

TRANSFER

Act 957, (SB 818), transfers the Child Support Enforcement Unit from the Department of Human Services to the Department of Finance and Administration - Revenue Services Division and makes appropriations for its operations.

JUVENILE PROCEEDINGS

Act 1152, (SB 598), requires the court, at juvenile adjudications or disposition hearings, to refer questions of child support to the Child Support Enforcement Unit and to issue child support orders upon petition by the Unit.

REDUCTION DURING EXTENDED VISITATION

Act 607, (SB 239), authorizes a reduction in court-ordered child support, under certain conditions, for any period of time that a child spends in excess of 7 consecutive days with the noncustodial parent. The noncustodial parent must notify the court clerk and the Child Support Enforcement Unit, when applicable, within 10 days if reduction should occur under this act.

SUSPENSION OF COMMERCIAL DRIVER'S LICENSE

Act 1241, (HB 1029), provides for the suspension of a non-custodial parent's commercial driver's license who has an adjudicated arrearage of child support in an amount equal to 6 months payments.

SUSPENSION OF PROFESSIONAL OR BUSINESS LICENSES

Act 1240, (HB 1026), authorizes the chancery court to revoke or suspend the occupational, professional, or business licenses of non-custodial parents who are delinquent in court-ordered child support.

UNIFORM INTERSTATE FAMILY SUPPORT ACT

Act 468, (SB 33), adopts the Uniform Interstate Family Support Act.

VARIOUS AMENDMENTS

Act 1242, (HB 1030), amends numerous provisions in the Arkansas Code regarding the collection of child support.

CHILD SUPPORT (Cont.)

WORKER'S COMPENSATION APPLICANTS

Act 1185, (HB 1032), requires an applicant for worker's compensation benefits to divulge certain information regarding the status of the applicant's child support obligations. It also requires the employer to forward a copy of the application to the Arkansas Child Enforcement Unit.

CHILDREN

ADOPTION NOTIFICATION TO GRANDPARENTS

Act 1204, (HB 1574), eliminates the exception to the notification of grandparents' requirement in certain adoption proceedings..

CHILD LABOR LAWS

EXEMPTIONS FOR FARM WORKERS

Act 1120, (HB 1886), allows persons engaged in the agriculture industry to hire young persons between the ages of fourteen (14) and sixteen (16) years outside of school hours as a seasonal agricultural laborer to pick, plant, harvest, grade, sort or haul any crop, fruit or vegetable.

SAFE PESTICIDES

Act 983, (HB 1729), authorizes the Department of Health to promulgate a list of approved pesticides and chemicals which are safe for occupational exposure of children 12 or 13 years old who may be exposed in the harvesting of short season crops.

CHILDREN AND YOUTH COMMITTEE

Act 1033, (HB 1916), requires the Joint Committee on Children and Youth to monitor compliance with the consent decree from Angela R., et al. v. Bill Clinton, et al., to report annually regarding compliance and to review all bills pertaining to the safety, health, mental health, development and problems of children and youth.

CUSTODY TRANSFERS ON PUBLIC SCHOOL PROPERTY PROHIBITED

Act 660, (SB 554), prohibits the transfer of children between custodial and noncustodial parents on public school property when both parents are present.

GRANDPARENTS' VISITATION RIGHTS

Act 1231, (SB 601), permits a grandparent or great-grandparent to petition for visitation rights for their grandchildren or great-grandchildren if the child is in the custody or under the guardianship of a person other than one or both of his natural or adoptive parents. (Previously, they could petition for visitation only if the parents were dead or divorced.)

HEALTH INSURANCE

Act 1158, (SB 697), authorizes insurers to issue children's basic primary and preventative benefit policies or riders, subject to approval by the State Insurance Commissioner.

INTERAGENCY COORDINATION COUNCIL

Act 937, (HB 1442), changes the composition of the State Interagency Coordination Council and amends certain definitions to comply with federal law.

CHILDREN (Cont.)

JUVENILE DETENTION

COURT JURISDICTION CONTINUES

Act 974, (HB 1415), provides for juveniles committed to the custody of the Youth Services Board shall, upon release from the custody, remain under the jurisdiction of the committing court for an indeterminate period not to exceed two (2) years.

HEARINGS

Act 882, (HB 1402), provides that a detention hearing be held for a juvenile taken into custody as soon as possible but no later than 72 hours unless it ends on a weekend or holiday, then on the next business day.

JUVENILE PROCEEDINGS

REFERRAL OF CHILD SUPPORT ISSUES

Act 1152, (SB 598) requires the court, at juvenile adjudications or disposition hearings, to refer questions of child support to the Child Support Enforcement Unit and to issue child support orders upon petition by the Unit.

JUVENILE RECORDS

Act 408, (SB 91), limits disclosure of juvenile arrest records, juvenile detention records, and records of proceedings under the Arkansas Juvenile Code of 1989.

MISSING CHILDREN REPORTS

Act 116, (HB 1132), amends Arkansas Code sections pertaining to missing children to authorize the Attorney General to handle missing children reports.

PATERNITY AND PRESUMPTION OF LEGITIMACY

Act 431, (HB 1116), removes the presumption that the husband of a child's biological mother is the father of the child when scientific evidence conclusively eliminates him from paternity consideration. If the legitimacy of the child is rebutted, the court shall relieve the putative father from further support liability and attempt to identify the biological father.

PAWN SHOPS

Act 1131, (HB 2052), prohibits pawnbrokers from purchasing personal property as security from any person under eighteen (18) years of age who has not been emancipated under Arkansas law. It also makes it unlawful for a pawnbroker to dispose of personal property purchased or received as security until at least 15 calendar days after the property is purchased or pawned, or 7 days if reported to the local police.

TEMPORARY GUARDIANSHIP NOTICE

Act 1295, (HB 2055), provides for immediate notice to parents of minors for whom temporary guardianships have been appointed.

VIOLATION OF A MINOR

Act 265, (SB 73), adds person to whom the criminal offense of violation of a minor applies, i.e. employee in the minor's school district, temporary caretaker, or person in a position of trust or authority of the minor.

YOUTH SERVICES DIVISION

Act 1296, (HB 2069), authorizes the establishment of a Division of Youth Services within the Department of Human Services and devoted entirely to handling problems of youths involved with the juvenile justice system.

CHIROPRACTORS

Act 392, (SB 275), establishes the Chiropractic Extern Program. It revises provisions concerning continuing education for chiropractors. The civil penalty the board may levy against licensed chiropractors is increased. The Act also authorizes investigative officers of healing arts boards to issue subpoenas.

CITIES

ALDERMAN ELECTION IN CITIES IN TRANSITION

Act 857, (HB 1995), amends the law allowing cities of the first class to determine by ordinance whether to elect aldermen by ward or at-large to empower cities (city-manager or city-administrator cities) in transition to the mayor-council form of government to provide that all aldermen be elected by wards or at-large.

ANNEXATION BY TWO CITIES

Act 356, (HB 1571), amends the law on municipal annexation to create a procedure to resolve the questions of annexation of territory outside the city when two (2) cities are attempting to annex the same contiguous area to both cities.

CENSUS CORRECTIONS FOR REVENUE PURPOSES

Act 1080, (SB 222), allows the State Treasurer to correct the amount of general or special revenue a municipality receives from the state based on incorrect census information received from the Bureau of the Census, corrected amounts to be submitted to the Arkansas Claims Commission.

CITY ADMINISTRATOR FORM

FIREFIGHTERS INELIGIBLE FOR CITY BOARD

Act 476, (SB 388), makes Arkansas Code § 14-42-115, permitting volunteer firemen to serve on the governing body of the city or town, inapplicable in cities with city-administrator forms of government.

CITY MANAGER FORM

CANDIDATES FOR BOARD OF DIRECTORS

Act 541, (HB 1631), amends the procedure for filing petitions for candidates for the board of directors of a city with the city manager form of government. It requires the petition supporting the candidacy of each candidate to be filed with the city clerk or recorder not less than sixty (60) days before the election and by twelve o'clock noon.

ENABLING ACT

Act 1060, (HB 2133), amends the City Manager's Enabling Act to allow the board of directors of a city with a city manager form of government to refer to the people the issues of electing a mayor and granting the mayor veto power and to provide that the mayor veto may be overridden by two-thirds vote of the board.

NEPOTISM PROHIBITION LIMITED

Act 117, (SB 32), limits the anti-nepotism provision of the city-manager law. A person who holds an appointive or employment position with the city at the time the person's relative becomes city manager or a member of the board of directors may continue in that position or employment.

OPTIONS TO ELECT MAYOR AND BOARD OF DIRECTORS

Act 1294, (HB 2029), provides options for electing the mayor and the city board of directors to cities of the first class that have the city manager form of government.

CITY PRISONERS

Act 1290, (HB 2072), requires a city, in the absence of contract otherwise, to pay the county for a person who is sentenced to a county jail for violating a municipal ordinance. The city shall be responsible for paying the fee established by the quorum court in the county. Municipalities may also appropriate funds to assist the county in the maintenance and operation of the county jail. The sheriff shall remit to the county treasurer the fees collected. Counties are required to give priority to in-county prisoners over contracts for out-of-county prisoners.

Act 516, (HB 1097), requires a city to pay the county for a person who is sentenced to a county jail for violating a municipal ordinance. The city shall be responsible for paying the fee established by the quorum court in the county. Municipalities may also appropriate funds to assist the county in the maintenance and operation of the county jail. The sheriff shall remit to the county treasurer the fees collected.

CIVIL SERVICE COMMISSIONS

Act 206, (HB 1216), makes numerous changes to the laws regulating civil service commissions for police and fire departments in cities. It authorizes cities of the first class to add two (2) members to their civil service commissions and requires civil service commissioners to become familiar with civil right's and public employment laws. It requires the cities to hire independent legal counsel in certain situations and administrative staff for the civil service commissions. The fines the commission may impose on individuals were increased from fifty dollars (\$50.00) to up to five hundred dollars (\$500.00) for contempt or misbehavior during an investigation.

COLLEGES AND UNIVERSITIES

Act 367, (SB 70), authorizes cities to grant, by ordinances effective no longer than 12 months, financial aid to state-supported colleges and universities with facilities located in the cities. Grants must be paid out of donations or gifts received by a city for general purposes, and the financial aid may be used to retire bond debts or for paying operating expenses.

ELECTRIC POWER GENERATION REVENUE BOND

Act 543, (HB 1825) and Act 611, (SB 593), provide that joint municipal electric power generation revenue bonds shall be executed by the manual or facsimile signatures of the mayor and clerk of the municipality.

FINANCIAL LAWS DEEMED OUTDATED

Act 1279, (HB 1539), repeals various laws deemed to be outdated. The laws provided various financial duties of city and county officers

FIRE MARSHALS AUTHORIZED TO MAKE ARREST

Act 1157, (SB 683), authorizes qualified municipal fire marshals to carry weapons and make arrests for violating laws relating to arson and other unlawful burning.

FIREARMS RESTRICTIONS PROHIBITED

Act 1100, (HB 1447), prohibits local units of government from restricting the ownership, use, and possession of firearms, ammunition, or firearm components, but allows for an exception based on a proclamation by the Governor that a state of emergency exists.

HISTORIC DISTRICT COMMISSIONERS

Act 194, (SB 153), amends the Historic Districts Act to increase the number of commissioners on the Historic District's Commission from five (5) to an optional minimum of five (5) and maximum of nine (9) members on the commission. Also, the Historic Districts Act was amended to permit historic districts to be formed in the areas of a county (outside a municipality) upon petition of the majority of real property owners and the approval of an ordinance of the county quorum court.

HOMEBUILDERS' REGISTRATION

Act 158, (HB 1298), and Act 196, (SB 253), require any city or county enacting a homebuilder's registration ordinance to notify the Secretary of State's Office within 30 days of the enactment of the ordinance. The Secretary of State's Office may be requested to send a roster of all persons currently registered under the terms of the Arkansas Homebuilders' Registration Act to any incorporated city or town or county that has adopted a homebuilders's registration ordinance.

INTERGOVERNMENTAL COOPERATION COUNCIL

Act 232, (HB 1295), and Act 776, (SB 77), amend the law creating the county intergovernmental cooperation council to give the county judge the power of veto over council actions and to require a two-thirds (2/3's) majority of all council members to override a veto.

INVESTMENT TRUSTS OF LOCAL GOVERNMENTS

Act 583, (SB 606), permits local governments in Arkansas to join together to establish trusts for joint investment of moneys not currently needed so as to enhance their investment opportunities and increase investment earnings. The term "local government" means any city, county, school district or community college district. It sets up the terms of the trusts and prescribes the powers of the trust to invest and to own property.

LEGISLATIVE AUDIT SERVICES

Act 484, (SB 526), provides the responsibilities of the Legislative Auditor for providing auditing services for political subdivisions, including compilations for incorporated towns.

LIABILITY EXEMPTION FOR EMERGENCY ASSISTANCE

Act 1191, (HB 1689), exempts any person or entity who provides emergency assistance at the request of any city, county or state agency from civil liability, provided that the services were provided without compensation and at the place of the emergency.

LIBRARIES

Act 920, (SB 769), provides for the implementation of Amendment 72 of the Arkansas Constitution regarding the levy of property taxes (up to 3 mills) for libraries in cities and counties. It defines the purposes for which library bonds may be issued and provides for the procedures for the election on the levy and pledge of ad valorem taxes for libraries and library improvements.

MUNICIPAL RECREATION IMPROVEMENT DISTRICTS

Act 394, (SB 1258), releases certain noncontiguous areas outside a municipality from a municipal recreation improvement district.

PESTICIDE REGULATION PROHIBITED

Act 815, (SB 468), prohibits a city, county or other political subdivision of the state from regulating the registration, labeling, distribution, sale, handling, use, application, transportation or disposal of pesticides. It doesn't apply to ordinances or rules adopted before March 1, 1993.

POSTSECONDARY EDUCATIONAL INSTITUTIONS

Act 866, (SB 596) authorizes cities, counties, and incorporated towns to grant financial aid to public institutions of higher education within their borders, under ordinances effective for 12 month periods, for operational expenses.

PROPERTY OWNERS' IMPROVEMENT DISTRICTS

Act 819, (SB 557), amends the law on property owners' improvement districts to clarify and establish a procedure for the creation of the districts within two (2) municipalities. The city in which the largest portion of the district lies is the "creating municipality" and the other city can object to the creation of the district.

PUBLIC FACILITIES BOARDS

Act 349, (HB 1391), amends the definition of "other capital improvement facilities" as used in the Public Facilities Act.

PUBLIC WORKS SUPERVISED BY ENGINEERS OR ARCHITECTS

Act 284, (SB 93), requires the construction of certain public works to be under the observation of an engineer or architect. The Act removes the penalty for failure to comply with the law.

PURCHASE OF COMMODITIES

ARKANSAS BIDDER PREFERENCE

Act 678, (SB 654), limits the Arkansas bidder preference on contracts for commodities to projects designed to provide utility needs of a county or municipality.

RENT CONTROL PREEMPTION

Act 545, (SB 208), provides that a local political subdivision in Arkansas shall not have the authority enact, maintain, or enforce an ordinance or regulation with the effect of controlling the amount of rent charged for leasing private residential or commercial property.

SALE OF PROPERTY TO POST SECONDARY EDUCATIONAL INSTITUTION

Act 1044, (HB 1969), authorizes any city of the first class to sell city property to any publicly supported post secondary educational institution.

STREET AND PARKING REVENUE BONDS

Act 832, (SB 802), amends the Municipal Street and Parking Revenue Bond Act to define the term "automobile" to mean any vehicle which is self-propelled, including but not limited to passenger cars, trucks, vans and buses.

STREETS

GOLF CARTS ON STREETS

Act 976, (HB 1558), authorizes municipalities in Arkansas to allow, by municipal ordinance, an owner of a golf cart to operate the golf cart upon the city streets of the municipality. The ordinance shall not authorize operation on city streets which are also designated as federal or state highways or as a county road and they may operate golf carts on city streets only from the owner's place of residence to the golf course and to return from the golf course to the owner's residence.

CITIES - STREETS (Cont.)

STATE-AID ROAD SYSTEM

Act 244, (SB 46), amends the law and expands the maximum total mileage in the State-Aid Road System from the current 10,000 miles to 15,000 miles. The State-Aid Road System provides that cities or counties may receive state highway revenues for certain city streets or county roads.

TAXES

DEDICATION TO SCHOOL DISTRICTS

Act 1070, (SB 597), allows cities and counties, when holding an election on the issue of a sales or use tax, to dedicate a portion of the tax to a school district or districts located within their boundaries.

ECONOMIC DEVELOPMENT

Act 1069, (SB 592), allows cities and counties, subject to voter approval, to levy any sales or use tax otherwise provided by law to be utilized for the establishment and operation of local economic development programs.

Act 364, (HB 1544), clarifies the method by which a city may levy a hotel and restaurant tax by providing that any first class city may levy up to 3% gross receipts tax on hotel and restaurant sales. The tax is to be collected by the city advertising commission for use in advertising and promoting the city. A city with a large park may also levy a 1% tax for use by the parks and recreation department of the city.

HOTEL AND RESTAURANT TAX

Act 347, (HB 1312), provides that hotel and restaurant sales taxes which have been pledged for the repayment of bonds are to be deposited in the city's advertising and promotion fund and are to be dispersed by the Advertising and Promotion Commission. The act further provides that money in the city advertising and promotion fund may be used for city parks' operation.

LEVY FOR ECONOMIC DEVELOPMENT AND FOR PUBLIC FACILITIES

Act 1012, (HB 1749), authorizes cities and counties to levy any taxes not currently otherwise provided for by law, subject to voter approval, to raise revenue for funding economic development projects or for creation, expansion, and rehabilitation of vital public facilities.

SALES TAX OR USE TAX REVENUES

Act 1014, (HB 1788), allows the revenues from the short-term sales and use tax authorized by §14-164-228 to be used to retire existing revenue bonds issued for capital improvements.

UTILITIES

SURPLUS REVENUES

Act 195, (SB 201), permits any municipality in this state to use, in addition to several other uses, the surplus revenues derived from one (1) or more of the water, sewer, gas, or electric utilities owned by the city for fire and emergency equipment for the municipality.

WASTEWATER SYSTEM BONDS

Act 3, (HB 1018), expands the type of financial obligations which are subject to the recourse provisions for failure of the municipalities to repay the water pollution control loans to include bonds, notes and other types of indebtedness.

CITIES - UTILITIES (Cont.)

WATER WORKS FUNDS

Act 1040, (HB 1940), clarifies that operation and maintenance funds of a water works commission may be used for activities conducted by a chamber of commerce or similar not-for-profit organization concerning industrial development or prevention of community deterioration if the activities are likely to increase revenues of the water works or decrease expenditures resulting from system deterioration.

VARIOUS MUNICIPAL LAWS REPEALED

Act 1121, (HB 1937), repeals various sections of Arkansas Code of 1987, Title 14 concerning municipalities.

WATERWORKS REVENUE BONDS

Act 295, (HB 1217), repeals a section of the Arkansas Code inconsistent with newer laws requiring public notice and hearings prior to a city's adoption of ordinances authorizing waterworks revenue bonds and also clarifies provisions for giving public notice of adopting ordinances in cities where no newspaper is published.

ZONING FOR COMMERCIAL MEDICAL WASTE INCINERATORS

Act 199, (HB 1047), gives cities and counties the authority to adopt zoning ordinances for the regulations of commercial medical waste incinerators.

CIVIL LAW AND PROCEDURE

CIVIL RIGHTS

ACT 962, (HB 1075), is the Arkansas Civil Rights Act of 1993.

EVIDENCE

HOSPITAL RECORDS

Act 274, (SB 311), adds the medical records librarian and the administrator or other chief officer of a comprehensive community mental health center to the definition of 'custodian' under the Hospital Records Act.

SEAT BELTS

Act 1086, (SB 645), prohibits the failure to provide or use a seat belt to be considered as evidence of comparative or contributory negligence or failure to mitigate damages in the trial of any civil action with regard to negligence.

FRANCHISES

VENUE FOR CIVIL ACTIONS

Act 310, (SB 227), provides that a party to a restaurant franchise may commence a civil action or initiate arbitration (if the restaurant franchise allows or compels arbitration of suits) if either party to the restaurant franchise is a resident of Arkansas. The action may be brought or arbitration initiated in the county where the franchised restaurant is located or expected to be located or where the principal place of business of the franchisee or franchisor is located.

CIVIL LAW AND PROCEDURE (Cont.)

LIMITATION OF ACTIONS

FRAUDULENT TRANSFERS

Act 1279, (HB 1539), amends the Arkansas Fraudulent Transfers Act to provide that no court order or judgement is an obligation under the act and it changes certain statutes of limitations under the Act..

SEXUAL ABUSE OF A MINOR

Act 370, (SB 287), establishes a statutory period, three (3) years from the time of discovery by the injured party, in which civil actions based on the sexual abuse of a minor must be brought.

LONG-ARM JURISDICTION

Act 7, (SB 67), allows courts of this state to exercise jurisdiction over nonresidents on any basis authorized by law, including service of process within the state upon the nonresident, his agent or employee.

MEDICAL BILLS

Act 424, (SB 424), provides that upon the trial of any civil case involving injury, disease or disability, the patient, a member of his family or any other person responsible for the care of the patient, shall be a competent witness to identify medical bills.

PLEADINGS

THIRD PARTY DEFENDANTS

Act 759, (HB 1335), amends the Arkansas Code allowing the permissive amending of pleadings by a plaintiff against third party defendants to make it consistent with the provisions of the Arkansas Rules of Civil Procedure.

SEISMIC TESTING

CLAIM FOR DAMAGES

Act 342, (HB 1234), requires a surface owner to file a written notice of claim for damages caused by the performance of field seismic operations to be filed within one year of the date of expiration of the permit for conducting such operations. The act further provides that such a claim shall be subordinate to the rights of the Arkansas Oil and Gas Commission.

SERVICE OF PROCESS

Act 269, (SB 289), provides for service of process by an alternative mail carrier when service is permitted by registered or certified mail.

SHOPLIFTERS SUBJECT TO A CIVIL CAUSE OF ACTION

Act 936, (HB 1399), provides for a civil cause of action by owners or sellers against shoplifters and against the parents of unemancipated minors over the age of 6 years who shoplift.

THIRD PARTY TORT ACTIONS

Act 1225, (SB 386), provides that in tort actions no contributory or comparative fault of a recipient of medical benefits from the Department of Human Services can be attributed to the state unless the recipient's injuries resulted from use of a device, machine, or product after he was warned of the threat of harm or injury.

UNIFORM INTERSTATE FAMILY SUPPORT ACT

Act 468, (SB 33), adopts the Uniform Interstate Family Support Act.

CIVIL LAW AND PROCEDURE (Cont.)

WRONGFUL DEATH ACTIONS

Act 589, (SB 78), expands the persons entitled to compensation for mental anguish in wrongful death actions to beneficiaries of the deceased and not just specified next of kin.

CIVIL RIGHTS

ACT 962, (HB 1075), is the Arkansas Civil Rights Act of 1993.

CONSUMER PROTECTION

CONSUMER PRODUCT PROMOTION FAIR PRACTICES ACT

Act 139, (SB 14), enlarges the scope of the Consumer Product Promotion Fair Practices Act to include pay-per-call services, eliminates the requirement that the unlawful practice must include a request for the consumer to contact the seller to initiate the transaction and provides that prior and continuing business relationships are subject to the act's disclosure procedures. Violations of the act are subject to the remedies and penalties provided under the Deceptive Trade Practices Act.

DECEPTIVE TRADE PRACTICES

ALTERATION OF FARM MACHINERY

Act 908, (SB 729), provides that altering or tampering with the hour meter on farm machinery with the intent to defraud constitutes a deceptive trade practice.

DISCLOSURE BY PROFESSIONAL FUND RAISERS

Act 910, (SB 775), requires additional disclosure by professional fund raisers regarding their professional status and the percentage of funds retained by the solicitor and the percentage of funds applied to the charitable purpose. Misrepresentation during the course of soliciting funds for a charitable organization is considered an unlawful practice.

ELDERLY AND DISABLED PERSONS

Act 138, (SB 12), amends the Deceptive Trade Practices Act to allow the court to impose an additional ten thousand dollar penalty for violation of any provision of the act when the violation is committed against an elder or disabled person. Creates a cause of action to recover actual damages, punitive damages and possibly attorney's fees for an injury to an elder or disabled person who suffers damage as a result of an offense or violation of the act. The act further requires the Attorney General to use the penalties collected from the act to develop and implement a state-wide educational initiative to provide information on consumer crimes against elder and disabled persons.

GENERALLY

Act 587, (SB 13), amends various sections of the Deceptive Trade Practices Act.

GOING OUT OF BUSINESS SALES

Act 1057, (HB 2103), provides that violations of the law pertaining to going out of business sales will constitute an unlawful practice under the Deceptive Trade Practices Act.

CONSUMER PROTECTION - DECEPTIVE TRADE PRACTICES (Cont.)

HEALTH SPA CONSUMER PROTECTION ACT

Act 1048, (HB 1989), provides that health spa services contracts in violation of the Health Spa Consumer Protection Act will constitute an unlawful practice under the Deceptive Trade Practices Act.

LOAN ADVANCE FEES

Act 140, (SB 75), provides that it is unlawful for a loan broker to assess or collect an advance fee from a borrower or to make false representations regarding the services of the loan broker. A violation of the act constitutes an unfair or deceptive practice as defined by the Deceptive Trade Practices Act. The act creates an action against the loan broker for a borrower who suffers a loss as a result of a violation of the act and provides for recovery to be awarded by the court in an amount up to three times the actual damages and attorney's fees and costs.

MOTOR VEHICLE SUBJECT TO SECURITY INTEREST

Act 1042, (HB 1958), prohibits subleasing or transferring a motor vehicle subject to a security interest, lease or lien without the consent of the secured party, lessor, or lienholder. Any sublease or transfer in violation of this act will constitute an unlawful practice under the Deceptive Trade Practices Act. Act 1042 also provides for civil remedies in the event of an unlawful sublease or transfer.

ODOMETER FRAUD VIOLATIONS

Act 1047, (HB 1985), provides that odometer fraud violations will constitute an unlawful practice under the Deceptive Trade Practice Act.

RENTAL-PURCHASE AGREEMENTS

Act 1050, (HB 1999), provides that rental-purchase agreements in violation of the Rental Purchase Act will constitute an unlawful practice under the Deceptive Trade Practices Act.

MOTOR VEHICLES

BRANDED TITLE LAW

Act 614, (HB 1420), requires motor vehicles sustaining damage in an amount equal or exceeding 70% of its retail value to have the certificate of title branded with the word "DAMAGED" in the remarks section of the title. If a motor vehicle issued a "DAMAGED" certificate of title is reconstructed, the vehicle is to be issued a title with the words "PREVIOUS DAMAGE" in the remarks section on the title. The information on the repair of the vehicle shall be maintained by the Department of Finance and Administration and shall be available to prospective buyer or transferee upon request via a 1-900 toll service telephone number. Any car dealer selling a motor vehicle with a title branded shall disclose to the purchaser, prior to sale, the nature of the title brand and a description of the damage to motor vehicle.

LEMON LAW FOR NEW MOTOR VEHICLES

Act 285, (SB 169), and Act 297, (HB 1233), enact a "lemon law" for Arkansas consumers so a consumer may receive a replacement motor vehicle, or a full refund, for a new automobile which cannot be repaired within the warranty period provided for in the act. The time period for making claims is twenty-four (24) months after the date of delivery or the first twenty-four thousand (24,000) miles of operation, whichever is later. After three (3) repair attempts have been made on the same defect, the consumer shall give written notification to the manufacturer, and they are allowed one final attempt to cure the nonconformity. The manufacturer must then provide the consumer with a new replacement motor vehicle or a full refund.

CONSUMER PROTECTION (Cont.)

PAY PER CALL

Act 203, (HB 1127), creates the "Arkansas Pay-Per-Call Consumer Protection Act". The act requires an information provider that offers pay-per-call services in this state to provide a preamble message on 900 number calls providing the consumer an accurate description of the service that will be provided to the caller and an accurate summation of the cost of the service. The act further requires an information provider in its advertisements to accurately describe the message content, terms, conditions and price of the offered service. It also provides for a judgment of three times the actual damages.

TELEPHONIC SALES

Act 137, (SB 11), provides comprehensive consumer protection legislation requiring registration and disclosure of identities, assets, and other information concerning solicitation methods by telephone. The act also requires solicitors to file with the Consumer Protection Division a broad range of identification and asset information. The act further imposes an annual registration fee on solicitors and their employees and requires the solicitor to post a \$50,000 bond. The solicitor must also disclose its solicitation practices, representation of the value of prizes or awards offered, and the actual value of prizes and award.

CONTRACTORS

LICENSING REQUIREMENTS

Act 856, (HB 1930), exempts the construction of grain bins on a farm which are to be used solely for the purpose of storing grain harvested by the owner or the lessee of the farm from contractor licensing requirements.

SUBCONTRACTORS

BIDS

Act 1061, (HB 2142), gives the general contractor an option of requiring a subcontractor to provide a payment and performance bond or cash bond in an amount equivalent to the

BONDING

Act 190, (SB 26), requires a subcontractor to provide a general contractor a bond equal to the full amount of a subcontractor's bid if in excess of \$50,000. The bond must be paid within 5 days of the contract award or the subcontractor must pay a penalty equal to ten percent of the bid.

VARIOUS PROVISIONS

Act 645, (SB 488), limits the information about subcontractors which must be filed by contractor on public works contracts. The Act repeals A.C.A 20-9-102, which required certain contractors to employ mechanics or laborers who are citizens of Arkansas. It repeals A.C.A 19-11-401 et seq, which was a bidding and bond law applicable to only a limited class of public contracts.

CORRECTIONS

BOOT CAMP

Act 582, (SB 530), provides that the Board of Correction shall develop and implement a minimum 60 day "boot camp" program for eligible offenders.

CORRECTIONS (Cont.)

COMMUNITY PUNISHMENT

BOARD AND DEPARTMENT

Act 549, (SB 362), merges the Board of Correction and the Adult Probation Commission to create the Board of Correction and Community Punishment and creates a new Department of Community Punishment under that Board.

INMATE ASSIGNMENT PLAN

Act 548, (SB 361), authorizes the Board of Correction and Community Punishment to implement a correctional plan for certain eligible offenders to be assigned to community punishment programs such as home detention programs, community service programs, work release programs, boot camps, drug/alcohol treatment programs, educational programs etc.

INMATE ASSIGNMENT PLAN

Act 531, (HB 1464), authorizes the Board of Correction and Community Punishment to implement a correctional plan for certain eligible offenders to be assigned to community punishment programs such as home detention programs, community service programs, work release programs, boot camps, drug/alcohol treatment programs, educational programs etc.

INMATE TRANSFER ELIGIBILITY

Act 534, (HB 1470), sets the eligibility criteria for persons who are convicted of felonies after January 1, 1994, for their transfer to community punishment programs.

Act 555, (SB 387), establishes the criteria whereby inmates of the Department of Corrections are or will be eligible (January 1, 1994) to transfer to the new community punishment programs under the Department of Community Punishment. Inmates will be transferred subject to rules and regulations promulgated by the Board of Correction and Community Punishment and conditions set by the Post Prison Transfer Board.

COMMUNITY-BASED AND WORK-RELEASE PROGRAMS

FEES AND ASSESSMENTS

Act 119, (SB 42), allows a court to impose fees or assessments on defendants who participate in community-based rehabilitative or work-release programs.

CORRECTION DEPARTMENT

CASH FUND

Act 697, (HB 1764), establishes a cash fund for the Department of Correction for non-tax revenue receipts.

COMPLIANCE DIVISION

Act 885, (HB 1768), mandates that the Compliance Division, consisting of the Correction Compliance Attorney and an Auditor, shall be under the direct authority of the Board of Correction.

CORRECTIONS - CORRECTION DEPARTMENT (Cont.)

DIRECTOR

Act 911, (SB 815), allows reallocation of the resources within the Department of Community Punishment and the Department of Correction; provides for the appointment of the Director of the Department of Correction; provides for the distribution of proceeds from the sale of feeder cattle by the Department of Correction; provides that the Governor and the Chief Fiscal Officer of the State must approve increases in reimbursement rates for payments to counties for the expenses of care and custody of state inmates; provides for reimbursement to counties in the event the Department of Correction cannot accept inmates from the counties due to insufficient bed space; requires the Department of Correction to report to the Joint Interim Committee on State Agencies and Governmental Affairs by December 1 each year regarding rehabilitation efforts.

REALLOCATION OF RESOURCES

Act 911, (SB 815), allows reallocation of the resources within the Department of Community Punishment and the Department of Correction; provides for the appointment of the Director of the Department of Correction; provides for the distribution of proceeds from the sale of feeder cattle by the Department of Correction; provides that the Governor and the Chief Fiscal Officer of the State must approve increases in reimbursement rates for payments to counties for the expenses of care and custody of state inmates; provides for reimbursement to counties in the event the Department of Correction cannot accept inmates from the counties due to insufficient bed space; requires the Department of Correction to report to the Joint Interim Committee on State Agencies and Governmental Affairs by December 1 each year regarding rehabilitation efforts.

INMATE ASSIGNMENT TO FACILITIES

Act 658, (SB 532), provides that all inmate commitments to the Department of Correction shall be to the department and not to a particular correction institution. The director is authorized to assign and transfer inmates to appropriate facilities.

MENTAL EVALUATIONS OF REPRIEVED FELONS

Act 914, (SB 533), provides convicted felons under sentence of death shall be evaluated by the Division of Mental Health Services, Arkansas Department of Human Services, when there are reasonable grounds to believe the individual is not competent, due to mental illness, to understand the nature and reasons for the punishment, and, if warranted, appropriate mental health treatment provided.

MENTALLY ILL INMATES

Act 884, (HB 1767), authorizes the Department of Correction to develop in-house procedures for the treatment of mentally ill inmates.

MERITORIOUS GOOD TIME

Act 536, (HB 1472), and Act 558, (SB 476) revise the laws regarding the award of meritorious good time which shall no longer apply to reduce the length of an inmate's sentence, but rather shall apply towards an inmate's transfer eligibility date from the Department of Correction to a community punishment facility, and then towards the time spent in the community punishment facility.

PARDON APPLICATION NOTICE

Act 741, (SB 701), provides that a notice shall be published in a newspaper of general circulation in the county where the offense occurred whenever an application for a pardon or commutation is sought from a conviction for capital murder.

CORRECTIONS (Cont.)

PARDON NOTICE BY GOVERNOR

Act 5, (SB 163), requires the Governor to file a notice of his intention to grant an application for a pardon, commutation of sentence, or remission of fines and forfeitures, with the Secretary of State 30 days prior to granting the application.

PENAL INDUSTRY PROGRAMS

Act 237, (SB 336), amends the law exempting county purchases of certain commodities to exempt all goods and services which are regularly provided to county government by the Arkansas Department of Correction's various penal industries from the competitive bidding requirement.

PHYSICAL OR MENTALLY DISABLED PERSONS

Act 1281, (HB 1765), allows any person incarcerated by the Department of Corrections to remain within a treatment facility operated by the Department if serious physical or mental disorders or disabilities exist until release to a similar treatment setting outside of the Department can be accomplished.

POST PRISON TRANSFER BOARD

Act 530, (HB 1461), and Act 547, (SB 360), change the State Board of Parole and Community Rehabilitation to the Post Prison Transfer Board and establishes its membership and procedures.

PROCEEDS FROM SALE OF FEEDER CATTLE

Act 911, (SB 815), allows reallocation of the resources within the Department of Community Punishment and the Department of Correction; provides for the appointment of the Director of the Department of Correction; provides for the distribution of proceeds from the sale of feeder cattle by the Department of Correction; provides that the Governor and the Chief Fiscal Officer of the State must approve increases in reimbursement rates for payments to counties for the expenses of care and custody of state inmates; provides for reimbursement to counties in the event the Department of Correction cannot accept inmates from the counties due to insufficient bed space; requires the Department of Correction to report to the Joint Interim Committee on State Agencies and Governmental Affairs by December 1 each year regarding rehabilitation efforts.

REHABILITATION OF INMATES

Act 911, (SB 815), allows reallocation of the resources within the Department of Community Punishment and the Department of Correction; provides for the appointment of the Director of the Department of Correction; provides for the distribution of proceeds from the sale of feeder cattle by the Department of Correction; provides that the Governor and the Chief Fiscal Officer of the State must approve increases in reimbursement rates for payments to counties for the expenses of care and custody of state inmates; provides for reimbursement to counties in the event the Department of Correction cannot accept inmates from the counties due to insufficient bed space; requires the Department of Correction to report to the Joint Interim Committee on State Agencies and Governmental Affairs by December 1 each year regarding rehabilitation efforts.

CORRECTIONS (Cont.)

REIMBURSEMENT TO COUNTIES FOR CARE OF INMATES

Act 911, (SB 815), allows reallocation of the resources within the Department of Community Punishment and the Department of Correction; provides for the appointment of the Director of the Department of Correction; provides for the distribution of proceeds from the sale of feeder cattle by the Department of Corrections; provides that the Governor and the Chief Fiscal Officer of the State must approve increases in reimbursement rates for payments to counties for the expenses of care and custody of state inmates; provides for reimbursement to counties in the event the Department of Corrections cannot accept inmates from the counties due to insufficient bed space; requires the Department of Correction to report to the Joint Interim Committee on State Agencies and Governmental Affairs by December 1 each year regarding rehabilitation efforts.

SENTENCING COMMISSION

Act 532, (HB 1465), and Act 550, (SB 363), create the Arkansas Sentencing Commission to establish rational and consistent sentencing standards based on the seriousness of the offense and the offender's criminal history to be followed by the trial court, but allows for departure from the standards.

COSMETOLOGISTS

Act 1056, (HB 2080), makes various revisions to the Arkansas Barber Law and the Cosmetology Act.

COUNTIES

ANIMAL REGULATION IN SUBURBAN IMPROVEMENT DISTRICTS

Act 622, (HB 1635), authorizes a county, upon the request of the governing board of a suburban improvement district, to regulate dogs and cats within all or any part of the suburban improvement district.

ASSESSORS

Act 859, (SB 235), requires the allocation of the assessment of real property subject to ad valorem taxes within thirty days after a request by the buyer of a portion of the property.

CITY PRISONERS

Act 516, (HB 1097), requires a city to pay the county for a person who is sentenced to a county jail for violating a municipal ordinance. The city shall be responsible for paying the fee established by the quorum court in the county. Municipalities may also appropriate funds to assist the county in the maintenance and operation of the county jail. The sheriff shall remit to the county treasurer the fees collected.

Act 1290, (HB 2072), requires a city, in the absence of contract otherwise, to pay the county for a person who is sentenced to a county jail for violating a municipal ordinance. The city shall be responsible for paying the fee established by the quorum court in the county. Municipalities may also appropriate funds to assist the county in the maintenance and operation of the county jail. The sheriff shall remit to the county treasurer the fees collected. Counties are required to give priority to in-county prisoners over contracts for out-of-county prisoners.

COUNTIES (Cont.)

CLERKS

ANNUAL FINANCIAL REPORT

Act 538, (HB 1540), requires the county clerk to make out a full and complete annual financial report of the county, using the financial records of the county clerk and county treasurer. The annual county financial report shall include all operating accounts of the county and a statement of the county indebtedness. The county clerk shall cause the annual county financial report to be published one (1) time in one (1) newspaper in the county.

CONTINUING EDUCATION FUND

Act 1054, (HB 2062), provides that the first forty thousand dollars of real estate transfer taxes collected each fiscal year shall be credited to the County and Circuit Clerk's Continuing Education Fund.

MARRIAGE LICENSE FEE

Act 174, (SB 199), increases the surcharge on marriage licenses from five dollars (\$5.00) to ten dollars (\$10.00).

VOTER REGISTRATION LISTS ON COMPUTER

Act 1161, (SB 731), requires county clerks who maintain voter registration lists on computer to provide, at reasonable cost, the lists on computer disk or tape to candidates for elective office and elective office holders.

COLLECTORS

FEES FOR COLLECTING ASSESSMENTS

Act 811, (SB 207), raises the fee the county collector charges to fire protection districts for the collection of their annual benefit assessments from one percent (1%) to three percent (3%).

CORONERS

AUTOPSY REPORTS

Act 1304, (HB 2087), requires the State Medical Examiner to provide copies of autopsy reports to law enforcement agencies and coroners of the jurisdiction in which the death occurred.

DEATH REPORTS

Act 1302, (HB 2088), clarifies to whom deaths are to be reported and what types of deaths are to be reported.

POWERS AND DUTIES

Act 1301, (HB 2086), defines the powers and duties of coroners.

ELECTION COMMISSION

DEFENSE IN CIVIL LAWSUITS BY PROSECUTING ATTORNEY

Act 780, (HB 1091), requires the prosecuting attorney to defend any civil lawsuit brought against the county election commission or its members if they are sued in regard to acts or omissions made during the course of their official duties.

COUNTIES - ELECTION COMMISSION (Cont.)

VACANCIES IN ELECTED OFFICE

Act 760, (HB 1456), allows a member of a county election commission to be appointed to fill a vacancy in an elected office without vacating his seat on the commission; however, the member will not be eligible for re-election to the office when the term expires.

FINANCIAL LAWS DEEMED OUTDATED

Act 1279, (HB 1539), repeals various laws deemed to be outdated. The laws provided various financial duties of city and county officers

FIREARMS RESTRICTIONS PROHIBITED

Act 1100, (HB 1447), prohibits local units of government from restricting the ownership, use, and possession of firearms, ammunition, or firearm components, but allows for an exception based on a proclamation by the Governor that a state of emergency exists.

HISTORIC DISTRICTS

Act 194, (SB 153), amends the Historic Districts Act to permit historic districts to be formed in the areas of a county (outside a municipality) upon petition of the majority of real property owners and the approval of an ordinance of the county quorum court. Also, the Historic Districts Act is amended to increase the number of commissioners on the Historic District's Commission from five (5) to an optional minimum of five (5) and maximum of nine (9) members on the commission.

HOME BUILDERS REGISTRATION

Act 158, (HB 1298), and Act 196, (SB 253), require any county or city enacting a homebuilders's registration ordinance to notify the Secretary of State's Office within 30 days of the enactment of the ordinance. The Secretary of State's Office may be requested to send a roster of all persons currently registered under the terms of the Arkansas Homebuilders Registration Act to any county or incorporated city or town that has adopted a homebuilders's registration ordinance.

INTERGOVERNMENTAL COOPERATION COUNCIL

Act 232, (HB 1295), and Act 776, (SB 77), amend the law creating the county intergovernmental cooperation council to give the county judge the power of veto over council actions and to require a two-thirds (2/3's) majority of all council members to override a veto.

INVESTMENT TRUSTS FOR LOCAL GOVERNMENTS

Act 583, (SB 606), permits local governments in Arkansas to join together to establish trusts for joint investment of moneys not currently needed so as to enhance their investment opportunities and increase investment earnings. The term "local government" means any city, county, school district or community college district. It sets up the terms of the trusts and prescribes the powers of the trust to invest and to own property.

LEGISLATIVE AUDIT SERVICES

Act 484, (SB 526) provides the responsibilities of the Legislative Auditor for providing auditing services for political subdivisions, including compilations for incorporated towns.

LIABILITY EXEMPTION FOR EMERGENCY ASSISTANCE

Act 1191, (HB 1689), exempts any person or entity who provides emergency assistance at the request of any city, county or state agency from civil liability, provided that the services were provided without compensation and at the place of the emergency.

COUNTIES (Cont.)

LIBRARIES

Act 920, (SB 769), provides for the implementation of Amendment 72 of the Arkansas Constitution regarding the levy of property taxes (up to 3 mills) for libraries in cities and counties. It defines the purposes for which library bonds may be issued and provides for the procedures for the election on the levy and pledge of ad valorem taxes for libraries and library improvements.

PESTICIDE REGULATION PROHIBITED

Act 815, (SB 468), prohibits a city, county or other political subdivision of the state from regulating the registration, labeling, distribution, sale, handling, use, application, transportation or disposal of pesticides. The act doesn't apply to ordinances, rules or regulations adopted prior to March 1, 1993.

POSTSECONDARY EDUCATIONAL INSTITUTIONS

Act 866, (SB 596), authorizes cities, counties, and incorporated towns to grant financial aid to public institutions of higher education within their borders, under ordinances effective for 12 month periods, for operational expenses.

PUBLIC FACILITIES BOARDS

Act 349, (HB 1391), amends the definition of "other capital improvement facilities" as used in the Public Facilities Boards Act.

PUBLIC WORKS SUPERVISED BY ENGINEERS OR ARCHITECTS

Act 284, (SB 93), requires the construction of certain public works to be under the observation of an engineer or architect. The act removes the penalty for failure to comply with the law.

PURCHASING

ARKANSAS BIDDER PREFERENCE

Act 678, (SB 654), limits the Arkansas bidder preference on contracts for commodities to projects designed to provide utility needs of a county or municipality.

DEPT. OF CORRECTION-PENAL INDUSTRY PROGRAMS EXEMPTED

Act 237, (SB 336), amends the law exempting county purchases of certain commodities to exempt all goods and services which are regularly provided to county government by the Arkansas Department of Correction's various penal industries from the competitive bidding requirement.

REGIONAL HOUSING AUTHORITIES

Act 539, (HB 1548), amends the law regarding the appointment of successor commissioners to regional housing authorities to allow the commissioners of the authority to designate the successor subject to the approval of the county governing body making the appointment instead of the governing body of the county making a direct appointment.

RENT CONTROL PREEMPTION

Act 545, (SB 208), provides that a local political subdivision in Arkansas shall not have the authority enact, maintain, or enforce an ordinance or regulation with the effect of controlling the amount of rent charged for leasing private residential or commercial property.

COUNTIES (Cont.)

ROADS

STATE-AID ROAD SYSTEM

Act 244, (SB 46), amends the law and expands the maximum total mileage in the State-Aid Road System from the current 10,000 miles to 15,000 miles. The State-Aid Road System provides that cities or counties may receive State highway revenues for certain city streets or county roads.

Act 670, (SB 616), amends the formula for allocating the state-aid road system funds to require a ratio of ninety percent (90%) state aid road funds to not less than ten percent (10%) county matching funds. (Previously, the ratio was 80% state to 20% county funds).

SALARIES OF OFFICIALS

Act 954, (SB 559), amends the law setting the salaries for the county officials to raise the minimum and maximum salaries for county judges, sheriffs, tax collectors, county clerks, circuit clerk, assessors, county treasurers, coroners, and the per diem for justices of the peace.

SALE OF COUNTY RECYCLABLE PROPERTY

Act 732, (SB 615), amends the law regarding the sale of county property to exempt county property from the formal bid requirements where the sale of the personal property of the county involves the sale by the county of any materials separated, collected, recovered, or created by a recycling program authorized and operated by the county.

SHERIFFS TRANSFERRING PRISONERS

Act 456, (SB 384), allows the sheriff to commit any person in his custody to a jail in some other county if: (1) his county doesn't have a jail or the jail is insufficient; and (2) the sheriff of the other county consents to receive the person in custody.

STATE CRIME LAB RETURN OF DEAD BODIES

Act 1246, (HB 1386), amends the law regarding the transportation of corpses to the State Crime Laboratory to require whoever requests the autopsy to bear the cost of transporting the body of a deceased person when the cause of death was suicide, accidental, or from natural causes. The bodies shall be returned to the county from which they were brought at the expense of the State Crime Laboratory if the Chief Medical Examiner determines that the cause of death was not suicide, accidental, or from natural causes.

SUBORDINATE SERVICE DISTRICT CREATION

Act 317, (HB 1407), changes the current method of petitioning to create county subordinate service districts to require twenty-five percent (25%) of the real property owners to petition the quorum court to form a district, instead of ten percent (10%). The petition to create the district must be signed by at least twenty-five percent (25%) of the owners in number, area, and value in the proposed district. Also, it reduces the number of voters who may sign a petition and overturn the creation of the district by a county ordinance from fifty percent (50%) to twenty-five percent (25%).

TAXES

DEDICATION TO SCHOOL DISTRICTS

Act 1070, (SB 597), allows cities and counties, when holding an election on the issue of a sales or use tax, to dedicate a portion of the tax to a school district or districts located within their boundaries.

COUNTIES - TAXES (Cont.)

ECONOMIC DEVELOPMENT

Act 1069, (SB 592), allows cities and counties, subject to voter approval, to levy any sales or use tax otherwise provided by law to be utilized for the establishment and operation of local economic development programs.

LEVY FOR ECONOMIC DEVELOPMENT OR PUBLIC FACILITIES

Act 1012, (HB 1749), authorizes cities and counties to levy any taxes not currently otherwise provided for by law, subject to voter approval, to raise revenue for funding economic development projects or for creation, expansion, and rehabilitation of vital public facilities.

SALES TAX OR USE TAX TO RETIRE REVENUE BONDS

Act 1014, (HB 1788), allows the revenues from the short-term sales and use tax authorized by §14-164-228 to be used to retire existing revenue bonds issued for capital improvements.

TREASURERS

TREASURERS

COUNTY GENERAL FUND

Act 200, (HB 1061), amends the prescribed duties of the county treasurer's office to require the treasurer shall maintain a positive balance in the county general fund and that he or she shall refuse to pay county warrants from funds with deficit balances or without cash balances.

VARIOUS AMENDMENTS

Act 1279, (HB 1539), repeals the law prohibiting a sheriff or clerk, or deputy of either, from holding the office of county treasurer. The Act also repeals various financial laws deemed to be outdated.

YOUTH ACCIDENT PREVENTION PROGRAMS

Act 594, (HB 1103), authorizes the quorum courts of the counties of Arkansas to establish, by ordinance, a Youth Accident Prevention Program designed to educate junior and senior high school students about DWI, seat belt safety and injuries resulting from drinking and driving. Programs may be conducted up to four (4) days and the cost of salaries, equipment, supplies, and other items related to the operation of the program shall be paid by the county. The municipal courts of Arkansas are authorized to allocate up to five dollars (\$5.00) of every fine, penalty and forfeiture imposed and collected from every person convicted of a moving traffic offense for a Youth Accident Prevention Program created within the county.

ZONING FOR COMMERCIAL MEDICAL WASTE INCINERATORS

Act 199, (HB 1047), gives cities and counties the authority to adopt zoning ordinances for the regulation of commercial medical waste incinerators.

COURTS

BAILIFFS

NINETEENTH JUDICIAL DISTRICT

Act 789, (HB 1853), provides bailiffs for the circuit, chancery, and circuit-chancery judges of the Nineteenth Judicial District to be paid as determined by the quorum courts.

COURTS - BAILIFFS (Cont.)

SEVENTH JUDICIAL DISTRICT

Act 1307, (HB 1416), provides for the appointment of bailiffs for the Circuit and Circuit-Chancery Court-Division 2 of the Seventh Judicial District.

SIXTH JUDICIAL DISTRICT

Act 572, (HB 1398), provides a bailiff for each of the circuit, chancery, and circuit-chancery judges of the Sixth Judicial District, and further provides their salary to be set by the Pulaski County Quorum Court.

BUSINESS AND PUBLIC RECORDS ON OPTICAL DISCS

Act 1150, (SB 553), authorizes business and public records to be kept and stored on optical discs.

CASE COORDINATORS

FIFTEENTH JUDICIAL CIRCUIT

Act 604, (SB 525), prescribes the minimum and maximum salaries of the case coordinator and the probation officer of the Fifteenth Judicial Circuit.

SECOND JUDICIAL DISTRICT

Act 188, (SB 88), provides case coordinators for the judges of the 2nd Judicial District and sets their salary.

CHILD SUPPORT ARREARAGES

Act 396, (HB 1022), provides that the additional amount of periodic child support payment to be withheld and applied toward liquidation of any accrued arrearage due under an order shall be no less than ten percent (10%) of the periodic payment. The act provides that income withholding does not constitute an election of remedies.

CLERK-SECRETARY

NINTH JUDICIAL DISTRICT-WEST

Act 189, (SB 217) sets the salary of the circuit/chancery court clerk-secretary of the Ninth Judicial District-West.

COURT COSTS

AUGUSTA MUNICIPAL COURT

Act 311, (HB 1005), allows the governing body of the city of Augusta to levy a four dollar (\$4.00) court cost on all criminal cases and violations to provide funds to pay the retirement benefits for the municipal judge and clerks of the Augusta Municipal Court.

LOCAL GOVERNMENT LIABILITY

Act 1234, (SB 692), makes counties, municipalities and towns liable for court costs which are actually collected but not remitted as provided by law.

NORTH LITTLE ROCK

Act 1289, (HB 1742), provides that a city having a population of between 60,000 and 65,000 persons, according to the 1990 federal decennial census (North Little Rock), may enact an ordinance to require 10% of all court costs collected by the police department of the city for violations of city ordinances or state law to be added to the police pension and relief fund.

COURTS - COURT COSTS (Cont.)

STATE POLICE RETIREMENT SYSTEM

Act 325, (SB 24), makes a technical correction to designate certain court costs to be paid to the Arkansas State Police Retirement System rather than the Department of Arkansas State Police.

STATE POLICE RETIREMENT SYSTEM

Act 113, (HB 1080), provides for the payment of certain court costs levied under Arkansas Code §16-92-110(a)(4) to the Arkansas State Police Retirement System rather than the Department of Arkansas State Police.

TENTH JUDICIAL DISTRICT

Act 395, (SB 118), authorizes the courts in the Tenth Judicial District to collect prosecuting attorney's fees on all cases.

VARIOUS MUNICIPALITIES

Act 162, (SB 47), allows certain municipalities to increase a fee from \$3.00 to \$7.00 levied for entering upon the records of the court each criminal case and each moving traffic violation to provide funds for retirement benefits of municipal court judges and clerks.

COURT OF APPEALS

Act 1085, (SB 537), provides for 6 additional judges on the Court of Appeals effective July 1, 1995 with the 1995 General Assembly establishing the new districts with the assistance of the Court of Appeals Apportionment Commission created by the act.

COURT REPORTERS

TRANSCRIPTS

Act 812, (SB 271), allows court reporters to condition preparation of a transcript upon payment of up to 50% of the estimated cost of the transcript.

DEATH NOTIFICATION

Act 133, (HB 1130), requires the Division of Vital Records of the Department of Health to provide the county and circuit court clerks with notification of the death of any county resident within thirty days after a death certificate is filed.

DEPUTY PROSECUTING ATTORNEYS

EIGHTEENTH JUDICIAL DISTRICT-WEST - POLK COUNTY

Act 853, (HB 1882), prescribes the salary and expenses for the deputy prosecuting attorney for Polk county.

EIGHTH JUDICIAL DISTRICT-NEVADA COUNTY

Act 573, (HB 1800), prescribes the salary and expenses of the deputy prosecuting attorney for Nevada County.

FIFTEENTH JUDICIAL DISTRICT

Act 361, (SB 62), authorizes the deputy prosecuting attorney of the Fifteenth Judicial District to reside outside of the Fifteenth Judicial District as long as he maintains a law practice within the District.

COURTS - DEPUTY PROSECUTING ATTORNEY (Cont.)

FIFTH JUDICIAL DISTRICT

Act 878, (HB 1637), prescribes the salary and expenses of the deputy prosecuting attorneys and other employees of the Fifth Judicial District.

HEMPSTEAD COUNTY

Act 1298, (HB 1857), prescribes the salary and expense allowances for the deputy prosecuting attorney of Hempstead County.

LAFAYETTE COUNTY

Act 560, (HB 1799), prescribes the salary and expenses of the deputy prosecuting attorney for Lafayette County.

MILLER COUNTY

Act 842, (SB 727), prescribes the salary of the deputy prosecuting attorney for Miller county.

RANDOLPH COUNTY

Act 240, (HB 1325), prescribes the salary and expenses of the Deputy Prosecuting Attorney for Randolph County.

SECOND JUDICIAL DISTRICT-GREENE COUNTY

Act 790, (HB 2012), prescribes the salary and expenses of the deputy prosecuting attorney for Greene county.

SECOND JUDICIAL DISTRICT-CRAIGHEAD COUNTY

Act 797, (SB 632), prescribes the salary and expenses for the deputy prosecuting attorneys for Craighead county.

TENTH JUDICIAL DISTRICT

Act 996, (HB 1602), authorizes the 10th Judicial Prosecuting Attorney to supplement the salary of the deputy prosecuting attorney from the Hot Check Fund or the Drug Forfeiture Fund so long as the total salary does not exceed the maximum allowed by law.

TWELFTH JUDICIAL DISTRICT

Act 312, (HB 1429), prescribes the salaries and expenses for the deputy prosecuting attorneys in Crawford and Sebastian counties.

JUDGES

SIXTH JUDICIAL DISTRICT

Act 229, (HB 1179), and Act 283, (SB 154), creates a new circuit-chancery judgeship in the Sixth Judicial District to be appointed by the Governor until the November 1994 election when the new judge will be elected and take office January 1, 1995. This judgeship was created to hear primarily juvenile cases.

TWENTIETH JUDICIAL DISTRICT

Act 131, (HB 1115), converts a circuit judgeship to a circuit/chancery judgeship effective January 1, 1995, converts a chancery judgeship to a circuit/chancery judgeship effective January 1, 1997, and allows the judges of the 20th Judicial District to sit on exchange and hear cases for each other pursuant to a written agreement.

COURTS - JUDGES (Cont.)

JURY DUTY

Act 167, (SB 41), gives judges the discretion to excuse a person from service as a grand juror, petit juror, or jury commissioner and defer that service until another specified next term of court.

MISDEMEANOR CASES

Act 592, (SB 538), provides that misdemeanor cases may be tried before six (6) person juries.

JUVENILE COURTS

CHILD SUPPORT

Act 1152, (SB 598), requires the juvenile court, at juvenile adjudications or disposition hearings, to refer questions of child support to the Child Support Enforcement Unit and to issue child support orders upon petition by the Unit.

MUNICIPAL COURTS

JURISDICTION

Act 961, (HB 1246), clarifies the jurisdiction of municipal courts by deleting language which purports to give municipal courts jurisdiction in personal injury claims. Also, this act provides for the issuance of warrants based upon the sworn oral testimony communicated to a judicial officer by means of a telephone.

SALARIES

Act 1260, (HB 1903), sets the salaries of the municipal judges and support personnel of the various municipal courts.

SENTENCING TO PUBLIC SERVICE

Act 777, (SB 469), allows municipal courts to require defendants sentence to public service work to pay a public service work supervisory fee.

YOUTH ACCIDENT PREVENTION PROGRAMS

Act 594, (HB 1103), authorizes the quorum courts of the counties of Arkansas to establish, by ordinance, a Youth Accident Prevention Program designed to educate junior and senior high school students about DWI, seat belt safety and injuries resulting from drinking and driving. Programs may be conducted up to four (4) days and the cost of salaries, equipment, supplies, and other items related to the operation of the program shall be paid by the county. The municipal courts of Arkansas are authorized to allocate up to five dollars (\$5.00) of every fine, penalty and forfeiture imposed and collected from every person convicted of a moving traffic offense for a Youth Accident Prevention Program created within the county.

PROBATE CLERK

ADOPTION RECORDS

Act 758, (HB 1330), provides that the probate clerk is the custodian of all adoption records even if the adoption is filed in the juvenile court.

PROBATION OFFICERS

FIFTEENTH JUDICIAL CIRCUIT

Act 604, (SB 525), prescribes the minimum and maximum salaries of the case coordinator and the probation officer of the Fifteenth Judicial Circuit.

COURTS (Cont.)

PROSECUTING ATTORNEYS

DEFENSE OF COUNTY ELECTION COMMISSION

Act 780, (HB 1091), requires the prosecuting attorney to defend any civil lawsuit brought against the county election commission or its members if they are sued in regard to acts or omissions made during the course of their official duties.

DEFENSE OF COUNTY ELECTION COMMISSION IN CIVIL LAWSUITS

Act 780, (HB 1091), requires the prosecuting attorney to defend any civil lawsuit brought against the county election commission or its members if they are sued in regard to acts or omissions made during the course of their official duties.

DUTIES

Act 1306, (HB 2085), defines the duties of the prosecuting attorneys.

EIGHTEENTH JUDICIAL DISTRICT-WEST

Act 844, (HB 1060), reclassifies the Prosecuting Attorney of the 18th Judicial District-West from Division B (part-time) to Division A (full-time).

FIRST JUDICIAL DISTRICT

Act 995, (HB 1248), reclassifies the 1st Judicial District Prosecuting Attorney from Division A to Division B.

SEVENTEENTH JUDICIAL DISTRICT-EAST

Act 168, (SB 72), reclassifies the Prosecuting Attorney of the 17th Judicial District-East from Division B (part-time) to Division A (full-time).

SIXTEENTH JUDICIAL DISTRICT

Act 360, (SB 438), reclassifies the Prosecuting Attorney of the Sixteenth Judicial District from Division A (full-time) to Division B (part-time).

SIXTH JUDICIAL DISTRICT STAFF

Act 997, (HB 1978), establishes salaries for the 6th Judicial District Prosecuting Attorney's staff and authorizes the prosecuting attorney to appoint additional staff upon receiving grant awards.

PUBLIC DEFENDERS

CERTAIN COUNTIES

Act 281, (SB 236), allows certain counties (21,000 to 22,000 inhabitants) to increase a court cost from \$15.00 to \$20.00 on violations, misdemeanors and felonies for their "Public Defender Fund".

CREATION OF TRIAL OFFICE

Act 1193, (SB 536), authorizes circuit judges with the approval of quorum courts to create trial public defender offices.

QUALIFIED DOMESTIC RELATIONS ORDERS

Act 1143, (HB 1966), authorizes chancery courts to enter qualified domestic relations orders to reach any retirement annuities and benefits of any retirement plans.

COURTS (Cont.)

SUPREME COURT CLERK

Act 822, (SB 591), changes the method the Supreme Court Clerk uses to charge for copies of papers and records from \$.30 per 100 words to \$.50 per page and authorizes the Clerk to implement a system of electronic access to court decisions and other court records.

TEMPORARY CIRCUIT AND CHANCERY JUDGESHIPS

Act 1224, (SB 260), provides that the authorization of seven additional circuit and chancery judge positions created in response to the United States District Court Order in the case of Eugene Hunt, et al. v. State of Arkansas, et al. be discontinued as the terms of the displaced incumbent judges expire pursuant to the court order, and further provides that the disbursing officer of each agency, board, commission, department or institution shall be responsible for reviewing all invoices prepared by commercial printers or suppliers holding commercial contracts to make certain that the charges to the agency, board, commission, department or institution are proper under the terms of the contract.

TRIAL COURT ADMINISTRATIVE ASSISTANT PILOT PROGRAM

Act 767, (SB 8), provides funding, subject to some restrictions, for administrative assistants to trial court judges who do not already have a locally funded administrative assistant or case coordinator. The act also requires the Administrative Office of the Courts to study the effectiveness of the program and present regular reports to the Joint Interim Committee on Judiciary.

CRIMINAL LAW

ABSCONDING

Act 473, (SB 237), creates the criminal offense of absconding, which is leaving a designated residence or area while under house arrest or while wearing an electronic monitoring device and sets penalties.

ADULT ABUSE

Act 401, (HB 1550), broadens the adult abuse law to include as "exploitation" unjust or improper use of a person's resources for one's own profit or advantage. The Act allows investigations to include a financial evaluation and review. It revises the time limits for emergency protective custody orders for endangered adults.

Act 1292, (HB 1962), pertains to the criminal laws of Arkansas regarding the abuse of adults. It amends the laws to update the criminal laws in this area, including the addition of acts of exploitation to the acts of abuse. It requires the Office of Long-Term Care to notify the Attorney General when there are acts of suspected abuse of adults.

AIDS TESTING OF CONVICTED SEXUAL OFFENDERS

Act 616, (HB 1560), requires defendants convicted of specified sexual offenses, upon request of victims, to submit to testing for AIDS or HIV; results will be released only to defendants and victims and are not subject to the Freedom of Information Act. Victims may also receive counseling, HIV testing, and referral or delivery for health and support services.

AIRCRAFT OPERATION WHILE INTOXICATED

Act 824, (SB 647), makes it unlawful to operate any aircraft while intoxicated or while there is four-hundredths of one percent (0.04%) or more by weight of alcohol in the person's blood, provides penalties and further provides that any person who operates any aircraft shall be deemed to have impliedly given consent to a chemical test.

BREAKING OR ENTERING

COIN MACHINES

Act 296, (HB 1230), adds breaking or entering a coin-operated amusement, a vending machine and a fare box on a bus to the criminal offense of breaking or entering.

BURGLARY

RESIDENTIAL AND COMMERCIAL OFFENSES

Act 442, (HB 1469), and Act 552, (SB 370), make residential burglary and commercial burglary separate offenses. Residential burglary is a Class B felony and commercial burglary is a Class C felony.

CAPITAL MURDER

VICTIM IMPACT EVIDENCE

Act 1089, (SB 794), allows the admission of victim impact evidence in determining the sentence of a defendant convicted of capital murder.

CELLULAR TELECOMMUNICATIONS INTERCEPTION

Act 1006, (HB 1450), creates the criminal offense of intercepting, recording, or possessing a recording of a cellular phone communication unless a person is a party to the communication or one of the parties has given prior consent to the interception and recording. Exceptions are provided for personnel in law enforcement and telephone public utilities who are acting in the normal course of their employment.

CHILD ABUSE LAWS

WITHHOLDING OF MEDICAL TREATMENT

Act 1126, (HB 1996), amends the Arkansas Juvenile Code and the Child Maltreatment Act to require the authorities of the State of Arkansas to seek medical assistance for a child when the parents fail to seek medical treatment for the child. The terms "abuse" and "neglect" include the failure or refusal to provide the necessary medical treatment necessary for the juvenile's well-being, except when the failure or refusal is caused primarily by the financial inability. It also eliminates the religious exemption of withholding medical or surgical treatment of a child from the criminal offense of permitting abuse of a child.

CONTROLLED SUBSTANCES

MANDATORY SUSPENSION OF DRIVING PRIVILEGES

Act 1257, (HB 1860), provides for the mandatory suspension of driving privileges for persons convicted of certain drug offenses.

SUSPENSION OF SENTENCE

Act 192, (SB 40), allows the court to suspend the sentence of persons convicted of violations of the Arkansas Controlled Substances Act except engaging in a continuing criminal enterprise §5-64-414.

CRIMINAL LAW (Cont.)

CRIMINAL USE OF PROPERTY AND LAUNDERING CRIMINAL PROCEEDS

Act 1148, (SB 472), creates the offense of criminal use of property and/or laundering criminal proceeds and authorizes prosecuting attorneys, upon conviction, to institute civil actions, jointly and severally, for damages equal to property involved in the offense and all proceeds, together with costs incurred in the investigation and prosecution of both criminal and civil proceedings.

DEATH SENTENCE

MENTALLY RETARDED PERSON

Act 420, (SB 231), prohibits the death sentence for a defendant determined to be mentally retarded.

DEFACING OBJECTS OF PUBLIC RESPECT

Act 169, (SB 151), increases the criminal penalty of committing the offense of defacing objects of public respect by making it a Class D felony if the object is valued in excess of \$500, or a Class C felony if the object is valued in excess of \$2500.

DRIVING UNDER THE INFLUENCE

Act 863, (SB 484), creates the traffic offense of Driving Under the Influence for drivers under the age of 21 years who operate a motor vehicle while there is one-fiftieth of one percent (0.02%), but less than one-tenth of one percent (0.10%) by weight of alcohol in the person's blood, and prescribes penalties.

DRIVING WHILE INTOXICATED

ENHANCEMENT OF FINE

Act 106, (SB 66), reduces from 5 years to 3 years the time period required for the enhancement of the fine which may be assessed a person convicted of a second or third offense of driving while intoxicated.

IGNITION INTERLOCK DEVICE

Act 298, (HB 1244), allows a court to sentence certain persons convicted of DWI to operate only a motor vehicle equipped with a functioning ignition interlock device in addition to all other penalties.

IMPLIED CONSENT

Act 132, (HB 1120), makes a technical change in the DWI implied consent law, Arkansas Code §5-65-202, in response to recent decisions of the Arkansas Supreme Court and the Arkansas Court of Appeals.

TEMPORARY DRIVING PERMITS

Act 736, (SB 673), amends the law regarding the issuance of temporary driving permits for DWI offenders to add that temporary permits may be issued to persons who are full time students to drive to and from school and to persons whose jobs involve driving a motor vehicle as an essential part of the work. The permit may only be issued in situations where the offense has not occurred within three (3) years of a prior offense under the DWI law. (Previously, it was only for first-time offenders).

FIREARMS

POSSESSION OF HANDGUNS ON COLLEGE PROPERTY

Act 1166, (HB 1068), extends the criminal offense of possession of a handgun on public school property to make it applicable to institutions of higher education as well.

CRIMINAL LAW (Cont.)

FLEEING

Act 1217, (HB 1931), revises the offense of fleeing by providing for penalties based on fleeing on foot and fleeing by means of a vehicle or conveyance.

FOOD COUPONS

Act 272, (SB 305), provides an additional penalty which can be assessed against persons who make unauthorized use of food coupons which makes them ineligible to participate in the food stamp program.

FOOD VOUCHERS

Act 489, (HB 1240), prohibits the illegal use of or the trafficking in vouchers used in the federal WIC program and sets penalties.

FURNISHING ALCOHOL TO MINORS

Act 875, (SB 563), increases the criminal penalties for the criminal offenses of unknowingly furnishing intoxicating liquor to a minor, and knowingly furnishing or selling alcoholic beverages to a minor.

GANG ACTIVITY

Act 1002, (HB 1354), adds a new chapter to the Arkansas Criminal Code, creating new felonies related to gang activity, enhancing penalties for violent crimes acted in concert with 2 or more other persons, providing new grounds for forfeiture and civil remedies to eliminate availability of any premises for use in the commission of a continuing series of criminal offenses.

JUVENILE DETENTION

COURT JURISDICTION CONTINUES

Act 974, (HB 1415), provides for juveniles committed to the custody of the Youth Services Board shall, upon release from the custody, remain under the jurisdiction of the committing court for an indeterminate period not to exceed two (2) years.

HEARINGS

Act 882, (HB 1402), provides that a detention hearing be held for a juvenile taken into custody as soon as possible but no later than 72 hours unless it ends on a weekend or holiday, then on the next business day.

JUVENILE PROCEEDINGS

JUVENILE RECORDS

Act 408, (SB 91), limits disclosure of juvenile arrest records, juvenile detention records, and records of proceedings under the Arkansas Juvenile Code of 1989.

REFERRAL OF CHILD SUPPORT ISSUES

Act 1152, (SB 598), requires the court, at juvenile adjudications or disposition hearings, to refer questions of child support to the Child Support Enforcement Unit and to issue child support orders upon petition by the Unit.

TECHNICAL CORRECTIONS

Act 1227, (SB 435), amends the Arkansas Juvenile Code to make technical corrections, including eliminating the word "custodian" from those persons who may have custody of a juvenile after the juvenile is adjudicated delinquent.

CRIMINAL LAW (Cont.)

LITTERING

Act 398, (HB 1348), establishes the fines for littering. The Act provides for a reward for information leading to a conviction.

Act 727, (SB 161), increases the fine for first offense littering and provides for the suspension of driving privileges upon failure to pay the fine.

LOTTERY TICKETS

Act 1053, (HB 2054), legalizes the possession of a lottery ticket issued in a state where lotteries are legal.

MEDICAID FRAUD

REWARDS FOR INFORMATION

Act 1300, (HB 1960), authorizes a monetary reward for persons who provide information leading to the detection and bringing to trial and punishment any persons guilty of Medicaid fraud.

VARIOUS REVISIONS

Act 1291, (HB 1961), pertains to the Medicaid Fraud Act to increase stiffer penalties and fines. It requires Medicaid service providers to keep records for up to five (5) years (instead of three years). It also permits restitution to the Department of Human Services of any fraudulent claims plus a fine in the amount of three (3) times the amount of illegal payments. It further amends the Act to update the law.

MOTOR VEHICLES

MANDATORY LIABILITY INSURANCE

Act 411, (SB 286), provides that a driver without mandatory motor vehicle liability insurance who is involved in an accident shall be deemed guilty of a Class A misdemeanor.

PENALTIES FOR UNREGISTERED VEHICLES

Act 230, (HB 1133), provides when persons are arrested and fined for driving unregistered motor vehicles, if the arresting officer was a State Policeman, the fine shall be deposited in the State Treasury, if the officer was a county officer, the fine shall be deposited in that county treasury, and if the officer is a municipal law enforcement officer, the fine shall be deposited in the municipal general fund. The funds are to be used for the purchase of police or emergency vehicles.

PROBATION AND SUSPENDED SENTENCE

ADULT EDUCATION REPORT

Act 343, (HB 1236), requires courts demanding good faith efforts toward completion of a high school diploma or a GED certificate as a condition of probation or suspended sentence to report documentation of program participation to the Administrative Office of the Courts, which will then report to the Governor's Commission on Adult Literacy.

FAILURE TO MAKE A GOOD FAITH EFFORTS TOWARD EDUCATION

Act 1267, (HB 2037), requires that persons failing to make good faith efforts to get a high school diploma or GED certificate as a condition for probation or suspended sentence are guilty of a misdemeanor.

CRIMINAL LAW (Cont.)

PUBLIC DEFENDER OFFICES

OFFICE OF TRIAL PUBLIC DEFENDER

Act 1193, (SB 536), authorizes circuit judges with the approval of quorum courts to create trial public defender offices.

RESTITUTION

Act 533, (HB 1466), and Act 553, (SB 371), adds defendants convicted of Class Y felonies and murder in the second degree to the list of defendants who may be sentenced to pay restitution in addition to other criminal penalties. The Act provides for the sentencing authority, whether the trial court or the jury, to make a determination of actual economic loss caused to the victim and order restitution.

SCALPING

Act 565, (SB 173), makes it unlawful to sell tickets to events held for the benefit of charities or music entertainment events at a price greater than the price printed on the ticket.

SCHOOLS

SAFE SCHOOLS ACT

Act 1189, (HB 1432), creates the Arkansas Safe Schools Act increasing penalties for crimes committed on or near schools or against teachers or other school employees.

SEARCH WARRANTS

WARRANTS BASED ON ORAL TESTIMONY

Act 961, (HB 1246), clarifies the jurisdiction of municipal courts by deleting language which purports to give municipal courts jurisdiction in personal injury claims. Also, this act provides for the issuance of warrants based upon the sworn oral testimony communicated to a judicial officer by means of a telephone.

SENTENCING PROCEDURE

Act 535, (HB 1471), and Act 551, (SB 364), provide for a jury to determine the sentence of a defendant in a separate proceeding after the defendant is found guilty in the guilt phase, however, this may be waived in favor of the court imposing sentence.

SEXUAL OFFENSES

RAPE SHIELD LAW

Act 934, (HB 1371), clarifies that in prosecutions for rape and other sexual offenses evidence of a victim's prior allegations of sexual conduct with the defendant or any other person which allegations the victim asserts to be true, or evidence offered by the defendant concerning prior allegations of sexual conduct by the victim with the defendant or any other person if the victim denies making the allegations is not admissible by the defendant.

VARIOUS OFFENSES

Act 935, (HB 1372), amends various sections of the Arkansas Code regarding sexual offenses and specifically adds sexual acts with mentally defective persons less than 16 years to the definition of rape and sexual abuse in the first degree.

SOLICITING DONATIONS OR SELLING ITEMS ALONG A HIGHWAY

Act 980, (HB 1675), makes it unlawful to solicit donations or sell any item or service along a state highway.

CRIMINAL LAW (Cont.)

STALKING

Act 379, (HB 1201), and Act 388, (SB 2), establish and define the crimes of first and second degree stalking which combines the criminal offenses of harassment and terroristic threatening. The Act also amends the definitions of the crimes of terroristic threatening, harassment, and harassing communications.

TEAR GAS CONTAINERS SIZE LIMIT

Act 674, (SB 628), increases the size limitation on tear gas containers that persons may carry for self-defense from 50 to 150 cubic centimeters.

TERRORISTIC ACTS

Act 544, (SB 48), amends the definition of terroristic act to include shooting at an occupiable structure.

THEFT

LIVESTOCK

Act 1031, (HB 1896), establishes procedures for forfeiture of property for criminal theft of livestock.

PUBLIC BENEFITS

Act 320, (SB 80) establishes and defines the criminal offense of committing theft of a public benefit and prescribes penalties.

PUBLIC PROPERTY

Act 193, (SB 126), and Act 520, (HB 1134), require persons convicted of theft of property which belongs to the state or any political subdivision must make restitution, and if restitution is paid over time, interest shall be paid on the outstanding balance.

VIOLATION OF A MINOR

Act 265, (SB 73), adds person to whom the criminal offense of violation of a minor applies, i.e. employee in the minor's school district, temporary caretaker, or person in a position of trust or authority of the minor.

WEAPONS ON SCHOOL PROPERTY

Act 264, (SB 69), provides for a long-term driver's license suspension of any minor found guilty of a criminal offense committed on school property or in a school bus and involving a weapon or of any minor adjudicated by a juvenile court as a delinquent for the offense. The suspension period can be from twelve (12) to thirty-six (36) months.

Act 781, (HB 1406), provides for a 12 to 36 month suspension of a motor vehicle operator's license for any person under 19 years of age who is guilty of a criminal offense involving an illegal weapon on school property or in or on a school bus or is found by the juvenile court to have committed the offense.

DECEDENTS ESTATES

BENEFICIARY OF PERSONAL LIFE INSURANCE

Act 1015, (HB 1791), authorizes an applicant for insurance upon his or her own life to name any charitable entity as beneficiary or owner of the policy.

DECEDENTS ESTATES (Cont.)

SMALL ESTATES

Act 687, (HB 1144), requires that real property of a decedent be included in the collection of a small estate where no personal representative is appointed and authorizes notice to creditors of the decedent's real property. It further provides that when notice is given, claims against the real property are barred and authorizes distributees of the real property to issue themselves deeds of distribution.

UNIFORM TRANSFER ON DEATH SECURITY REGISTRATION ACT

Act 114, (HB 1105), establishes the Uniform Transfer on Death Security Registration Act which sets forth the procedures for registration of a security indicating the present owner of the security and the intention of the owner regarding the person who will become owner of the security upon the death of the owner.

WILLS AND TRUSTS

Act 421, (SB 232) amends the Arkansas Fiduciary Powers Act of 1991 by adding new subsections to provide for incorporation by reference in a will or trust instrument of certain powers to comply with environmental laws.

DENTISTRY

DENTAL HYGIENISTS

Act 883, (HB 1766), defines the term "general supervision" and permits dental hygienists to work under the general supervision of a licensed dentist at an Arkansas Department of Correction facility.

DENTIST LICENSE

Act 270, (SB 290), provides for the licensing of dentists by credentials.

IMPAIRED PHYSICIAN AND DENTIST TREATMENT ACT

Act 1220, (HB 1957), authorizes the Arkansas Dental Association and the Arkansas Medical Society to establish health committees to address the problems of impaired dentists and physicians referred by the State Medical Board or State Dental Board.

DISABLED PERSONS

ADAPTIVE EQUIPMENT LOANS

Act 384, (HB 1520), creates a fund to provide loans to individuals with disabilities for the purpose of purchasing essential assistive technology/adaptive equipment and related services. The fund is to be administered by the Division of Rehabilitative Services. The Act creates the Technology Equipment Revolving Loan Fund Committee.

ARCHITECTURAL BARRIERS ACCESSIBILITY ACT REPEALED

Act 876, (SB 633), repeals the Architectural Barriers Accessibility Act of 1989.

CIVIL RIGHTS ACT

Act 962, (HB 1075), provides a state cause of action to certain person subjected to the deprivation of any rights, privileges, or immunities secured by the Constitution of Arkansas, or to discrimination based on race, religion, gender, or disability etc.

DISABLED PERSONS (Cont.)

DECEPTIVE TRADE PRACTICES AGAINST DISABLED PERSONS

Act 138, (SB 12), amends the Deceptive Trade Practices Act to allow the court to impose an additional ten thousand dollar penalty for violation of any provision of the act when the violation is committed against an elder or disabled person. Creates a cause of action to recover actual damages, punitive damages and possibly attorney's fees for an injury to an elder or disabled person who suffers damage as a result of an offense or violation of the act. The act further requires the Attorney General to use the penalties collected from the act to develop and implement a state-wide educational initiative to provide information on consumer crimes against elder and disabled persons.

DEVELOPMENTALLY DISABLED DEFINITION

Act 729, (SB 431), changes the age restriction from eighteen to twenty-two in the definition of developmentally disabled.

DISABLED VOTERS

Act 1192, (SB 57), allows disabled voters to advance in line at a polling place and requires polling places to be accessible to the disabled as required by the Americans with Disabilities Act.

SCHOOL BOARD MEETINGS

Act 891, (HB 2098), requires the board of directors of school districts with an average daily membership (ADM) to hold all board meetings and public hearings in facilities that will accommodate the disabled and other patrons who wish to attend.

DIVORCE

DIVISION OF PROPERTY

Act 1067, (SB 573), allows the court to enter a decree of divorce but defer dividing the marital property in a divorce action if either party is involved in bankruptcy proceedings.

QUALIFIED DOMESTIC RELATIONS ORDERS

Act 1143, (HB 1966), authorizes chancery courts to enter qualified domestic relations orders to reach any retirement annuities and benefits of any retirement plans.

TECHNICAL CORRECTION

Act 418, (SB 148), concerns divorce decrees. It deletes a reference to separation for three years and changes it to eighteen months. The change makes the provision consistent with other laws.

ECONOMIC DEVELOPMENT

CONSTRUCTION REVOLVING LOANS

Act 833, (SB 812), adds water systems, solid and hazardous waste facilities, recycling facilities, and other environmental infrastructure projects to the types of public infrastructure systems for which financial assistance can be provided through construction assistance revolving loans.

ECONOMIC DEVELOPMENT (Cont.)

ECONOMIC DEVELOPMENT ACT

Act 788, (SB 577), and Act 851, (HB 1775), creates the Economic Development Incentive Program which offers incentives for economic development and expansion of job opportunities in the State.

ECONOMIC DEVELOPMENT OF ARKANSAS COMMISSION AND FUND

Act 590, (SB 454), provides that estate taxes collected in a calendar year exceeding 10% of the average annual estate taxes collected for a five year period or \$15,000,000, whichever is greater, shall be credited to the Economic Development of Arkansas Fund to be managed and distributed by the Economic Development of Arkansas Commission.

ENTERPRISE ZONES

Act 947, (HB 1751), creates the Arkansas Enterprise Zone Act of 1993 to provide tax incentives for development and expansion of job opportunities in the State.

Act 1142, (HB 1929), authorizes businesses that were certified by the Arkansas Industrial Development Commission (AIDC) as qualifying for enterprise zone benefits but which did not complete construction of facilities before July 1, 1992, to be entitled to benefits prescribed by Ark. Code 15-4-801 et seq. if certain conditions are met.

INDUSTRIAL DEVELOPMENT

HIGH TECHNOLOGY TRAINING CENTER

Act 839, (SB 669), establishes the Arkansas High Technology Training Center at the Little Rock Regional Airport to offer high technology courses to secondary students from the entire state and to work with the AIDC in offering training for adults.

LINKED DEPOSIT PROGRAM ACT

Act 318, (HB 1410), repeals the Arkansas Linked Deposit Program Act.

OFFICE OF ECONOMIC AND TAX POLICY

Act 1274, (SB 792), creates the Office of Economic and Tax Policy and the Committee on Economic and Tax Policy Review.

TAXES

CITIES AND COUNTIES

Act 1069, (SB 592), allows cities and counties, subject to voter approval, to levy any sales or use tax otherwise provided by law to be utilized for the establishment and operation of local economic development programs.

WATER WORKS COMMISSIONS

USE OF OPERATION AND MAINTENANCE FUNDS

Act 1040, (HB 1940), clarifies that operation and maintenance funds of a water works commission may be used for activities conducted by a chamber of commerce or similar no-for-profit organization concerning industrial development or prevention of community deterioration if the activities are likely to increase revenues of the water works or decrease expenditures resulting from system deterioration.

EDUCATION

ADULT EDUCATION

Act 343, (HB 1236), requires courts demanding good faith efforts toward completion of a high school diploma or a GED certificate as a conditions of probation or suspended sentence to report documentation of program participation to the Administrative Office of the Courts, which will then report to the Governor's Commission on Adult Literacy.

BLIND SCHOOL AND DEAF SCHOOL BOARDS

Act 450, (HB 1672), authorizes the appointment of the parents or legal guardians of one blind student and one deaf student as advisory members of the Board of Trustees of the Arkansas School for the Blind and the Arkansas School for the Deaf. It also deletes a numerical restriction for state employees who are parents or legal guardians of a blind or deaf student on service as a board member.

CHILD CARE FACILITIES CERTIFICATION

Act 1268, (HB 2061), requires certification of approved child care facilities by the Department of Education and authorizes income tax credits to qualified taxpayers for child care expenses incurred at certified child care facilities.

EDUCATIONAL EXCELLENCE TRUST FUND

Act 1226, (SB 432), amends the exemption for Educational Excellence Trust Fund from the weighted instructional program requirements for vocational education to limit the exemption for the Fund to weighted instructional programs for students with disabilities and gifted and talented students.

EDUCATIONAL TELEVISION COMMISSION

Act 1007, (HB 1660), grants the Arkansas Education Television Commission the right of eminent domain to condemn real property leased or rented by the commission if no agreement can be made for purchase. Payment for real property acquired under this act shall come solely from any appropriation for the commission.

ELECTIONS

COMMUNITY COLLEGE BOARD MEMBERS

Act 981, (HB 1700), amends the law regarding the election of members of a community college board to allow members to be elected at the annual school election for any community college district which is comprised solely of one or more entire school districts and whose boundary is contiguous with those school districts. (Previously, members were elected solely at the general election).

COUNTY BOARD OF EDUCATION

Act 202, (HB 1118), makes changes in election procedures in elections for member of a County Board of Education.

REIMBURSEMENT FOR SCHOOL ELECTIONS

Act 978, (HB 1639), requires the school districts in the county shall reimburse the county board of election commissioners for the entire cost of the school elections. Each district's share of the cost being proportionate to the number of operating boxes used in the election in each school district of the county.

EDUCATION - ELECTIONS (Cont.)

SCHOOL BOARD MEMBERS

Act 1169, (HB 1167), requires that, with some exceptions, local school districts having a 10% or greater minority population must elect members of the school board from 5 or 7 single member zones or from 5 single member zones and 2 at-large.

SCHOOL BOARD MEMBERS

Act 786, (SB 352), requires that the members of the Board of Directors of a local school district be elected from single-member zones or from single-member zones and at-large in accordance with the federal Voting Rights Act of 1965, as amended.

SCHOOL ELECTION DATE

Act 181, (HB 1114), authorizes local school districts to change the date of an annual school election that has already been set when substantial damage to district physical facilities occurs.

GENERAL EDUCATION

AFRICAN-AMERICAN HISTORY IN THE CURRICULUM

Act 963, (HB 1644), requires the Department of Education to develop materials related to African-American history for inclusion in the appropriate curricula of all K-12 public school students beginning with the 1994-95 school year.

ALTERNATIVE SCHOOLS

Act 1287, (HB 2120), requires school districts which operate alternative schools to incorporate a "student assessment" either before or upon entry into the alternative school program and must provide "intervention services" in the school designed to address the specific educational needs and the behavioral problems of individual students. Intervention services shall not be punitive but should be designed for long-term improvement of the student's ability to control his or her behavior.

ARKANSAS BETTER CHANCE

Act 923, (SB 821), authorizes the Department of Education to spend a maximum of 2% of available funds to administer the Arkansas Better Chance (ABC) Program and to monitor ABC grantees.

ASSESSING PERFORMANCE IN THE PUBLIC SCHOOLS

Act 846, (HB 1433), provides for the development of a comprehensive competency and outcome-based assessment program for evaluating student performance in the public schools. The Arkansas Minimum Performance Test for students at grades 3, 6, and 8 will continue to be used until June 30, 1996, after which the new program will be implemented statewide.

ATTENDANCE IN NON-RESIDENT DISTRICTS

Act 1105, (HB 1743), amends the law allowing children of public school teachers to attend school in the district other than their district of residence, to let the children of persons employed full-time by an educational cooperative to attend school either in the district in which the parent resides or any district in the county in which the main office of the educational co-operative is located. Beginning with the 1993-94 school year, no student may transfer to a nonresident district where the percentage of enrollment for the student's race exceeds that percentage in his resident district.

EDUCATION - GENERAL EDUCATION (Cont.)

BONDED INDEBTEDNESS

Act 486, (SB 571), authorizes an increase from 18 to 22 in the percentage of bonded indebtedness that school districts may have of the then-assessed valuation of real and personal property in the districts. The act also raises from 21 to 25 the percentage that the State Board of Education can authorize in hardship situations.

BUS PURCHASES

Act 896, (HB 1437), gives exclusive jurisdiction to the Director of State Purchasing for the purchase of all new and used school buses for state agencies and school districts.

CAPITAL OUTLAY

Act 1276, (HB 1336), increases the maximum capital outlay tax that school districts may levy and permits school districts to use capital outlay funds for the purchase of computer software.

CITY AND COUNTY TAXES

Act 1070, (SB 597), allows cities and counties, when holding an election on the issue of a sales or use tax, to dedicate a portion of the tax to a school district or districts located within their boundaries.

COMMUNITY SERVICE CREDIT

Act 648, (SB 53), requires that, beginning with the 1996-97 school year, students who complete at least 75 clock hours of documented community service in grades 9-12 are eligible to receive 1 academic credit that can be applied toward high school graduation.

CONSTRUCTION

Act 284, (SB 93), requires the construction of certain public works to be under the observation of an engineer or architect. The Act removes the penalty for failure to comply with the law.

COUNTY SUPERVISOR

Act 470, (SB 71), provides that if a county board of education does not employ a county supervisor, the board may, with approval of the local school boards in the county, use funds to maintain or construct county board property.

EDUCATION SERVICE COOPERATIVES

Act 453, (SB 56), provides that education service cooperatives are instrumentalities and political subdivisions of the State of Arkansas and that contributions or donations to the cooperatives are deductible for state income tax purposes.

ELECTRONIC WARRANTS TRANSFER

Act 540, (HB 1607), requires an electronic warrants transfer system for certain distributions by the State of Arkansas to public school districts. School districts with a district treasurer can choose whether to have funds distributed to the county treasurer or directly to the district treasurer.

EMPLOYEE BENEFITS

Act 1051, (HB 2013), creates the State Employee-Public School Personnel Health Insurance Study Committee to conduct a study to determine the feasibility of establishing a unified health insurance program for state employees and public school personnel.

EDUCATION - GENERAL EDUCATION (Cont.)

EMPLOYEE LIABILITY INSURANCE

Act 355, (HB 1567), clarifies the law that the Department of Education is required to provide liability insurance coverage for the following employees of public schools: custodians, food service workers, bus drivers, mechanics, and maintenance personnel.

EMPLOYEES INSURANCE ADVISORY COMMITTEE

Act 855, (HB 1928), reorganizes the public school employees insurance advisory committee, requires that the committee employ an actuary, and that bid contracts be for a minimum of 5 years.

EQUAL ACCESS ACT

Act 988, (HB 1892), amends the "Equal Access Act" to define a "school endorsement". It specifies that student-initiated meetings limited to student speech with content-neutral guidelines are not a "school endorsement". It also authorizes the school districts to notify the parents and students of the provisions of "The Equal Access Act".

FAILURE TO MEET ACCREDITATION STANDARDS

Act 603, (HB 1794), changes the date by which the Department of Education must notify school districts failing to meet minimum standards for accreditation from April 15 to June 15. Dates for filing an appeal and for a hearing before the State Board of Education are also changed, and the period of time for a violation to continue after notice from the department is clarified as 2 school years.

FINANCIAL AID

Act 314, (HB 1166), authorizes the State Board of Education to withhold state financial aid from school districts that are delinquent in paying their current indebtedness.

GENERAL EDUCATION DEVELOPMENT TEST

Act 1079, (SB 788), authorizes the State Board of Vocational Education to approve fees, \$10.00 for first time and \$20.00 for subsequent tests, for the administering of the General Educational Development Test.

GRIEVANCE POLICIES

Act 1149, (SB 509), defines the words "grievance" and "employee" relevant to school district grievance policies and procedures.

HIGH TECHNOLOGY TRAINING CENTER

Act 839, (SB 669), establishes the Arkansas High Technology Training Center at the Little Rock Regional Airport to offer high technology courses to secondary students from the entire state and to work with the AIDC in offering training for adults.

HIGHER EDUCATION AWARENESS PROGRAM

Act 1256, (HB 1842), directs the Department of Higher Education to work with institutions of higher education to develop information packets for 8th grade students and their parents on post-secondary education in Arkansas, courses required to attend college, and financial requirements and assistance available. It further provides that local school districts must schedule, upon the parent's request, an individual conference for an 8th grade student, his parents, and the school counselor to develop a course of study for grades 9-12.

EDUCATION - GENERAL EDUCATION (Cont.)

INVESTMENT OF TRUST FUNDS

Act 406, (SB 7), allows prepaid benefit trust funds to be invested in any bonds of any school district in this state, provided that no more than 30% of the total trust assets may be invested in such school bonds.

INVESTMENT TRUSTS AUTHORIZED FOR LOCAL GOVERNMENTS

Act 583, (SB 606), permits local governments in Arkansas to join together to establish trusts for joint investment of moneys not currently needed so as to enhance their investment opportunities and increase investment earnings. The term "local government" means any city, county, school district or community college district. It sets up the terms of the trusts and prescribes the powers of the trust to invest and to own property.

LEGISLATIVE AUDIT

Act 484, (SB 526), provides the responsibilities of the Legislative Auditor for providing auditing services for political subdivisions, including compilations for incorporated towns.

MINIMUM CORE CURRICULUM

Act 1117, (HB 1840), amends the law creating the minimum core of high school courses to require the State Board of Education, in consultation with the State Board of Higher Education and the Vocational and Technical Education Division of the Department of Education, shall establish the requirements for a minimum core of high school courses recommended for postsecondary technical preparation program.

NATIONAL EDUCATION GOALS

Act 405, (SB 4), permits the Department of Education to seek the assistance of national education organizations in meeting the National Education goals.

PERSONNEL POLICIES

Act 1187, (HB 1255), extends the time for submission of proposed new personnel policies or amendments to existing school district personnel policies to ten days prior to presentation to the board. It also authorizes a school superintendent to recommend changes in personnel policies to the school district's personnel policies committee.

PERSONNEL POLICY COMMITTEE

Act 902, (HB 2006), authorizes the review by a school district committee on personnel policies of any proposed distribution of a salary underpayment from previous years.

Act 1108, (HB 1780), authorizes chairperson of a school district's committee on personnel policies or designee to orally present the committee's proposed policies or amendments to existing policies to the board of directors.

PURCHASE OF COMPUTER SOFTWARE

Act 1276, (HB 1336), increases the maximum capital outlay tax that school districts may levy and permits school districts to use capital outlay funds for the purchase of computer software.

EDUCATION - GENERAL EDUCATION (Cont.)

RACIAL AND ETHNIC SENSITIVITY PROGRAM

Act 197, (HB 1042), directs the State Board of Education to develop, in cooperation with the Arkansas Black History Advisory Committee, a statewide program to increase the racial and ethnic sensitivity of certified school personnel. Depending on the availability of funds, the program must be implemented during the 1993-94 school year. Institutions of higher education are encouraged to work with neighboring school districts in professional development of racial and ethnic awareness.

REVOLVING LOAN FUND OBLIGATIONS

Act 502, (HB 1618), clarifies that the validity of all school district revolving loan obligations and certificates of indebtedness acquired by the State Board of Education pursuant to § 6-20-801 et seq. is not subject to challenge.

REVOLVING LOAN FUND EARNINGS

Act 501, (HB 1617), provides that all earnings received from the investment of assets held in the Revolving Loan Fund and administered by the State Board of Education will be used to pay the program's expenses and to fund the revolving loans.

SALES OF FUNDRAISING MERCHANDISE

Act 525, (HB 1285), regulates door-to-door sales of fundraising merchandise by public school children in kindergarten through grade 6. The act requires schools to notify parents and obtain their written consent and requires fundraising companies to incorporate a safety component as part of fundraising programs. Parents must accept responsibility for supervision unless it is provided by the schools.

SCHOOL BASED HEALTH CLINICS

Act 1173, (HB 2011), provides that it is the policy of the state of Arkansas to discourage sexual activity by students. It also provides that all schools associated with distributing, recommending, or prescribing condoms or contraceptives shall adopt a resolution acknowledging that there are risks associated with teen sexual activities. The bill further provides certain requirements of parental consent for contraceptive services and condom distribution to students and requires all school-based clinics to maintain accurate records of distributing and prescribing condoms and contraceptives. The bill provides that the number of pregnancies and sexually transmitted diseases among students in schools with school-based clinics shall be transmitted annually to the school board of directors. The bill further provides for the confidentiality of student's medical records.

SCHOOL BOARD MEMBERS

Act 346, (HB 1278), provides that no person elected to a school district board of directors is eligible for employment in that district.

SCHOOL BOARD MEETINGS

Act 608, (SB 418), requires that regular meetings of local school boards and board committees and special meetings of both that deal with personnel or personnel policies will be held after 5:00 P.M., except in emergency situations.

Act 891, (HB 2098), requires the board of directors of school districts with an average daily membership (ADM) to hold all board meetings and public hearings in facilities that will accommodate the disabled and other patrons who wish to attend.

EDUCATION - GENERAL EDUCATION (Cont.)

SCHOOL BONDS

Act 481, (SB 463), clarifies the amount in bonds that a school district can issue to refund outstanding bonded indebtedness and to provide funds for maintaining and operating schools in the district.

Act 977, (HB 1616), amends the law on the sale of school district debt obligations to clarify that the State Board of Education must receive at least 4 invitations for bids on any sale of debt obligations of a school district. It also allows the proceeds of the sale of the debt obligations to be used to pay the costs of the sale and the servicing of the school district bonds or certificates of indebtedness.

SCHOOL CHOICE

Act 655, (SB 457), authorizes a school district to admit nonresident students who submit applications after the April 17 deadline if doing so would further desegregation efforts. The act also clarifies that, under the Public School Choice Act, districts are not obligated to provide transportation for nonresident students and students who transfer in grades 9 through 12 are ineligible for interscholastic athletic competition for 1 year after the transfer.

SCHOOL STARTING DATES

Act 103, (SB 3), allows local school districts to set the beginning date of the school year with the first day no earlier than August 19 nor later than August 26 but, if August 18 falls on a Monday, school can begin on that date. The Department of Education may grant waivers for different starting dates when there are exceptional circumstances. Labor Day continues to be a statewide school holiday.

SICK LEAVE FOR INJURIES BY VIOLENT CRIMINAL ACT

Act 1115, (HB 1828), requires the board of directors of each school district to adopt personnel policies of the district to provide school teacher a leave of absence from his or her duties as a result of personal injury caused by either an assault or other violent criminal act committed against the school teacher in the course of his or her employment. The teacher may be granted a leave of absence, with pay, for up to one (1) year from the date of the injury and it shall not be charged to the school teacher's sick leave.

STATE AID FORMULA

Act 968, (HB 1256), modifies the formula for calculating state aid to local school districts.

STUDENT ADMISSION DOCUMENTS

Act 363, (HB 1436), provides that, before a child is admitted to a public school, parents must furnish proof of the child's age by either a passport, birth certificate, attested baptism certificate, certified statement by the county recorder, parent's affidavit, or previous school records and must also furnish the child's social security number or request that the school district assign the child a 9 digit number.

SUMMER SCHOOL FREE FOR QUALIFIED STUDENTS

Act 840, (HB 1039), requires school districts operating summer school programs to provide free summer school, as space is available, for students who qualify for free or reduced-price meals.

EDUCATION - GENERAL EDUCATION (Cont.)

SUMMER SCHOOL

Act 1139, (HB 1438), authorizes and requires the public school districts of Arkansas in 1994 to provide free summer school and summer school transportation to those students in K through Grade 3 who did not perform at grade level during the regular school year in order to be promoted. The State Board of Education is authorized to fund the necessary remediation programs such as tutoring, summer school educational services, and hot meal programs from funds appropriated for that purpose.

TEACHER SALARIES

Act 465, (HB 1486), amends the definition of net current revenue used in determining the amount that a school district must pay qualifying certified personnel to allow a deduction from gross current revenue of 25% of federal forest reserve revenues.

TEACHER SALARIES

Act 397, (HB 1252), authorizes school districts, whose average daily membership (ADM) in the 1992-93 school year has decreased at least 30% from the previous school year, to consider a salary increase provided by the redistribution of funds, due to the corresponding reduction in the number of certified personnel, as a non-recurring salary payment.

Act 1043, (HB 1968), provides that school districts which are paying certified personnel at or above the average for states adjoining Arkansas are exempt from paying eighty percent of seventy percent of net current revenues.

Act 1186, (HB 1254), provides that a school district which experiences a reduction in Minimum Foundation Program Aid during the school year shall be entitled to a credit in salary obligations to certified personnel during the following school year.

TEACHER SICK LEAVE FOR INJURIES

Act 1115, (HB 1828), requires the board of directors of each school district to adopt personnel policies of the district to provide school teacher a leave of absence from his or her duties as a result of personal injury caused by either an assault or other violent criminal act committed against the school teacher in the course of his or her employment. The teacher may be granted a leave of absence, with pay, for up to one (1) year from the date of the injury and it shall not be charged to the school teacher's sick leave.

TEACHER STAFF DEVELOPMENT OPPORTUNITIES

Act 1151, (SB 570), provides that school districts may not deny teachers the opportunity to attend staff development sessions of the annual Arkansas Education Association convention and that a maximum of 11 hours of the sessions will count toward the staff development required by the Arkansas Standards for Accreditation of Public Schools if the sessions have been certified by the State Department of Education.

TRANSCRIPTS AND DIPLOMAS

Act 688, (HB 1275), requires that school districts, beginning with the 1994-95 school year, attach a seal or other symbol to the transcripts and diplomas of high school students who have completed the college prep or tech prep core curriculum with a minimum GPA of 2.75.

TRANSFER OF CHILDREN ON SCHOOL PROPERTY

Act 660, (SB 554), prohibits the transfer of children between custodial and noncustodial parents on public school property when both parents are present.

EDUCATION - GENERAL EDUCATION (Cont.)

UNIFORM GRADING SCALE

Act 576, (SB 405), revises the Uniform Grading scale for public schools so that an A = 90 - 100, a B = 80 - 89, a C = 70 - 79, a D = 60 - 69, and an F = 59 and below.

Act 1188, (HB 1277), amends Ark. Code Ann. §6-15-902 relating to the Uniform Grading Scale.

VARIOUS SCHOOL LAWS

Act 294, (HB 1034), amends and repeals various antiquated, superseded, inconsistent, or ambiguous sections of the Arkansas Code dealing with the public schools.

VARIOUS SCHOOL LAWS REPEALED

Act 475, (SB 309), repeals various public school laws for the purposes of reducing the number of existing education laws and reducing administrative inefficiency.

VISUALLY IMPAIRED STUDENTS

Act 483, (SB 504), requires schools districts to insure that assessments of the educational progress of students identified as visually impaired are made each year and to provide braille instruction as needed. The act also requires the Department of Education to see that textbooks in braille or large print are available.

WEAPON OFFENSES ON SCHOOL PROPERTY

Act 264, (SB 69), provides for a long-term driver's license suspension of any minor found guilty of a criminal offense committed on school property or in a school bus and involving a weapon or of any minor adjudicated by a juvenile court as a delinquent for the offense. The suspension period can be from twelve (12) to thirty-six (36) months.

Act 781, (HB 1406), provides for a 12 to 36 month suspension of a motor vehicle operator's license for any person under 19 years of age who is guilty of a criminal offense involving an illegal weapon on school property or in or on a school bus or is found by the juvenile court to have committed the offense.

WORKERS' COMPENSATION FOR EMPLOYEES

Act 862, (SB 333), requires that, effective July 1, 1994, all school districts shall provide workers' compensation for their employees either through private carriers, municipal self-funding groups, or other self-funding groups.

YEAR-ROUND EDUCATION

Act 446, (HB 1592), defines a 12 month year-round educational program as one where all students attend school for, at least, the number of days required for state accreditation and no vacation, including summer, is longer than 6 weeks. It also provides that a school district will not receive any more state aid for a 12 month program than it will for 9 months and authorizes one pilot program for the 1993-94 school year.

EDUCATION (Cont.)

HIGHER EDUCATION

ADMISSION REQUIREMENTS

Act 969, (HB 1271), requires that, beginning with the 1997-98 academic year, students who graduated from high school after May 1, 1997, must have completed the college prep or the tech prep core curriculum in high school with a minimum GPA of 2.00 for unconditional admission to an associate of arts or a bachelor's degree program in 4 year institutions and have completed either core curriculum to enroll in any certificate or degree program in 2 year institutions. Institutions are also directed to develop standards for conditional admission for other students.

ARKANSAS TECH UNIVERSITY

Act 761, (HB 1687), authorizes the Board of Trustees of Arkansas Tech University to approve a maximum housing allowance of \$650 per month for the president of the institution in lieu of state-owned housing.

BOARD MEMBERS INSTRUCTION AND TRAINING

Act 1171, (HB 1323), requires the State Board of Higher Education and members of the boards of all other publicly supported institutions of higher education to receive a minimum of eight hours of instruction and training in the duties and responsibilities associated with their positions within one year of their appointment or election.

CATASTROPHIC LEAVE BANK

Act 441, (HB 1454), authorizes the Department of Finance and Administration and institutions of higher education to establish catastrophic leave banks for non-faculty, non-classified employees.

CENTER FOR WORKFORCE EXCELLENCE

Act 665, (SB 575), provides that the Ouachita Technical College Board shall establish a local advisory committee to provide guidance to the Center for Workforce Excellence in implementing a pilot project to assist industrial development through the coordination of training services and programs.

COMMUNITY COLLEGE BONDS

Act 321, (SB 294), authorizes community colleges to pledge student tuition receipts as security for bonds issued to finance capital outlay expenses.

COMMUNITY COLLEGE INVESTMENT TRUSTS

Act 583, (SB 606), permits local governments in Arkansas to join together to establish trusts for joint investment of moneys not currently needed so as to enhance their investment opportunities and increase investment earnings. The term "local government" means any city, county, school district or community college district. It sets up the terms of the trusts and prescribes the powers of the trust to invest and to own property.

COUNTY SALES TAX FOR SUPPORT OF TECHNICAL COLLEGE

Act 867, (SB 702), authorizes a quorum court, to designate all or any portion of an undedicated county sales or use tax for the support of a technical college. As an alternative, a quorum court can refer the issue to the voters.

DEBT SETOFF CLAIMANT AGENCY

Act 345, (HB 1276), includes the Department of Higher Education as a claimant agency for the setoff of debts against state income tax refunds.

EDUCATION - HIGHER EDUCATION (Cont.)

DEVELOPMENT FELLOWS PROGRAM

Act 414, (SB 374), allows state institutions of higher education to have 4 persons receiving payments under the Faculty/Administrator Development Fellows Program at the same time.

EMPLOYEE GROUP HEALTH INSURANCE

Act 1017, (HB 1805), provides that state supported institutions of higher education shall spend no more for group health insurance for an employee than the amount of the state's contribution authorized by law for an employee participating in the State Employee's Insurance Plan.

FINANCIAL AID FROM CITIES

Act 367, (SB 70), authorizes cities to grant, by ordinances effective no longer than 12 months, financial aid to state-supported colleges and universities with facilities located in the cities. Grants must be paid out of donations or gifts received by a city for general purposes, and the financial aid may be used to retire bond debts or for paying operating expenses.

FINANCIAL AID FROM MUNICIPALITIES AND COUNTIES

Act 866, (SB 596), authorizes cities, counties, and incorporated towns to grant financial aid to public institutions of higher education within their borders, under ordinances effective for 12 month periods, for operational expenses.

HIGHER EDUCATION AWARENESS PROGRAM

Act 1256, (HB 1842), directs the Department of Higher Education to work with institutions of higher education to develop information packets for 8th grade students and their parents on post-secondary education in Arkansas, courses required to attend college, and financial requirements and assistance available. It further provides that local school districts must schedule, upon the parent's request, an individual conference for an 8th grade student, his parents, and the school counselor to develop a course of study for grades 9-12.

POSSESSION OF HANDGUNS

Act 1166, (HB 1068), extends the criminal offense of possession of a handgun on public school property to make it applicable to institutions of higher education as well.

REMEDIAL PROGRAMS REDUCTION PLAN

Act 1141, (HB 1757), requires all public 2 and 4-year institutions of higher education shall to report, by amount and source, funds used to finance all remedial courses and programs for students in the 1992-93 academic year. Beginning in 1994, public institutions of higher education may spend no more for remediation of students than the amount of state funds expended on remediation during the 1992-93 academic year. By April 30, 1994, the Board of Higher Education shall develop a plan to reduce the amount each college expends on remediation.

RISING JUNIOR TESTS

Act 874, (SB 376), requires all public colleges and universities, beginning with the 1994-95 academic year, to administer a so-called "rising junior" test to students at the end of their sophomore year to evaluate student learning in the general education core curriculum requirements for baccalaureate degrees.

SOUTH ARKANSAS COMMUNITY COLLEGE

Act 765, (HB 1920), authorizes the South Arkansas Community College Board of Trustees to approve a maximum housing allowance of \$400 per month in lieu of college housing.

EDUCATION - HIGHER EDUCATION (Cont.)

SOUTHERN ARKANSAS UNIVERSITY - TECH

Act 447, (HB 1593), amends various sections of the Arkansas Code referring to "Southwest Technical Institute Division of Southern Arkansas University" by changing them to "SAU - Tech".

STUDENT INDEBTEDNESS

Act 1018, (HB 1809), authorizes the Commissioner of Revenue to disclose the last known address and last known employer of any person from whom the Arkansas Public Institution of Higher Education is attempting to collect student indebtedness.

STUDENT LOANS

Act 455, (SB 378), requires the Board of Trustees of the University of Arkansas to annually review and approve a procedure to accept or reject applications for loans from the University of Arkansas Revolving Loan Fund.

TEACHERS' POSTGRADUATE SCHOLARSHIP PROGRAM

Act 906, (SB 663), creates a postgraduate scholarship program for qualified graduates of colleges and universities located in Arkansas who agree to teach in economically disadvantaged counties for 3 years in return for \$1,000 stipends after each year and \$15,000 at the end of the 3rd year for advanced education degrees.

TECHNICAL AND COMMUNITY COLLEGE CAPITAL OUTLAY FUNDS

Act 382, (HB 1337), permits technical and community college capital outlay expenses to be paid out of unexpended funds from previous years' operating budgets.

TECHNICAL AND COMMUNITY COLLEGE BONDS

Act 374, (SB 365), repeals several sections of the Arkansas Code and sets forth the manner by which technical and community colleges can issue revenue bonds to finance capital improvements. It also authorizes the use of student tuition and fees to pay for capital outlay expenses.

TECHNICAL COLLEGE DISTRICT FORMATION

Act 423, (SB 288), authorizes establishing technical college districts and levying property taxes to support the colleges, allows the members of a technical college board to become members of the community college board following conversion to a community college, permits capital outlay expenses for technical and community colleges to be paid from tuition and fees, and makes technical corrections to other sections of the Arkansas Code dealing with technical colleges.

TECHNICAL COLLEGES

Act 171, (SB 170), adds technical colleges to the state institutions of higher education that are eligible to receive loans from Arkansas College Savings Bond proceeds for payment of project costs.

Act 945, (HB 1703), authorizes the formation of technical college districts and the levy of property taxes to support the districts.

TUITION CREDITS

Act 1222, (SB 177), create the Arkansas Tuition Trust Authority and the Arkansas College Savings Program so that persons can purchase tuition credits on behalf of another to be used in the future toward paying the costs of higher education.

EDUCATION - HIGHER EDUCATION (Cont.)

UNIFORM REPORTING STANDARDS

Act 376, (SB 382), and Act 537, (HB 1536), requires the State Board of Higher Education to establish uniform reporting of total revenues, expenditures, and productivity by academic department, program, and activity for each state-supported institution of higher education. Beginning in 1994, the State Board is required to submit institutional reports by December 1 of each year to the Joint Interim Committee on Education.

IMPACT PROGRAM

Act 463, (HB 1413), authorizes maximum stipends of \$10 per day, T-shirts, baseball-style caps, and jackets with Military Department's logo for all participants in the Arkansas IMPACT program, a youth-oriented education and job placement program sponsored by the Military Department.

REHABILITATION SERVICES

ADAPTIVE EQUIPMENT LOANS

Act 384, (HB 1520), creates a fund to provide loans to individuals with disabilities for the purpose of purchasing essential assistive technology/adaptive equipment and related services. The fund is to be administered by the Division of Rehabilitative Services. The Act creates the Technology Equipment Revolving Loan Fund Committee.

DIVISION TRANSFERRED

Act 574, (SB 16), transfers the Division of Rehabilitation Services of the Department of Human Services to the Division of Vocational and Technical Education of the Department of Education where it will be under the authority of the State Board of Vocational Education and will be known as the Arkansas Rehabilitation Services. The transfer is effective July 1, 1993.

SCHOLARSHIPS

ACADEMIC CHALLENGE SCHOLARSHIP

Act 720, (HB 1841), expands eligibility for the Arkansas Academic Challenge Scholarship to students who have successfully completed the tech prep core curriculum in high school.

Act 1244, (HB 1153), increases the adjusted gross income levels which determine the eligibility for Arkansas Academic Challenge Scholarships.

ARKANSAS OPPORTUNITY SCHOLARSHIP

Act 198, (HB 1043), permits persons who have passed the GED test and received a high school equivalency diploma to be eligible for participation in the Arkansas Opportunity Scholarship Program. The act also removes a maximum age for eligibility.

HIGHWAY DEPT. EMPLOYEES KILLED OR DISABLED

Act 153, (HB 1101), entitles the children or the spouse of a state highway employee who suffer fatal injuries or wounds or who become permanently and totally disabled as a result of injuries or wounds in the line of duty to an eight-semester scholarship at any state-supported college or university within this state. Claims for permanent and total disability shall be qualified or disqualified by the Arkansas State Claims Commission.

EDUCATION - SCHOLARSHIPS (Cont.)

MINORITY SCHOLARSHIPS

Act 301, (HB 1273), and Act 330, (SB 351), require the State Board of Higher Education and publicly-supported institutions of higher education to review annually all minority scholarship or grant programs administered by the institutions to ensure compliance with federal regulations. The institutions are also required to report their findings annually to the Joint Interim Committee on Education.

POLICE CORPS SCHOLARSHIPS

Act 315, (HB 1180), increases the total number of scholarships that may be awarded under the Police Corps Scholarship Program at any one time to 250 and makes the program more accessible to persons currently employed as law enforcement officers in Arkansas.

TECHNICAL PREPARATION

Act 1170, (HB 1235), permits secondary students who have successfully completed an approved technical preparation core curriculum to be eligible for the Arkansas Academic Challenge Scholarship Program.

STUDENT LOANS

AREA HEALTH EDUCATION CENTER (AHEC)

Act 1107, (HB 1776), establishes a program of financial assistance to encourage primary care physicians to accept full-time faculty positions in a UAMS Area Health Education Center community and the Department of Family and Community Medicine. Board certified family physicians and general pediatricians shall be eligible for financial assistance and UAMS may provide financial assistance to eligible individuals for the repayment of medical student loans or personal loans. The financial assistance shall not exceed \$12,000 per year for up to 4 years.

DUTIES OF STUDENT LOAN AUTHORITY

Act 1284, (HB 2059), clarifies the powers and duties of the Arkansas Student Loan Authority to allow its participation in loan programs supplemental to those programs authorized by the federal Higher Education Act of 1965.

VOCATIONAL-TECHNICAL EDUCATION

MODEL RESOURCE CENTER

Act 316, (HB 1345), establishes a model vocational-technical education resource center in the North East Arkansas Education Services Cooperative service area to provide vocational and technical educational programs and services to school districts and other vocational, technical, or adult programs.

ELECTIONS

ABSENTEE BALLOTS

APPLICATION BY FAX MACHINES

Act 303, (HB 1385), allows the county clerk to send applications for absentee ballots by fax machine and to accept applications for absentee ballots by fax machine. It also allows a facsimile of the prescribed form to be used for an absentee ballot application.

ELECTIONS - ABSENTEE BALLOTS (Cont.)

DELIVERY

Act 1201, (HB 1564), allows a voter's in-laws to deliver the voter's application for an absentee ballot and adds the voter's daughter-in-law and son-in-law to the list of family members eligible to deliver the absentee ballot.

ELECTION RESULTS

Act 845, (HB 1085), provides for the processing of absentee ballots on election day but prohibits election results from being printed or released prior to thirty minutes after the close of the polls.

NO EXCUSE REQUIRED

Act 593, (HB 1093), allows a voter appearing in person in the county clerk's office to cast an absentee ballot without providing an excuse.

ALCOHOLIC BEVERAGES

LOCAL OPTION ELECTION

Act 243, (SB 21), amends the local option law to increase from thirty percent to thirty-eight percent the number of signatures necessary to call a wet/dry election.

BALLOTS

Act 1011, (HB 1745), deletes language in the Arkansas Code limiting what may appear on the back or outside of ballots.

Act 1297, (HB 2084), authorizes the use of serial numbers printed with ultraviolet ink in lieu of black out stickers on the ballots in any jurisdiction which counts ballots electronically.

CAMPAIGN CONTRIBUTIONS

FINAL REPORT

Act 1243, (HB 1138), requires candidates to disclose on their final campaign contributions report which option was used to dispose of any balance of campaign funds.

FUND RAISING

Act 1209, (HB 1704), allows candidates with campaign debts to solicit funds after the election under certain conditions for the purpose of retiring the campaign debt. It also alters the definition of 'contribution and expenditure' to exclude an activity, such as a dinner or rally, sponsored and funded by an organized political party to promote their candidates or nominees.

LEGISLATIVE SESSIONS

Act 1195, (HB 1100), prohibits certain elective officers from accepting campaign contributions during the period beginning thirty days before and ending thirty days after any regular session of the General Assembly, during any extended session of the General Assembly or during any special session of the General Assembly.

PERIODS IN WHICH CONTRIBUTIONS ARE PROHIBITED

Act 818, (SB 477), prohibits candidates for certain offices and certain exploratory committees from accepting campaign contributions during the period beginning thirty (30) days before and ending thirty (30) days after any regular session of the General Assembly or during any special session. The prohibition begins January 1, 1994.

ELECTIONS - CAMPAIGN CONTRIBUTIONS (Cont.)

UNOPPOSED CANDIDATES

Act 1196, (HB 1136), allows an unopposed candidate after filing an affidavit agreeing not to solicit further campaign funds to dispose of any surplus campaign funds prior to a general election after the time has passed to declare an intent to be a write-in candidate.

CERTIFICATION OF RESULTS

Act 966, (HB 1054), postpones the date for certification of election results and also provides that all runoff elections shall occur 3 weeks after the election which necessitates the runoff election.

CITIES

CITY MANAGER FORM

Act 541, (HB 1631), amends the procedure for filing petitions for candidates for the board of directors of a city with the city manager form of government. It requires the petition supporting the candidacy of each candidate to be filed with the city clerk or recorder not less than sixty (60) days before the election and by twelve o'clock noon.

Act 1060, (HB 2133), amends the City Manager's Enabling Act to allow the board of directors of a city with a city manager form of government to refer to the people the issues of electing a mayor and granting the mayor veto power and to provide that the mayor veto may be overridden by two-thirds vote of the board.

Act 1294, (HB 2029), provides options for electing the mayor and the city board of directors to cities of the first class that have the city manager form of government.

ELECTION OF ALDERMAN BY CITIES IN TRANSITION

Act 857, (HB 1995), amends the law allowing cities of the first class to determine by ordinance whether to elect aldermen by ward or at-large to empower cities (city-manager or city-administrator cities) in transition to the mayor-council form of government to provide that all aldermen be elected by wards or at-large.

TAX DEDICATION TO SCHOOL DISTRICTS

Act 1070, (SB 597), allows cities and counties, when holding an election on the issue of a sales or use tax, to dedicate a portion of the tax to a school district or districts located within their boundaries.

COUNTY TREASURER

Act 1279, (HB 1539), repeals the law prohibiting a sheriff or clerk, or deputy of either, from holding the office of county treasurer.

ELECTION COMMISSIONERS BOARD

Act 1092, (HB 1090), changes the composition of the Board of Election Commissioners and establishes its duties; levies an additional fee of one cent (\$.01) for each registered voter identification and address purchased through a county clerk to be deposited to a Computerized Voter Registration Fund.

ELECTION CONTESTS

FILING OF APPEAL

Act 514, (HB 1086), requires that any appeal to contest the results of any election in any court of the state be filed within seven (7) calendar days of the final certification of the election.

ELECTIONS - ELECTION CONTESTS (Cont.)

SALES TAX OR USE TAX ELECTION

Act 266, (SB 164), allows the collection of local sales taxes in the event of an election challenge unless enjoined by court order.

ELECTION OFFICIALS

COUNTY ELECTION COMMISSIONERS SELECTION

Act 843, (HB 1055), provides that if the county chairman of a county committee of the majority party or the minority party is an elected official or is otherwise ineligible to serve as a member of the county board of election commissioners or chooses not to serve on the board, the county committee shall elect someone to serve in his or her stead. The Act also changes the time for selecting the third member of the county board of election commissioners.

DEFENSE OF COUNTY ELECTION COMMISSION

Act 780, (HB 1091), requires the prosecuting attorney to defend any civil lawsuit brought against the county election commission or its members if they are sued in regard to acts or omissions made during the course of their official duties.

ELIGIBILITY FOR APPOINTMENT TO FILL VACANCIES

Act 760, (HB 1456), allows a member of a county election commission to be appointed to fill a vacancy in an elected office without vacating his seat on the commission; however, the member will not be eligible for re-election to the office when the term expires.

QUALIFICATIONS

Act 715, (1050), imposes residency requirements for county board of election commissioners and for precinct judges and clerks. The act prohibits a person from serving as an election judge, clerk, or officer if related within the second degree of consanguinity to a candidate, if objection to such service is filed.

WORK SHIFTS

Act 511, (HB 1051), changes the requisite number of election judges and provides that election clerks and judges may work split or half-day shifts at polling places if approved by the county board of election commissioners.

ELIGIBILITY FOR OFFICE

COUNTY TREASURER OFFICE

Act 1279, (HB 1539), repeals the law prohibiting a sheriff or clerk, or deputy of either, from holding the office of county treasurer.

DEFAULTERS AND CERTAIN PUBLIC OFFICIALS

Act 1279, (HB 1539), repeals the law requiring the circuit court clerk to certify to the Governor on each abstract or certificate of election whether the person whose election he is certifying is a defaulter to the county. It also repeals the law which provides for the withholding of a commission or credentials of a defaulter elected to office. The Act repeals the law prohibiting a collector or holder of public money from becoming a member of the General Assembly until he has accounted for and paid over all sums for which he may be liable.

ELECTIONS (Cont.)

INITIATIVE AND REFERENDUM

FINANCIAL DISCLOSURE FOR LOCAL ISSUES

Act 1114, (HB 1823), rewrites and amends the Disclosure Act for Public Initiatives, Referendums, and Measures Referred to Voters to include reporting for county, municipal and school district issues. It also provides for enforcement by the Ethics Commission and strengthens the reporting requirements on proponents and opponents of statewide initiative and referendum issues.

FINANCIAL DISCLOSURE

Act 1235, (SB 695), further defines the terms "Ballot Question Committee" and "Legislative Question Committee" as they apply to the Arkansas Disclosure Act for public initiatives, referendums, and measures referred to the voters by the General Assembly.

LIBRARY ELECTION PROCEDURES

Act 920, (SB 769), provides for the implementation of Amendment 72 of the Arkansas Constitution regarding the levy of property taxes (up to 3 mills) for libraries in cities and counties. It defines the purposes for which library bonds may be issued and provides for the procedures for the election on the levy and pledge of ad valorem taxes for libraries and library improvements.

POLLING PLACE

ACCESSIBILITY FOR DISABLED VOTERS

Act 1192, (SB 57), allows disabled voters to advance in line at a polling place and requires polling places to be accessible to the disabled as required by the Americans with Disabilities Act.

OPENING AND CLOSING

Act 515, (HB 1092), requires that polling places open at 7:30 A.M. and remain continuously open until 7:30 P.M.

PRECINCT LOCATION

NOTICE

Act 717, (HB 1056), requires the county board of election commissioners to give notice of election precinct locations no later than five (5) calendar days before each election, other than a run-off election.

RECOUNT COSTS

Act 430, (HB 1058), establishes a uniform rate to be charged for an election result recount and requires a candidate to pay for the recount in advance, with costs to be refunded if the election outcome is changed by the recount.

SCHOOL ELECTIONS

COMMUNITY COLLEGE BOARD MEMBERS

Act 981, (HB 1700), amends the law regarding the election of members of a community college board to allow members to be elected at the annual school election for any community college district which is comprised solely of one or more entire school districts and whose boundary is contiguous with those school districts. Previously, members were elected solely at the general election.

COUNTY BOARD OF EDUCATION

Act 202, (HB 1118), makes changes in election procedures in elections for members of a county board of education.

ELECTIONS - SCHOOL ELECTIONS (Cont.)

ELECTION BY ZONES OR BY ZONES AND AT-LARGE

Act 1169, (HB 1167), requires that, with some exceptions, local school districts having a 10% or greater minority population must elect members of the school board from 5 or 7 single member zones or from 5 single member zones and 2 at-large.

ELECTION DATE

Act 181, (HB 1114), authorizes local school districts to change the date of an annual school election that has already been set when substantial damage to district physical facilities occurs.

REIMBURSEMENT FOR SCHOOL ELECTIONS

Act 978, (HB 1639), requires that the school districts in the county shall reimburse the county board of election commissioners for the entire cost of the school elections. Each district's share of the cost is to be proportionate to the number of operating boxes used in the election in each school district of the county.

SCHOOL BOARD MEMBERS

Act 786, (SB 352), requires that the members of the Board of Directors of a local school district be elected from single-member zones or from single-member zones and at-large in accordance with the federal Voting Rights Act of 1965, as amended.

SUBURBAN IMPROVEMENT DISTRICTS

ELECTION OF COMMISSIONERS

Act 524, (HB 1266), provides for an election to alter the method of selection and number of commissioners in any suburban improvement district which contains less than six thousand (6,000) lots and which selects successor commissioners by a vote of the remaining commissioners. The act states that a district voting to alter the number and method of selection of commissioners may elect five (5) new members of the board of commissioners.

Act 782, (HB 1596), permits suburban improvement districts, upon the petition of 35% of the realty owners, in existence on March 16, 1981 to be subject to the provisions of law concerning recall of commissioners. The petition may also provide for electing a five (5) member board of commissioners instead of three members. It also amends the method of collecting delinquent assessments of suburban improvement districts to allow them to use the method provided for municipal property owners' improvement districts.

Act 1138, (HB 2144), amends the law on suburban improvement districts elections for the board of commissioners as amended by Act 524 of 1993 to clarify that each property owner is entitled to nominate and vote for one person for each position of commissioner to be filled.

RECALL PROVISIONS

Act 492, (HB 1555), provides that the recall provisions for members of the board of commissioners for suburban improvement districts created after March 16, 1981, shall apply to districts in existence before March 16, 1981. A vacancy created by the recall of a commissioner of a suburban improvement district shall be filled in the same manner as provided by the post-"March 16, 1981" law (Act 510 of 1981) and all other vacancies shall continue to be filled in the same manner as provided by the pre-"March 16, 1981" law.

ELECTIONS - SUBURBAN IMPROVEMENT DISTRICTS - Recall Provisions (Cont.)

Act 782, (HB 1596), permits suburban improvement districts, upon the petition of 35% of the realty owners, in existence on March 16, 1981 to be subject to the provisions of law concerning recall of commissioners. The petition may also provide for electing a five (5) member board of commissioners instead of three members. It also amends the method of collecting delinquent assessments of suburban improvement districts to allow them to use the method provided for municipal property owners' improvement districts.

VARIOUS REVISIONS

Act 512, (HB 1059), amends various laws relating to elections.

VOLUNTEER DEPUTY REGISTRARS

Act 1214, (HB 1906), permits the permanent voter registrar to assign volunteer deputy registrars to be on duty at designated precinct polling places on election day for the purpose of registering applicants to vote.

VOTERS

ELIGIBILITY TO VOTE

Act 716, (HB 1052), requires, as a condition to vote, that a person be eligible to vote in the county in which he resides twenty-one days prior to the election. The Act also defines residency for voting purposes.

PRIVACY

Act 513, (HB 1071), requires that the county board of election commissioners insures that voters desiring privacy are not singled out.

REGISTRATION AND IDENTIFICATION

Act 561, (HB 1070), requires a person registering to vote to prove his identity by presenting a driver's license, birth certificate, social security card or witnesses.

REGISTRATION LISTS ON COMPUTER

Act 1161, (SB 731), requires county clerks who maintain voter registration lists on computer to provide, at reasonable cost, the lists on computer disk or tape to candidates for elective office and elective officeholders.

REGISTRATION LISTS IN LIEU OF BINDERS

Act 487, (HB 1057), allows voting precincts to use voter registration lists in lieu of binders in any election.

ELECTRICIANS

FEES AND EXAMINATIONS

Act 831, (SB 780), increases examination and license fees of the Board of Electrical Examiners. The act allows an applicant who fails to pass the examination to take the next scheduled examination upon payment of the required fees.

PUBLIC WORKS

Act 1076, (SB 771) requires persons performing electrical work on public works projects to be licensed or be a bona fide apprentice under a licensed electrician.

ELEVATORS

Act 584, (HB 1652), increases the permit fees for elevators, escalators and dumbwaiters and fees for witnessing safety tests.

EMERGENCY SERVICES

911 EMERGENCY CALLS

OFFICERS ENTERING DWELLING

Act 1032, (HB 1902), allows public safety officers to use reasonable and necessary means to enter a dwelling in response to a 911 emergency call when they have reason to believe that there is a clear threat to the health of any person.

AMBULANCE SERVICE LIENS

Act 271, (SB 298), authorizes ambulance service providers to file a lien for the value of services provided to patients.

DO NOT RESUSCITATE ORDER

Act 1101, (HB 1556), authorizes the Arkansas Department of Health to promulgate rules regarding the use of a Do Not Resuscitate identification apparatus or a written physician's order which authorizes emergency medical service personnel to withhold resuscitation from a particular patient in the event of cardiac or respiratory arrest.

EMERGENCY LIGHTS

Act 1010, (HB 1695), allows emergency medical technicians to use emergency lights on vehicles when responding to an emergency.

EMERGENCY SERVICES ACT REVISIONS

Act 1049, (HB 1997), adds definitions of terms used in the Arkansas Emergency Services Act, clarifies the definition of a "local organization for emergency services" and the procedure for establishing a local office of emergency services, and establishes a mitigation fund within the Governor's disaster emergency fund.

FIRE PROTECTION SERVICES OFFICES

Act 280, (HB 1261), provides that the Office of Fire Protection Services shall be under the supervision and direction of the director of the Office of Emergency Services.

HAZARDOUS MATERIALS

Act 567, (HB 1499), creates the State Hazardous Materials Emergency Response Commission and authorizes the commission to promulgate regulations necessary to respond to hazardous/toxic materials incidents, accidents or events and to establish training and certification requirements for public emergency response and recovery personnel and to insure compliance with appropriate federal guidelines and laws.

ENGINEERS

Act 1041, (HB 1943), amends various provisions relating to the registration of professional engineers and land surveyors. Provisions have been added to the chapter to address procedures for disciplinary actions, the types of activities that could constitute a criminal offense under the chapter, certificates of authorization for corporations that provide engineering services and exemptions from registration under the chapter.

ENVIRONMENTAL LAW

AIR POLLUTION

STATIONARY SOURCE ASSISTANCE PROGRAM

Act 242, (HB 1421), and Act 251, (SB 347), create a Compliance Advisory Panel for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program to be administered by the Department of Pollution Control and Ecology for the purpose of helping eligible small businesses understand and comply with the Federal Clean Air Act.

ANIMAL CARCASS DISPOSAL

FOWLS

Act 241, (HB 1405), authorizes the Livestock and Poultry Commission to prescribe acceptable methods for the disposal of fowl carcasses.

FOWLS

Act 250, (SB 324), prohibits the use of burial pits as an acceptable method of poultry carcass disposal and requires the Livestock and Poultry Commission to prescribe acceptable methods of disposing of poultry carcasses, including but not limited to: (1) composting; (2) cremation or incineration; (3) extrusion; (4) on-farm freezing; (5) rendering; and (6) cooking for swine feed. The Commission is to specify, by regulation, acceptable methods of the disposal of fowl carcasses in the event of a major die-off.

LARGE ANIMALS

Act 522, (HB 1239), regulates the disposal of carcasses of large animals, excluding dogs and cats.

ASBESTOS MATERIAL

LICENSURE OF CONTRACTORS, CONSULTANTS & TRAINERS

Act 817, (SB 474), provides for the licensure of consultants, contractors, and training providers involved with the assessment, planning, management, training or abatement of friable and non-friable asbestos-containing materials.

COMMERCIAL MEDICAL WASTE

PERMITS

Act 861, (SB 322), creates permitting requirements and procedures for commercial medical waste facilities and licensing requirements for commercial medical waste treaters/disposers that are intended to operate in coordination with current permitting requirements for commercial medical waste incineration facilities.

PERMITS

Act 491, (HB 1377), creates permitting requirements and procedures for commercial medical waste facilities and licensing requirements for commercial medical waste treaters/disposers that are intended to operate in coordination with current permitting requirements for commercial medical waste incineration facilities.

STATE POLICE VEHICLE INSPECTION PROGRAM

Act 412, (SB 292), amends the law allowing state law enforcement agencies to stop haulers of commercial medical wastes. It authorizes the Arkansas State Police to administer and supervise a program of inspection of vehicles carrying commercial medical wastes with weight ratings of less than 10,000 lbs. It allows the State Police to collect a fee of fifty dollars (\$50.00) for each inspection. It authorizes state law enforcement agencies to conduct vehicle safety inspections of those vehicles transporting commercial medical wastes and to advise the Department of Health of the results.

ENVIRONMENTAL LAW - COMMERCIAL MEDICAL WASTE (Cont.)

ZONING BY CITIES AND COUNTIES

Act 199, (HB 1047), gives cities and counties the authority to adopt zoning ordinances for the regulation of commercial medical waste incinerators.

CONSTRUCTION REVOLVING LOANS

Act 833, (SB 812), adds water systems, solid and hazardous waste facilities, recycling facilities, and other environmental infrastructure projects to the types of public infrastructure systems for which financial assistance can be provided through construction assistance revolving loans.

ENVIRONMENTAL TESTING LABORATORIES

Act 322, (SB 350), requires consulting environmental testing laboratories to be certified by the Department of Pollution Control and Ecology.

Act 440, (HB 1451), amends the Arkansas Code to make certification for certain environmental testing laboratories mandatory and to expand the Department of Pollution Control and Ecology's enforcement power over environmental testing.

HAZARDOUS MATERIALS

EMERGENCY RESPONSE

Act 567, (HB 1499), creates the State Hazardous Materials Emergency Response Commission and authorizes the commission to promulgate regulations necessary to respond to hazardous/toxic materials incidents, accidents or events and to establish training and certification requirements for public emergency response and recovery personnel and to insure compliance with appropriate federal guidelines and laws.

MERCURY IN BATTERIES

Act 952, (SB 428), prohibits the sale of certain batteries containing mercury and the disposal of mercuric oxide batteries in municipal solid waste or in medical waste and provides for enforcement.

HAZARDOUS WASTE

PENALTIES

Act 731, (SB 594), clarifies the Department of Pollution Control and Ecology's use of in-kind services in projects or programs designed to advance environmental interests as partial mitigation of cash penalties.

LITTERING

Act 398, (HB 1348), establishes the fines for littering. The Act provides for a reward for information leading to a conviction.

Act 727, (SB 161), increases the fine for first offense littering and provides for the suspension of driving privileges upon failure to pay the fine.

MERCURY TASK FORCE CONTRACTS

Act 1065, (SB 453), authorizes the Department of Pollution Control and Ecology to enter into agreements or contracts with the Arkansas Game and Fish Commission or other entities to implement the recommendations of the Mercury Task Force.

ENVIRONMENTAL LAW (Cont.)

MINING

OPEN-CUT LAND RECLAMATION ACT

Act 368, (SB 226), excludes the construction and maintenance of streets and highways from the provisions of the "Arkansas Open-Cut Land Reclamation Act" when the construction is conducted under the auspices of the Arkansas Highway Department or any county or municipal government.

Act 378, (SB 429), provides that the requirements of the Arkansas Open-Cut Land Reclamation Act shall not apply to the noncommercial removal of clay, bauxite, gravel or other materials by a landowner for construction, improvement or maintenance of roads. The act requires the removal of gravel from streams or stream beds to comply with the requirements of Open-Cut Reclamation Act and prohibits mining in streams designated as Extraordinary Resource Waters.

SURFACE COAL MINING AND RECLAMATION ACT

Act 209, (HB 1368), extends eligibility for reclamation or drainage abatement expenditures to abandoned mines meeting certain criteria.

Act 737, (SB 676), expands the definition of "small operator" as used in the Surface Coal Mining and Reclamation Act and includes certain technical services for use in the determination of the probable hydrological consequences of mining and reclamation operations with costs to be borne by the Department of Pollution Control and Ecology in accordance with regulations issued by the Pollution Control and Ecology Commission.

SURFACE COAL MINING AND RECLAMATION ACT

Act 371, (SB 291), makes additional lands and water affected by coal mining or other mining processes eligible for reclamation or drainage abatement expenditures.

PERMIT APPLICATION DISCLOSURE STATEMENTS

Act 1052, (HB 2021), provides that specified persons and entities are exempt from filing disclosure statements with an application for a water, air or solid waste permit issued by the Department of Pollution Control and Ecology.

PESTICIDE REGULATION BY LOCAL GOVERNMENTS PROHIBITED

Act 815, (SB 468), prohibits a city, county or other political subdivision of the state from regulating the registration, labeling, distribution, sale, handling, use, application, transportation or disposal of pesticides. The Act doesn't apply to ordinances, rules or regulations adopted prior to March 1, 1993.

POLLUTION CONTROL AND ECOLOGY

ADMINISTRATIVE HEARING OFFICER

Act 921, (SB 773), authorizes the Pollution Control and Ecology Commission to employ a full-time, independent administrative hearing officer.

DECISIONS

Act 994, (SB 638), sets forth procedures for requesting decisions from the Pollution Control and Ecology Commission on permit applications or modifications under the Water and Air Pollution Control Act and revises the definition of "commission" as used in the Hazardous Waste Management Act.

ENVIRONMENTAL LAW - POLLUTION CONTROL AND ECOLOGY (Cont.)

FEES

Act 1254, (HB 1785), increases in various Pollution Control and Ecology fees, except that fees will be capped so: water permit fees calculated to generate revenues in any fiscal year may not exceed 3.25 times the total amount collected from water permit fees in fiscal year 1992-93; fees for solid waste permit fees calculated to generate revenues in any fiscal year may not exceed 4.25 times the total amount collected from solid waste permit fees in fiscal year 1992-93; and fees for no-discharge state permits will be capped at five hundred dollars (\$500).

POWERS AND DUTIES

Act 163, (HB 1062), and Act 165, (SB 22), amend various laws relating to the authority and responsibility of the Pollution Control and Ecology Commission in regard to water and air pollution.

RULES AND REGULATIONS

Act 1264, (HB 1988), requires the Pollution Control & Ecology Commission to consider, before promulgating any rule or regulation more stringent than federal requirements, the economic impact and environmental benefit to the people of Arkansas.

POLLUTION PREVENTION ACT

Act 1273, (SB 791), creates the Arkansas Pollution Prevention Act.

RECYCLING

INCOME TAX CREDIT FOR RECYCLING EQUIPMENT

Act 654, (SB 449), clarifies the existing provisions allowing income tax credits for certain recycling equipment.

LEAD-ACID BATTERIES/PLASTIC

Act 579, (SB 421), exempts certain plastic bottles from labeling requirements and provides exemptions from the surcharge on the sale of lead-acid batteries for non-replacement sales and for sales to replace stolen batteries.

NEWSPRINT RECYCLING ADVISORY COMMITTEE

Act 991, (HB 1980), creates the Arkansas Newspaper Recycling Advisory Committee which shall act in an advisory capacity to the Arkansas Marketing Board for Recyclables. The Director of the Department of Pollution Control and Ecology shall appoint an Arkansas Newspaper Recycling Advisory Committee. The Committee shall meet as necessary to monitor the use of recycled content newsprint and soy based ink in the state and to identify, develop, and advance initiatives to recycle and reuse old newspapers.

SALE OF COUNTY PROPERTY

Act 732, (SB 615), amends the law regarding the sale of county property to exempt county property from the formal bid requirements where the sale of the personal property of the county involves the sale by the county of any materials separated, collected, recovered, or created by a recycling program authorized and operated by the county.

SOLID WASTE MANAGEMENT RECYCLING FUND ACT

Act 1030, (HB 1883), establishes an entitlement grant allocation under the Solid Waste Management Recycling Fund Act.

ENVIRONMENTAL LAW - RECYCLING (Cont.)

YARD WASTE

Act 479, (SB 420), changes the definition of "yard waste" and establishes a phase-in plan to reduce the amount of yard waste deposited in solid waste disposal sites.

SANITATION AUTHORITIES

Act 170, (SB 152), amends the law regarding the joint county and municipal solid waste disposal authorities to provide the board of directors shall be authorized to waive any requirement for the purchase of a surety bond for the members of the board of directors. Also, it authorizes each director to be paid a per diem allowance of twenty-five dollars (\$25.00) for attending each meeting of the board and necessary expenses incurred while engaged in the performance of such duties.

SEWAGE DISPOSAL SYSTEM ADVISORY COMMITTEE

Act 129, (HB 1012), and Act 145, (SB 267), change references in Arkansas Code § 14-229-101, pertaining to the Individual Sewage Disposal System Advisory Committee, from the Division of Sanitation Services of the Department of Health to the Program Administrator of the Environmental Program Section of the Division of Environmental Health Protection and adds the State Conservationist of the USDA Soil Conservation Service as a member of the committee.

SOLID WASTE

DISPOSAL FEES

Act 1127, (HB 2007), amends the laws levying the solid waste disposal fees on solid waste landfilled in the state to impose a fee on all solid waste generated and transported within the state but disposed of outside of Arkansas. The fee on each transporter of such solid waste in Arkansas is 15¢ for each uncompacted cubic yard, 30¢ for each compacted cubic yard of solid waste, or \$1.00 per ton of solid waste by weight transported in the state but disposed of outside the state. The transporter of such solid waste is responsible for the fee.

HIGH-IMPACT SOLID WASTE MANAGEMENT FACILITIES

Act 1263, (HB 1968), creates a rebuttable presumption against locating any high-impact solid waste management facility within 12 miles of any existing high-impact solid waste management facility.

INTERDISTRICT TRANSFERS

Act 619, (HB 1583), broadens the authority of a solid waste management district and landfills in the district to accept solid waste from another district. The Act prohibits landfills from receiving solid waste from outside the district when the district's disposal capacity is low.

LEAD-ACID BATTERIES/PLASTIC

Act 579, (SB 421), exempts certain plastic bottles from labeling requirements and provides exemptions from the surcharge on the sale of lead-acid batteries for non-replacement sales and for sales to replace stolen batteries.

RESIDENTIAL CONSTRUCTION

Act 718, (HB 1241), prohibits residential construction on land having been used as a permitted solid waste landfill. The Act does not apply to existing houses. The Act does not apply to landfills or the land which was used as a landfill more than twenty-five (25) years ago.

ENVIRONMENTAL LAW - SOLID WASTE (Cont.)

SOLID WASTE MANAGEMENT RECYCLING FUND ACT

Act 1030, (HB 1883), establishes an entitlement grant allocation under the Solid Waste Management Recycling Fund Act.

VARIOUS REVISIONS

Act 1280, (HB 1730), amends various sections of Arkansas Code Title 8, Chapter 6, Subchapter 2 relating to the Arkansas Solid Waste Management Act.

YARD WASTE

Act 479, (SB 420), changes the definition of "yard waste" and establishes a phase-in plan to reduce the amount of yard waste deposited in solid waste disposal sites.

SOLID WASTE HAULERS

VEHICLE SIZE AND WEIGHT

Act 1266, (HB 2027), places additional size and weight restrictions on vehicles hauling solid waste.

STORAGE TANKS

Act 810, (SB 176), revises the law concerning regulated substance storage tanks. The Act increases fees. It provides for expanded civil enforcement. The Act prohibits delivery of regulated substances into unregistered tanks. It prohibits adjacent property owners from interfering with corrective action.

TRUST FUND

Act 951, (SB 158), amends the Petroleum Storage Tank Trust Fund Act to authorize payments from the trust fund, to give the Attorney General authority to intervene in 3rd party suits involving the trust fund, and to protect trade secrets obtained by the Department of Pollution Control & Ecology in the administration of the fund.

UNDERGROUND STORAGE TANKS

BONDING REQUIREMENTS

Act 1019, (HB 1816), requires the bonding of person or entities who remove, repair, close or upgrade any underground storage tank.

WASTE TIRES

FEE ON IMPORTS

Act 529, (HB 1455), creates an exception to the fee imposed on imported waste tires.

MANIFEST SYSTEM

Act 519, (HB 1129), requires the Pollution Control and Ecology Commission to develop a waste tire manifest system to monitor waste tire distribution and changes the permit requirements for some retail tire-selling businesses.

TRANSPORTATION AND COLLECTION

Act 518, (HB 1128), increases the number of waste tires that may be stored at collection centers and authorizes licensed statewide waste tire disposal facilities and permitted waste tire processing facilities to accept waste tires from outside the solid waste district.

ENVIRONMENTAL LAW (Cont.)

WASTEWATER TREATMENT

BOARD OF DIRECTORS

Act 157, (HB 1198), revises the method of determining the representation on the board of directors of a wastewater treatment district.

LICENSING COMMITTEE

Act 556, (SB 426), changes the membership of the Arkansas Wastewater Licensing Committee and authorizes the Pollution Control and Ecology Commission to spend up to one thousand dollars per fiscal year participating in programs sponsored by the Arkansas Water Environment Association.

WATER POLLUTION BY PHOSPHATE DETERGENTS

Act 454, (SB 303), and Act 461, (HB 1390), prohibit any sale or furnishing of phosphate-containing detergents within the state after January 1, 1994, except as specified in the act, and provides criminal penalties for using, selling, distributing, or manufacturing a cleaning agent in violation of the Arkansas Water and Air Pollution Control Act.

WILLS AND TRUSTS

Act 421, (SB 232), amends the Arkansas Fiduciary Powers Act of 1991 by adding new subsections to provide for incorporation by reference in a will or trust instrument of certain powers to comply with environmental laws.

ETHICS

CAMPAIGN CONTRIBUTIONS

FINAL REPORT

Act 1243, (HB 1138), requires candidates to disclose on their final campaign contributions report which option was used to dispose of any balance of campaign funds.

LEGISLATIVE SESSIONS

Act 1195, (HB 1100), prohibits certain elective officers from accepting campaign contributions during the period beginning thirty days before and ending thirty days after any regular session of the General Assembly, during any extended session of the General Assembly or during any special session of the General Assembly.

PERIODS IN WHICH CONTRIBUTIONS ARE PROHIBITED

Act 818, (SB 477), prohibits candidates for certain offices and certain exploratory committees from accepting campaign contributions during the period beginning thirty (30) days before and ending thirty (30) days after any regular session of the General Assembly or during any special session. The prohibition begins January 1, 1994.

UNOPPOSED CANDIDATES

Act 1196, (HB 1136), allows an unopposed candidate, after filing an affidavit agreeing not to solicit further campaign funds, to dispose of any surplus campaign funds prior to a general election.

INITIATIVES AND REFERENDUMS

FINANCIAL DISCLOSURE

Act 1114, (HB 1823), rewrites and amends the Disclosure Act for Public Initiatives, Referendums, and Measures Referred to Voters to include reporting for county, municipal and school district issues. It also provides for enforcement by the Ethics Commission and strengthens the reporting requirements on proponents and opponents of statewide initiative and referendum issues.

Act 1235, (SB 695), further defines the terms "Ballot Question Committee" and "Legislative Question Committee" as they apply to the Arkansas Disclosure Act for public initiatives, referendums, and measures referred to the voters by the General Assembly.

FIDUCIARIES

Act 482, (SB 473), allows a fiduciary to invest in the securities of an open-end or closed-end management investment company or investment trust registered under the Investment Company Act of 1940 as long as the portfolio of the company or trust consists substantially of investments not prohibited by the governing instrument.

FINANCIAL INSTITUTIONS

AGENCY ACCOUNTS

Act 1016, (HB 1803), authorizes a party to designate an agent on certain types of personal accounts, including checking, savings, and certificates of deposit, established with a financial institution. Unless the contract reads otherwise, an agent's authority will survive disability and incapacity of the party or parties owning the account and terminates only with their death.

BANKS AND BANKING

CAPITAL BASE FOR LOANS

Act 919, (SB 734), exempts certain bank loans from the twenty percent of capital base limitation

DIRECTORS CONDUCT

Act 982, (HB 1705), amends the law regarding the board of directors for state banks to prescribe a standards of conduct for bank directors. Bank directors acting in compliance with the standards of conduct are not liable for any action taken or any failure to take an action as a director.

DIRECTORS QUALIFICATIONS

Act 154, (HB 1170), eliminates the requirement that a person must own stock to serve as a member of the bank's board of directors.

EXAMINATION PERIOD

Act 186, (HB 1188), extends the time period for the examination of state chartered banks to thirty-six months.

HOLDING COMPANIES

Act 187, (HB 1181), increases the total equity which can be owned or controlled by a bank holding company from 15% to 25% of the total deposits of all banks in the state.

FINANCIAL INSTITUTIONS - BANKS AND BANKING (Cont.)

SINGLE FAMILY LOTS

Act 644, (SB 270), permits community development corporations to invest in and develop single family lots and single family residences consisting of one to four family units.

MORTGAGE LOAN COMPANY EXEMPTION

Act 437, (HB 1291), excludes from being a "mortgage loan company" any person who obtains, makes, purchases, places, sells, exchanges, or services, in the aggregate, fewer than six (6) loans secured by liens or mortgages on real property within any ten-year (10) period.

SAVING AND LOAN ASSOCIATION DIRECTORS

Act 990, (HB 1976), adds to the law regarding state chartered savings and loans to prescribe a standards of conduct for the board of directors for state chartered savings and loans. Directors acting in good faith and in compliance with the standards of conduct are not liable for any action taken or any failure to take an action as a director under this act.

FIRE PROTECTION

ASSAULTS ON OFFICERS

HIV AND HEPATITIS TESTING

Act 438, (HB 1343), provides that a person who commits an assault or battery upon a law enforcement officer, firefighter or emergency medical technician, may be required by a court to be tested for the presence of HIV or any antibody to HIV, or Hepatitis.

COMPREHENSIVE FIRE PROTECTION ACT OF 1993

Act 1303, (HB 2126), establishes the Arkansas Comprehensive Fire Protection Act of 1993 to develop and formulate a comprehensive plan for the orderly management and development of fire protection service resources of the State and its local governments.

FIRE DEPARTMENT CERTIFICATION

Act 1208, (HB 1694), provides that no fire department shall receive funds from the Fire Protection Revolving Fund after January 1, 1996, unless the fire department is certified by the Arkansas Fire Protection Services Board.

FIRE EXTINGUISHER SERVICING

Act 1215, (HB 1914), amends various sections of the Arkansas Code pertaining to fire extinguisher servicing.

FIRE MARSHALS POWER OF ARREST

Act 1157, (SB 683), authorizes qualified municipal fire marshals to carry weapons and make arrests for violating laws relating to arson and other unlawful burning.

FIRE PROTECTION DISTRICTS

ASSESSMENT OF BENEFITS

Act 460, (HB 1307), prohibits the annual benefits of a fire protection district to be increased unless the original benefits were uniformly assessed against all classes of land in the amount of one dollar (\$1.00) per parcel of vacant and ten dollars (\$10.00) per parcel of improved land and unless there have been material changes in value or character of land in the district.

FIRE PROTECTION (Cont.)

FIRE PROTECTION SERVICES BOARD

POWERS AND DUTIES

Act 280, (HB 1261), provides that the Office of Fire Protection Services shall be under the supervision and direction of the director of the Office of Emergency services.

RURAL FIRE DEPARTMENT STUDY COMMISSION

BIENNIAL REPORT

Act 231, (HB 1197), amends the law which established the Rural Fire Departments Study Commission to continue the study commission in existence and to prescribe its membership as the same members. It adds a requirement for the commission to submit a biennial report and any proposed legislation to the Joint Interim Committee on Insurance and Commerce and the Joint Interim Committee on City, County and Local Affairs of the Arkansas General Assembly on or before September 1, of each even numbered year.

FIREARMS

CENTER-FIRE WEAPONS

Act 1099, (HB 1444), specifies the areas of Baxter County in which it is unlawful to possess a loaded center-fire weapon, other than a shotgun.

HANDGUNS ON COLLEGE PROPERTY

Act 1166, (HB 1068), extends the criminal offense of possession of a handgun on public school property to make it applicable to institutions of higher education as well.

LOCAL RESTRICTIONS PROHIBITED

Act 1100, (HB 1447), prohibits local units of government from restricting the ownership, use, and possession of firearms, ammunition, or firearm components, but allows for an exception based on a proclamation by the Governor that a state of emergency exists.

WEAPONS ON SCHOOL PROPERTY

Act 264, (SB 69), provides for a long-term driver's license suspension of any minor found guilty of a criminal offense committed on school property or in a school bus and involving a weapon or of any minor adjudicated by a juvenile court as a delinquent for the offense. The suspension period can be from twelve (12) to thirty-six (36) months.

Act 781, (HB 1406), provides for a 12 to 36 month suspension of a motor vehicle operator's license for any person under 19 years of age who is guilty of a criminal offense involving an illegal weapon on school property or in or on a school bus or is found by the juvenile court to have committed the offense.

FORTUNE TELLING

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine license, inedible fats and oils, salt water disposal and fortune telling.

FUND RAISERS AND SOLICITORS

Act 1055, (HB 2070), requires each contract between a professional fund raiser and a charitable organization to contain a provision requiring the delivery of the names and addresses of all persons making contributions and the amount of each person's contribution thereof to the charitable organization.

GAMBLING

BINGO OPERATION TAX

Act 939, (HB 1580), levies a twenty percent sales tax on bingo operations and requires the annual registration of all facilities where bingo is played.

SLOT MACHINE OR VENDING MACHINE LICENSE REPEALED

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine license, inedible fats and oils, salt water disposal and fortune telling.

GENERAL ASSEMBLY

CHILDREN AND YOUTH COMMITTEE

Act 1033, (HB 1916), requires the Joint Committee on Children and Youth to monitor compliance with the consent decree from Angela R., et al. v. Bill Clinton, et al., to report annually regarding compliance and to review all bills pertaining to the safety, health, mental health, development and problems of children and youth.

ECONOMIC AND TAX POLICY OFFICE

Act 1274, (SB 792), creates the Office of Economic and Tax Policy and the Committee on Economic and Tax Policy Review.

HIGHER EDUCATION REFORM OVERSIGHT COMMITTEE

Act 1272, (SB 741), provides for seven (7) members from each chamber of the General Assembly to serve as members of the Joint Interim Oversight Committee on Higher Education and to prescribe the membership of the Committee on Legislative Facilities.

JOINT BUDGET COMMITTEE

MEET DURING THE INTERIM

Act 1221 (HB 2005), authorizes the Joint Budget Committee to meet during the interim.

SENATE ALTERNATE MEMBERS

Act 393, (SB 624), provides for one Senate alternate member to the Joint Budget Committee to be selected from each congressional district.

LEGISLATIVE AUDIT

AUDIT REPORTS

Act 179, (SB 273), revises the responsibilities of the Legislative Joint Auditing Committee and the Legislative Auditor concerning audit reports.

GENERAL ASSEMBLY - LEGISLATIVE AUDIT (Cont.)

AUDITING SERVICES FOR POLITICAL SUBDIVISIONS

Act 484, (SB 526), provides the responsibilities of the Legislative Auditor for providing auditing services for political subdivisions, including compilations for incorporated towns.

LEGISLATIVE COUNCIL

EQUAL OPPORTUNITY REPORTS

Act 426, (SB 437), requires each state agency to adopt and pursue a comprehensive equal employment hiring program designed to achieve a goal of increasing the percentage of minority employees within the agency to a level which approximates the percentage of minorities in the state's population. Each state agency must report its efforts to the Legislative Council.

LEGISLATIVE FACILITIES COMMITTEE

CAPITOL HILL BUILDING

Act 1068, (SB 589), provides that the management of the Capitol Hill Building is to be the joint responsibility of the Secretary of State and the Joint Interim Committee on Legislative Facilities. It also will be the responsibility of the Secretary of State to provide maintenance and upkeep of the Capitol Hill Building.

MEMBERSHIP

Act 1272, (SB 741), provides for seven (7) members from each chamber of the General Assembly to serve as members of the Joint Interim Oversight Committee on Higher Education and to prescribe the membership of the Committee on Legislative Facilities.

LITIGATION SUBCOMMITTEE OF LEGISLATIVE COUNCIL

CLAIMS COMMISSION REPORTS

Act 860, (SB 262), requires any state agency, board, commission, or institution of higher education that admits liability to a claim filed with the State Claims Commission and involving a contract for more than \$5,000 to file a written report to the Litigation Subcommittee of the Legislative Council.

PRE-SESSION BUDGET HEARINGS

AGENCY EMPLOYMENT INFORMATION

Act 358, (HB 1594), requires state agencies to submit information on the number of males and females employed and the number of employees who are members of various racial groups. The information must be submitted to Legislative Council and Joint Budget Committee at the same time the agency submits a budget request for pre-session budget hearings.

PUBLIC RETIREMENT COMMITTEE

30-DAY DEADLINE EXTENDED

Act 102, (HB 1104), requires that in the event the General Assembly recesses for more three (3) days the 30-day deadline for the introduction of legislation affecting public retirement systems will be extended by the period of time equal to the time of the recess.

RURAL FIRE DEPARTMENT STUDY COMMISSION

BIENNIAL REPORT

Act 231, (HB 1197), amends the law which established the Rural Fire Departments Study Commission to continue the study commission in existence and to prescribe its membership as the same members. It adds a requirement for the commission to submit a biennial report and any proposed legislation to the Joint Interim Committee on Insurance and Commerce and the Joint Interim Committee on City, County and Local Affairs of the Arkansas General Assembly on or before September 1 of each even-numbered year.

SENATE

NATIONAL, REGIONAL, AND OTHER MEETINGS

Act 1, (SB 1), authorizes the President Pro Tempore of the Senate or the Chairman of the Senate Efficiency Committee, or both, to designate members of the Arkansas Senate and/or staff to represent the Arkansas Senate at regional or national conferences of legislators or other official meetings. The act allows the payment of necessary travel, meals and lodging and other expenses.

STATUTORY CONSTRUCTION

IDENTICAL ACTS OR MULTIPLE ACTS ON THE SAME SUBJECT

Act 1167, (HB 1072), provides that when identical acts are enacted during the same legislative session, the last signed by the Governor will repeal those enacted earlier and that when multiple acts on the same subject are enacted, all shall be given effect except where there are irreconcilable conflicts, in which case the last signed by the Governor will prevail.

VARIOUS COMMITTEES

HOUSE MEMBERSHIP

Act 517, (HB 1125), provides that the House membership of the following committees shall be determined by House Rule: Joint Committee on Retirement and Social Security Programs, Joint Committee on Energy, Joint Performance Review Committee, Joint Interim Committee on Legislative Facilities, Joint Committee on Children and Youth. The act keeps the Senate and House cochairman of the Joint Performance Review Committee but deletes the House and Senate vice-chairmen. It revises the membership of the Joint Interim Committee on Legislative Facilities. The act repeals various sections concerning the Joint Budget Committee.

Act 542, (HB 1674), provides that the House members of the Legislative Council, the Legislative Joint Auditing Committee, and the Joint Budget Committee shall be selected pursuant to the House Rules. It adds the immediate past President Pro Tempore of the Senate and the immediate past Speaker of the House of Representatives as ex-officio members of the Legislative Council.

GRANDPARENT'S VISITATION RIGHTS

Act 1231, (SB 601), permits a grandparent or great-grandparent to petition for visitation rights for their grandchildren or great-grandchildren if the child is in the custody or under the guardianship of a person other than one or both of his natural or adoptive parents. Previously, they could petition for visitation only if the parents were dead or divorced.

GUARDIANSHIP

CERTAIN PUBLIC EMPLOYEES AS GUARDIANS

Act 416, (SB 465), allows an employee of a public agency which provides direct services to an incapacitated person to be appointed temporary guardian of an incapacitated person if he is related to the incapacitated person within the third degree of consanguinity and the court determines that the potential conflict is unsubstantial and that the appointment is in the best interest of the ward.

SMALL ESTATES OF MINORS OR INCOMPETENTS

Act 105, (SB 65), increases the value of estates of minors or incompetents from \$1000 to \$5000 which a court in its discretion may deliver to a suitable person or institution for the benefit of the minor or incompetent without the appointment of a guardian.

TEMPORARY GUARDIANSHIP NOTICE

Act 1295, (HB 2055), provides for immediate notice to parents of minors for whom temporary guardianships have been appointed.

HEALTH CARE FACILITIES

HOSPITALS PROVIDING HOME HEALTH SERVICES

Act 472, (SB 218), requires that hospitals adding or expanding home health services shall obtain permits of approval from the Health Services Agency.

LONG TERM CARE FACILITIES

ADULT DAY CARE FACILITIES

Act 1090, (SB 807), removes adult day care facilities from the definition of Long-term care facility.

DEFINITION

Act 909, (SB 760), revises the definition of "long term care facility" by raising the requisite number of individuals cared for in the facility from two to three.

DISABLED GROUP HOMES EXCLUDED

Act 1102, (HB 1629), amends the definition of "long-term care facility" under the Long-Term Care licensing laws to exclude supervised or supported living apartments, group homes, family homes or developmental day treatment clinics for individuals with developmental disabilities and operated by providers licensed by the Developmental Disabilities Services Division of the Department of Human Services.

NOTICE OF CHANGE OF CONDITION

Act 1123, (HB 1974), provides that within twenty-four (24) hours after the incident, a long-term care facility shall notify the legal representative or guardian of a resident of the facility, if the resident: suffers an injury; is taken outside the facility for medical care; is moved to a different room; or has any significant change in the physical or mental condition. The facility is responsible for obtaining the address of the guardian or legal representative of the resident.

FEES

Act 1238, (SB 827), establishes licensure fees for long-term care facilities.

HEALTH DEPARTMENT

SEWAGE DISPOSAL SYSTEMS

Act 182, (HB 1182), changes references in Arkansas Code § 14-236-106, pertaining to sewage disposal systems, from the Division of Sanitation Services to the Division of Environmental Health Protection and changes the penalty for failing to correct malfunctioning sewage systems.

ACT 490 COUNTIES

Act 992, (HB 2010), prescribes the allocation of funds under Arkansas Code §23-111-505 for defraying the cost of hospitalization and medical services of indigent Arkansas patients in out-of-state hospitals and for health education programs of the Department of Health for indigents from the counties of Crittenden, Cross, Craighead, Greene, Lee, Mississippi, Phillips, Poinsett and St. Francis.

ALCOHOL AND DRUG ABUSE PREVENTION DIVISION

Act 890, (HB 2036), transfers the Division of Alcohol and Drug Abuse Prevention to the Department of Health from the Department of Human Services.

CONSTRUCTION OF FACILITIES

Act 350, (HB 1440), amends the Arkansas Health Department Building and Local Grant Act to authorize the expansion and improvement of local health care unit facilities in the state. The Act abolishes the Health Building Commission and transfers its duties to the State Board of Health.

DEATH NOTIFICATIONS

Act 133, (HB 1130), requires the Division of Vital Records of the Department of Health to provide the county and circuit court clerks with notification of the death of any county resident within thirty days after a death certificate is filed.

DISEASE INTERVENTION SPECIALIST REGISTRATION

Act 107, (SB 92), establishes qualifications and procedures for the registration of disease intervention specialists and creates a seven (7) member board of disease intervention specialists to oversee registration, continuing education requirements and various prohibitions established by the act.

EMERGENCY MEDICAL SERVICES

DO NOT RESUSCITATE ORDER

Act 1101, (HB 1556), authorizes the Arkansas Department of Health to promulgate rules regarding the use of a Do Not Resuscitate identification apparatus or a written physician's order which authorizes emergency medical service personnel to withhold resuscitation from a particular patient in the event of cardiac or respiratory arrest.

EMERGENCY MEDICAL SERVICES DIVISION

TRAUMA SYSTEM ACT

Act 559, (SB 576), creates the Trauma Advisory Council to advise the Division of Emergency Services of the Department of Health in developing and implementing a comprehensive trauma care system.

FARMERS' MARKET NUTRITION PROGRAM

Act 1218, (HB 1939), creates the Arkansas Farmers' Market Nutrition Program to provide nutritionally at-risk individuals and families nutrition education and to distribute non-taxable coupons to purchase fresh locally grown fruit, nuts and vegetables.

HEALTH DEPARTMENT (Cont.)

FOOD SERVICE PERMITS

Act 130, (HB 1064), and Act 146, (SB 268), extend from July 1, 1993 to July 1, 1995, the permit fees established under the "Food, Drug, and Cosmetic Act" for food service establishments.

GOAT MILK

Act 816, (SB 471), allows incidental sales of raw goat milk directly to consumers at the farm where the milk is produced. The act also allows the incidental sales to be advertised.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM ADVISORY COMMITTEE

Act 129, (HB 1012), and Act 145, (SB 267), change references in Arkansas Code § 14-229-101, pertaining to the Individual Sewage Disposal System Advisory Committee, from the Division of Sanitation Services of the Department of Health to the Program Administrator of the Environmental Program Section of the Division of Environmental Health Protection and adds the State Conservationist of the USDA Soil Conservation Service as a member of the committee.

INFANT HEARING SCREENING PROGRAM

Act 1096, (HB 1362), establishes a statewide newborn infant hearing screening program in the Department of Health.

INSPECTORS TO SERVE BOARDS OF HEALING ARTS PROFESSIONS

Act 1146, (SB 317), directs the Department of Health to provide inspectors from the Division of Pharmacy Services and Drug Control to the various boards of the healing arts professions to conduct investigations of alleged wrongdoing of individuals licensed by the various boards.

LABORATORY TESTS

Act 485, (SB 543), designates as "authorized persons" for the purpose of requesting and receiving laboratory tests from the Arkansas Department of Health to be public health nurses, nurse practitioners, and nurse midwives practicing under department protocols, and physicians employed by the Arkansas Department of Health.

MILK LABORATORY ANTIBIOTIC DRUG CERTIFICATION PROGRAM

Act 701, (HB 1854), allows the establishment of a Milk Laboratory Antibiotic Drug Certification Program in the Arkansas Department of Health. The purpose of the program is to certify laboratories to test milk for the presence of antibiotic drugs and to certify evaluation officers to certify such laboratories.

PLUMBING

Act 638, (HB 1851), requires the State Board of Health to prescribe rules for the use of corrugated stainless steel piping. The rules are to be no more stringent than the American National Standards for Interior Fuel Gas Piping Systems.

RURAL MEDICAL SERVICE

PHYSICIAN RECRUITMENT AND RETENTION PROGRAM

Act 763, (HB 1492), changes the population requirement for designation as a rural community for the Physician Recruitment and Retention program.

RURAL MEDICAL CLINIC LOANS/FINANCIAL ASSISTANCE GRANTS

Act 762, (HB 1441), changes the requirements for obtaining rural medical clinic loans and financial assistance grants.

HEALTH DEPARTMENT (Cont.)

SAFE PESTICIDES FOR CHILDREN LABORERS

Act 983, (HB 1729), authorizes the Department of Health to promulgate a list of approved pesticides and chemicals which are safe for occupational exposure of children 12 or 13 years old who may be exposed in the harvesting of short season crops.

SCHOOL BASED HEALTH CLINICS

Act 1173, (HB 2011), provides that it is the policy of the state of Arkansas to discourage sexual activity by students. It also provides that all schools associated with distributing, recommending, or prescribing condoms or contraceptives shall adopt a resolution acknowledging that there are risks associated with teen sexual activities. The bill further provides certain requirements of parental consent for contraceptive services and condom distribution to students and requires all school-based clinics to maintain accurate records of distributing and prescribing condoms and contraceptives. The bill provides that the number of pregnancies and sexually transmitted diseases among students in schools with school-based clinics shall be transmitted annually to the school board of directors. The bill further provides for the confidentiality of students' medical records.

UTILIZATION REVIEW PROGRAM FEES

Act 1045, (HB 1981), adds a carry forward provision for the use of application fees collected by the State Board of Health for the Utilization Review Program.

WATER SYSTEM FEES

Act 903, (HB 2028), raises the annual fee for community and nontransient noncommunity water systems to an amount not to exceed twenty-five cents per service connection and authorizes the State Board of Health to establish the amount of the fee.

HIGHWAYS

DELTA PARKWAY TASK FORCE

Act 1160, (SB 730) creates the Delta Parkway Task Force to investigate a beautification plan for the Delta Parkway in Eastern Arkansas and report its findings to the Governor by January 1, 1995.

HIGHWAY OF HOPE

Act 784, (HB 1877), designates the route along U.S. Highway 67 and Scenic Highway 7 between Hope and Hot Springs, Arkansas, as "The Highway of Hope" and directs the Highway and Transportation Department to erect signs along the route designating it "The Highway of Hope".

SCENIC BYWAY

OUTDOOR ADVERTISING

Act 554, (SB 379), adds the term "scenic byways" to the Arkansas Highway Beautification Act and prohibits the erection or maintenance of outdoor advertising signs along the roads or highways designated as "scenic byways" by the State Highway Commission. The erection of outdoor advertising signs along a scenic byway shall be limited to those permitted by federal law.

Act 691, (HB 1533), limits the erection of outdoor advertising signs, displays, and devices along a scenic byway.

HIGHWAYS (Cont.)

SCENIC HIGHWAYS

Act 428, (SB 513), designates U.S. Highway 65 from the Arkansas-Louisiana border north to Pine Bluff, Arkansas as an official scenic highway.

Act 449, (HB 1612) designates the following as scenic highways: (1) U. S. Highway 70 from its intersection with Interstate 440 in Pulaski County eastward to its intersection with U. S. Highway 49 at Brinkley; and (2) U. S. Highway 165 from its intersection with Interstate 440 in Pulaski County eastward to Dumas.

Act 464, (HB 1424), designates the following as scenic highways: (1) U.S. Highway 64 from its intersection with Interstate 40 in Johnson County westward to the western corporate limits of the city of Ozark; and (2) State Highway 186 from its intersection with Interstate 40 in Franklin County south to its intersection with U. S. Highway 64 at Altus.

Act 723, (SB 81), adds the following as scenic highways:

(1) U.S. 70 through West Memphis to I-55 and to the Tennessee State Line. From the beginning of State 77 and U.S. 70 in West Memphis to the Missouri State Line;

(2) State 25 from its intersection with U.S. 65 to Heber Springs, State 25 from Heber Springs to Batesville, U.S. 167 from Batesville to Ash Flat, State 286 from its intersection with I-40 to its intersection with State 60, State 60 from its intersection with State 286 to Perryville, and State 10 from its intersection with State 9 to I-430; and

(3) I-40 from West Memphis to the Tennessee State Line.

Act 1211, (HB 1777), designates U.S. Highway 65 from the Arkansas-Louisiana border north to Pine Bluff, Arkansas as a scenic highway.

SOLICITING OR SELLING ALONG HIGHWAYS PROHIBITED

Act 980, (HB 1675), makes it unlawful to solicit donations or sell any item or service along a state highway.

STATE-AID ROAD SYSTEM

Act 244, (SB 46), amends the law and expands the maximum total mileage in the State-Aid Road System from the current 10,000 miles to 15,000 miles. The State-Aid Road System provides that cities or counties may receive State highway revenues for certain city streets or county roads.

Act 670, (SB 616), amends the formula for allocating the state-aid road system funds to require a ratio of ninety percent (90%) state-aid road funds to not less than ten percent (10%) county matching funds. (Previously, the ratio was 80% state to 20% county funds).

HOME BUILDERS REGISTRATION

Act 158, (HB 1298), and Act 196, (SB 253), require any city or county enacting a homebuilders's registration ordinance to notify the Secretary of State's Office within 30 days of the enactment of the ordinance. The Secretary of State's Office may be requested to send a roster of all persons currently registered under the terms of the Arkansas Homebuilders Registration Act to any incorporated city, town or county that has adopted a homebuilders's registration ordinance.

HOUSING AUTHORITIES

REGIONAL HOUSING AUTHORITIES

Act 539, (HB 1548), amends the law regarding the appointment of successor commissioners to regional housing authorities to allow the commissioners of the authority to designate the successor subject to the approval of the county governing body making the appointment instead of the governing body of the county making a direct appointment.

HUMAN SERVICES DEPARTMENT

ALCOHOL AND DRUG ABUSE PREVENTION DIVISION TRANSFERRED

Act 890, (HB 2036), transfers the Division of Alcohol and Drug Abuse Prevention of the Department of Human Services to the Department of Health.

CHILD SUPPORT ENFORCEMENT UNIT TRANSFERRED

Act 795, (SB 767), transfers the Child Support Enforcement Unit of the Department of Human Services to the Department of Finance and Administration.

ECONOMIC PROVISIONS

Act 1239, (SB 834), sets conditions for private nonprofit community based agencies that receive grants-in-aid. It provides that the Department of Human Services shall not increase any reimbursement rate to any provider or provider groups supported in whole or in part by funds administered by the Department of Human Services. The Act provides that the Division of Developmental Disabilities Services, in coordination with the Division of Developmental Disabilities Funding Committee and representatives from parent/consumer organizations, will review the rates for services paid from the Grant-In-Aid Appropriation and will make recommendations concerning changes in those rates. The Act provides that the Director shall adopt certain goals in the Health Delivery and Economic and Medical Programs. It provides that upon closure of the Pine Bluff Youth Services Center, the Department of Human Services - Division of Children and Family Services, in conjunction with the Arkansas Youth Services Board, shall transfer for value, all land, buildings and equipment of their choice to the Arkansas Department of Correction, etc.

FOOD STAMPS

Act 134, (HB 1033), requires the Division of Economic and Medical Services of the Department of Human Services to establish a program utilizing an electronic benefit transfer system for the distribution and redemption of food stamp credits.

MEDICAID

DRUG MANUFACTURER REBATES

Act 289, (SB 304), requires that monies received in the form of rebates from drug manufacturers by the Department of Human Services shall be used solely to pay pharmacy claims in the Arkansas Medicaid Prescription Drug Program.

MEDICAID

HOME INTRAVENOUS DRUG THERAPY SERVICES

Act 918, (SB 712), establishes guidelines to govern Medicaid reimbursement for services provided by qualified pharmacy home intravenous drug therapy providers.

HUMAN SERVICES DEPARTMENT - MEDICAID (Cont.)

SUPPLEMENTAL FINANCIAL RESOURCE

Act 249, (SB 307), declares that it is the policy of the state of Arkansas that the Medicaid program payments and benefits are intended to be supplemental to other financial resources and are not to be used in lieu of payments from other sources. The Medicaid program shall be the payor of last resort to supplement and not supplant other sources which are or may be available to any individual except when federal requirements under Title V of the federal Social Security Act specify otherwise.

MEDICAID FRAUD

FRAUD CIVIL PENALTIES

Act 1299, (HB 1959), grants the Attorney General authority to collect civil penalties and restitution from persons who make false claims relating to Medicaid Program benefits and payments.

REWARDS FOR INFORMATION

Act 1300, (HB 1960), authorizes a monetary reward for persons who provide information leading to the detection and bringing to trial and punishment any persons guilty of Medicaid fraud.

VARIOUS REVISIONS

Act 1291, (HB 1961), pertains to the Medicaid Fraud Act to increase stiffer penalties and fines. It requires Medicaid service providers to keep records for up to five (5) years (instead of three years). It also permits restitution to the Department of Human Services of any fraudulent claims plus a fine in the amount of three (3) times the amount of illegal payments. It further amends the Act to update the law.

MENTAL HEALTH DIVISION LEASES

Act 410, (SB 228), provides that the state of Arkansas and its agencies and departments are exempt from the Arkansas Employee Leasing Act. The act also authorizes the DHS-Division of Mental Health to lease property and equipment and lease employees to community mental health centers. It authorizes the State Hospital Board to lease facilities to community mental health centers. It deletes the Greater Little Rock Community Mental Health Center from state mental health system. The act removes the In-Patient Unit of the George W. Jackson Mental Health Center at Jonesboro from the list of institutions to be operated under the control of the State Hospital Board.

PERFORMANCE EVALUATION OF PROFESSIONAL CONTRACTS

Act 1255, (HB 1797), requires all new professional services contracts and consultant services contracts entered into by the State Hospital Board and Department of Human Services shall include a performance evaluation provision that outlines a method for evaluating the service provided under the contract. The contract is to identify the goals and performance indicators of the contract and how the state agency intends to evaluate the service provided. Annual reports of the performance evaluation of each contract shall be made to the Joint Interim Committee on Public Health, Welfare and Labor.

PUBLIC ASSISTANCE BENEFITS

INVESTIGATIONS OF FRAUD

Act 273, (SB 306), grants authority to the Chief Counsel of the Department of Human Services to issue subpoenas for the attendance of witnesses and production of documents in the investigation of fraud in obtaining public benefits.

HUMAN SERVICES DEPARTMENT - PUBLIC ASSISTANCE BENEFITS (Cont.)

RECOVERY FROM RECIPIENTS

Act 415, (SB 412), authorizes the Department of Human Services to recover federal and state public assistance benefits from the estates of deceased recipients.

REHABILITATION SERVICES DIVISION TRANSFERRED

Act 574, (SB 16), transfers the Division of Rehabilitation Services of the Department of Human Services to the Division of Vocational and Technical Education of the Department of Education where it will be under the authority of the State Board of Vocational Education and will be known as the Arkansas Rehabilitation Services. The transfer is effective July 1, 1993.

SPECIAL NEEDS TRUST FUND

Act 1228, (SB 482), prohibits the creation of a trust to suspend, terminate, or divert income or property interests of persons for the purpose of obtaining or qualifying for Medicaid payments. Trusts for this purpose will be void as a violation of public policy. It also creates the Special Needs Trust Fund to provide a method of assisting persons within the state who, as a result of personal injury, disability, or other medical condition, are in need of supplemental benefits to improve or maintain reasonable quality of life standards and to provide benefits to satisfy those special needs.

THIRD PARTY TORT ACTIONS

Act 1225 (SB 386), provides that in tort actions no contributory or comparative fault of a recipient of medical benefits from the Department of Human Services can be attributed to the state unless the recipient's injuries resulted from use of a device, machine, or product after he was warned of the threat of harm or injury.

YOUTH SERVICES DIVISION

Act 1296, (HB 2069), authorizes the establishment of a Division of Youth Services within the Department of Human Services devoted entirely to handling problems of youths involved with the juvenile justice system.

IMPROVEMENT DISTRICTS

ASSESSMENT OF MOBILE HOMES

Act 915, (SB 535), declares a mobile or manufactured home permanently affixed to a foundation on property owned by the owner of the mobile or manufactured home as "real property" for the purposes of the creation of improvement districts and collection of assessments of the district. Mobile and manufactured homes located on leased property where the mobile or manufactured home owner does not own any interest in the leased property is declared to be "personal property" and shall not be considered real property when creating improvement districts or collecting assessments for the districts.

DRAINAGE AND LEVEE IMPROVEMENT DISTRICTS

FEE FOR LIST OF DELINQUENT ASSESSMENTS

Act 623, (HB 1636), amends the provisions of law prescribing the fee for publishing lists of delinquent property for drainage and levee districts to allow newspapers which print delinquent lists and notices of sale for levee and drainage districts to receive the fee prescribed for the publication of delinquent real property tax lists.

IMPROVEMENT DISTRICTS (Cont.)

FIRE PROTECTION DISTRICTS

FEES FOR COLLECTING ASSESSMENTS

Act 811, (SB 207), raises the fee the county collector charges to fire protection districts for the collection of their annual benefit assessments from one percent (1%) to three percent (3%).

MUNICIPAL RECREATION IMPROVEMENT DISTRICTS

CERTAIN NONCONTIGUOUS AREAS

Act 394, (HB 1258), releases certain noncontiguous areas outside a municipality from a municipal recreation improvement district.

PROPERTY OWNERS' IMPROVEMENT DISTRICTS

Act 819, (SB 557), amends the law on property owners' improvement districts to clarify and establish a procedure for the creation of the districts within two (2) municipalities. The city in which the largest portion of the district lies is the "creating municipality" and the other city can object to the creation of the district.

REPORTS BY WATER RELATED IMPROVEMENT DISTRICTS

Act 1175, (SB 242), establishes financial reporting requirements for all levee, drainage, irrigation, watershed, and river impoundment districts.

SUBURBAN IMPROVEMENT DISTRICTS

ANIMAL REGULATION

Act 622, (HB 1635), authorizes a county, upon the request of the governing board of a suburban improvement district, to regulate dogs and cats within all or any part of the suburban improvement district.

DELINQUENT ASSESSMENTS

Act 782, (HB 1596), permits suburban improvement districts, upon the petition of 35% of the realty owners, in existence on March 16, 1981 to be subject to the provisions of law concerning recall of commissioners. The petition may also provide for electing a five (5) member board of commissioners instead of three members. It also amends the method of collecting delinquent assessments of suburban improvement districts to allow them to use the method provided for municipal property owners' improvement districts.

ELECTION FOR BOARD OF COMMISSIONERS

Act 524, (HB 1266), provides for an election to alter the method of selection and number of commissioners in any suburban improvement district which contains less than six thousand (6,000) lots and which selects successor commissioners by a vote of the remaining commissioners. The act states that a district voting to alter the number and method of selection of commissioners may elect five (5) new members of the board of commissioners.

Act 782, (HB 1596), permits suburban improvement districts, upon the petition of 35% of the realty owners, in existence on March 16, 1981 to be subject to the provisions of law concerning recall of commissioners. The petition may also provide for electing a five (5) member board of commissioners instead of three members. It also amends the method of collecting delinquent assessments of suburban improvement districts to allow them to use the method provided for municipal property's owners' improvement districts.

IMPROVEMENT DISTRICTS - SUBURBAN IMPROVEMENT DISTRICTS -

Election for Board of Commissioners (Cont.)

Act 1138, (HB 2144), amends the law on suburban improvement districts elections for the board of commissioners as amended by Act 524 of 1993 to clarify that each property owner is entitled to nominate and vote for one person for each position of commissioner to be filled.

RECALL PROVISIONS

Act 492, (HB 1555), provides that the recall provisions for members of the board of commissioners for suburban improvement districts created after March 16, 1981, shall apply to districts in existence before March 16, 1981. A vacancy created by the recall of a commissioner of a suburban improvement district shall be filled in the same manner as provided by the post-"March 16, 1981" law (Act 510 of 1981) and all other vacancies shall continue to be filled in the same manner as provided by the pre-"March 16, 1981" law.

Act 782, (HB 1596), permits suburban improvement districts, upon the petition of 35% of the realty owners, in existence on March 16, 1981 to be subject to the provisions of law concerning recall of commissioners. The petition may also provide for electing a five (5) member board of commissioners instead of three members. It also amends the method of collecting delinquent assessments of suburban improvement districts to allow them to use the method provided for municipal property owners' improvement districts.

INEDIBLE FATS AND OILS

FEES AND REGISTRATION REPEALED

Act 111, (HB 1073), repeals Arkansas Code sections that established permitting requirements, fees and penalties for persons or entities engaging in the business of collecting or procuring inedible fats and oils from food service establishments.

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine licenses, inedible fats and oils, salt water disposal and fortune telling.

INSURANCE

CHARITABLE ENTITIES AS BENEFICIARIES

Act 1015, (HB 1791), authorizes an applicant for insurance upon his or her own life to name any charitable entity as beneficiary or owner of the policy.

CHILDREN'S BASIC PRIMARY AND PREVENTATIVE BENEFIT POLICIES

Act 1158, (SB 697), authorizes insurers to issue children's basic primary and preventative benefit policies or riders, subject to approval by the State Insurance Commissioner.

GUARANTEED INVESTMENT CONTRACTS

Act 1283, (HB 2051), authorizes and places limitations on the issuance of Guaranteed Investment Contracts which are sold by life insurance companies.

INSURANCE (Cont.)

HEALTH AND DISABILITY INSURERS SUBROGATION BENEFITS

Act 1182, (SB 789), limits recovery of health and disability insurers subrogation benefits to the lesser of the amount paid pursuant to the insurance contract or 50% of the gross aggregate amount recovered from all third parties by the insured or covered person.

HOME SERVICE INSURANCE

Act 288, (SB 301), and Act 932 (HB 1349), define "home service insurance" and "home service insurance deceptive practices". The Acts authorize the insurance commissioner to promulgate, adopt and enforce reasonable rules and regulations necessary and proper to regulate home service insurance.

INSURANCE BUSINESSES AND LENDING INSTITUTIONS

Act 523, (HB 1257), restates, clarifies and reinforces the separation between lending institutions and the insurance business.

INSURANCE DEPARTMENT

LIFE CARE PROVIDERS

Act 787, (SB 512), creates licensing requirements for life care providers to be administered by the Department of Insurance.

TRUST FUND ACT

Act 652, (SB 342), creates the State Insurance Department Trust Fund Act.

INSURANCE OMNIBUS ACT

Act 901, (HB 1998), amends various sections of the present laws regarding workers' compensation benefits, insurance licensure and other insurance regulatory laws.

LIABILITY COVERAGE FOR SCHOOL PERSONNEL

Act 355, (HB 1567), clarifies the law that the Department of Education is required to provide liability insurance coverage for the following employees of public schools: custodians, food service workers, bus drivers, mechanics, and maintenance personnel.

LOSS HISTORY INFORMATION

Act 1008, (HB 1685), requires vendors of personal lines, property and casualty insurance loss information to furnish reports without charge to an insured if the insured so requests within 30 days of receiving notification from the insurer of cancellation, nonrenewal, or reduction in coverage. Vendors may otherwise impose a reasonable charge on the insured for a report. Property and casualty insurers are not required to furnish loss reports to named insureds when they are transmitting loss data or reports to licensed rate service or advisory organizations for data compilation purposes.

MANAGING GENERAL AGENTS

Act 1094, (HB 1327), provides for the licensing and regulation of managing general agents.

MEDICAL PROVIDER SELECTION

Act 1271, (SB 679), amends Ark. Code Ann. §23-79-114(b) relating to freedom of choice in selecting medical providers.

INSURANCE (Cont.)

MOTOR VEHICLES

COVERAGE EXTENDED TO LOANER CARS

Act 1252, (HB 1741), requires every motor vehicle liability insurance policy to extend liability coverages to include any other motor vehicle operated by the insured individual and its occupants if the other motor vehicle is loaned by an automobile dealer as a temporary substitute to the insured individual for use as a substitute vehicle while the insured's vehicle is out of use because of breakdown, repair, or servicing or if the other motor vehicle is loaned by an automobile dealer for use as a demonstrator vehicle.

CREDIT HISTORY NOT GROUNDS FOR NONRENEWAL

Act 898, (HB 1686), provides that an authorized automobile insurer shall not refuse to issue or renew insurance coverage on an automobile risk in Arkansas based solely upon an applicant's credit history, unless it falls within the exceptions specified in the act.

MANDATORY LIABILITY INSURANCE PENALTIES

Act 357, (HB 1590), amends the law on mandatory motor vehicle liability insurance to require law enforcement officers to impound the license plate of any driver who fails to present proof of insurance coverage upon request. The officer who impounds the plate shall issue a temporary sticker good for ten (10) days until the driver can present proof of insurance to the local revenue office. Failure to present proof of insurance coverage results in the suspension of the vehicle's registration and a twenty dollar (\$20.00) reinstatement fee.

MANDATORY LIABILITY INSURANCE PENALTIES

Act 411, (SB 286), provides that a driver without mandatory motor vehicle liability insurance who is involved in an accident shall be deemed guilty of a Class A misdemeanor.

MOTOR VEHICLE SERVICE CONTRACTS

Act 805, (HB 1873), enacts the Motor Vehicle Service Contract Act to prescribe the requirements for "service contracts". Service contracts are agreements given for separate consideration whereby a provider undertakes to perform or provide repairs for the operational or structural failure of a motor vehicle due to defect in materials or workmanship or normal wear and tear. It prescribes the contents, disclosures, terms and conditions of termination, and many other features of the contracts.

POLICY CANCELLATION

Act 457, (SB 455), provides that automobile insurers cannot cancel, because of fraud or misrepresentation, any coverage for injury or damages suffered by innocent third parties.

UNINSURED MOTORISTS

Act 1180, (SB 626), amends Ark. Code Ann. §23-809-209 relating to uninsured motorist coverage.

NONDISCRIMINATION OF PROVIDERS

Act 577, (SB 249), requires insurance coverage to include services of certified registered nurse anesthetists to the same extent those services are provided by persons licensed under the Arkansas Medical Practices Act.

INSURANCE (Cont.)

PRODUCER CONTROLLED PROPERTY/CASUALTY INSURER

Act 526, (HB 1326), amends Title 23, Chapter 63 of the Arkansas Code to add a new Subchapter 11 to establish the Business Transacted with Producer Controlled Property/Casualty Insurer Act.

PROPERTY AND CASUALTY INSURER REPORTING REQUIREMENTS

Act 166, (SB 29), requires a property and casualty insurer to submit an annual report to the Insurance Commissioner showing its direct writings in this state. The act further provides that the commissioner shall annually compile and review the reports and that the reports shall be published and made available to any citizen.

REINSURANCE INTERMEDIARY ACT

Act 527, (HB 1426), establishes the Reinsurance Intermediary Act.

REPAIR SHOP SELECTION

Act 1145, (SB 68), prohibits insurance companies from requiring that repairs must be made by particular contractors, suppliers, or repair shops before the company will pay claims.

SCHOOLS EMPLOYEES INSURANCE ADVISORY COMMITTEE

Act 855, (HB 1928) reorganizes the public school employees insurance advisory committee, requires that the committee employ an actuary, and that bid contracts be for a minimum of 5 years.

SURPLUS LINES INSURANCE

Act 118, (SB 38), provides that the common and statutory laws of this state relative to interpretation of insurance contracts and penalties that may be enforced against insureds apply to surplus lines insurers. The act further provides that surplus lines insurance contracts must contain language stating that the contract may be different from contracts issued by insurers in the admitted markets and may be more or less favorable to an insured than a contract from an admitted carrier.

WORKERS' COMPENSATION INSURANCE PLAN

Act 1155, (SB 661), amends the Arkansas Workers' Compensation Insurance Plan so as to promote competition and improve servicing carrier performance.

INTERIOR DESIGNERS

INTERIOR DESIGNER REGULATION

Act 847, (HB 1497), regulates interior designers and creates the Board of Registered Interior Designers.

RESIDENTIAL INTERIOR DESIGNER REGULATION

Act 959, (HB 1982), creates the Board of Registered Residential Interior Designers and provides for the registration of residential interior designers who fulfill certain requirements.

JUDGMENTS

COLLECTION OF JUDGMENTS

Act 1184, (SB 811), allows the court to enjoin the collection of a judgment during the pendency of an action or while any claim, contract or other obligation remains unsatisfied which could be used as a set-off against such judgment.

DEFAULT JUDGMENTS

Act 1275, (HB 1334), repeals Ark. Code Ann. §§16-65-101, 16-65-102, 16-65-402 and 16-65-403 relating to summary and default judgments.

LIENS ON REAL ESTATE

Act 1179, (SB 515), provides that a municipal court judgment shall not be a lien on real estate until filed and indexed in the judgment records of the circuit clerk.

SCHEDULE OF EXEMPT PROPERTY

Act 120, (SB 84), provides that judgments are not invalid which do not contain a provision requiring the judgment debtor to file a schedule of property exempt from execution with the clerk of the court.

SOCIAL SECURITY NUMBER

Act 267, (SB 165), requires the social security number of the judgment debtor to be included on all personal judgments rendered in circuit, chancery or probate court, unless contrary to federal law or unavailable.

LABOR

CHILD LABOR LAWS

EXEMPTIONS FOR FARM WORKERS

Act 1120, (HB 1886), allows persons engaged in the agriculture industry to hire young persons between the ages of fourteen (14) and sixteen (16) years outside of school hours as seasonal agricultural laborers to pick, plant, harvest, grade, sort or haul any crop, fruit or vegetable.

SAFE PESTICIDES

Act 983, (HB 1729), authorizes the Department of Health to promulgate a list of approved pesticides and chemicals which are safe for occupational exposure of children 12 or 13 years old who may be exposed in the harvesting of short season crops.

EMPLOYMENT SECURITY LAW

Act 6, (SB 15), amends various sections of the Employment Security Law. The act alters eligibility requirements and disqualifying conditions, restructures certain legal procedures under the act, changes certain provisions concerning the stabilization tax and the advanced interest tax, changes requirements for the appropriation of money credited to the state in the federal Unemployment Compensation Trust Fund and makes technical corrections.

MINIMUM WAGE

Act 331, (SB 390) provides that beginning August 1, 1993 the minimum wage shall be \$4.15 per hour and that beginning July 1, 1994 the minimum wage shall be \$4.25.

Act 568, (HB 1531), raises the minimum wage in Arkansas.

LABOR (Cont.)

PRESSURE PIPING INSTALLERS

Act 477, (SB 403), establishes licensing and permitting requirements for persons or entities installing of pressure piping and authorizes the Department of Labor to promulgate standards to govern periodic inspections of pressure piping installations.

LAND COMMISSIONER

SEVERED MINERAL INTERESTS

Act 864, (SB 510), provides that the State Land Commissioner shall hold tax delinquent severed mineral interests indefinitely for redemption. However, in certain circumstances the tax delinquent mineral interests are to be sold to the surface owner.

TITLE OF FORFEITED LAND

Act 646, (SB 528), provides the procedure for confirming and quieting title to real property forfeited and conveyed to the state for the nonpayment of taxes.

URBAN HOMESTEADS

Act 1009, (HB 1688), is entitled the "Commissioner of State Lands Urban Homestead Act" and authorizes the commissioner to donate tax-forfeited urban lands to any city, incorporated town, or community organization that agrees to transfer parcels of land to eligible individual persons or family units.

LAW ENFORCEMENT

911 EMERGENCY CALLS

Act 1032, (HB 1902), allows public safety officers to use reasonable and necessary means to enter a dwelling in response to a 911 emergency call when they have reason to believe that there is a clear threat to the health of any person.

AUTOPSY REPORTS

Act 1304, (HB 2087), requires the State Medical Examiner to provide copies of autopsy reports to law enforcement agencies and coroners of the jurisdiction in which the death occurred.

CRIME INFORMATION CENTER

ACCESS TO RECORDS

Act 605, (SB 196), restricts the access of an elected law enforcement officer to information from the Arkansas Crime Information Center unless the officer or a law enforcement officer within his department has successfully completed the Arkansas Commission on Law Enforcement Standards and Training for certification.

CRIME HISTORY LAW

Act 1109, (HB 1786), governs the collection and maintenance of criminal history information kept by the Arkansas Crime Information Center (ACIC) on individuals charged or convicted of criminal offenses in Arkansas. ACIC shall issue regulations and law enforcement officials, prosecuting attorneys, judges and court officials, probation, correction and parole officials are required to report offenses under the act.

LAW ENFORCEMENT (Cont.)

DEATH BENEFIT

Act 1207, (HB 1693), changes a requirement for payment of a death benefit to the survivors of certain law enforcement officers killed in the line of duty. The Act provides that those certain officers may qualify for the death benefit if the death was the result of criminal action rather than felonious criminal action.

FIRE MARSHALS ARREST POWERS

Act 1157, (SB 683), authorizes qualified municipal fire marshals to carry weapons and make arrests for violating laws relating to arson and other unlawful burning.

FORESTRY COMMISSION EMPLOYEES

Act 521, (HB 1227), authorizes the Arkansas Forestry Commission to designate employees of the Commission who have the powers of peace officers in the enforcement of fire laws. Repeals the requirement that a person desiring to burn certain fields, grasslands, or woodlands report to the Commission the time he intends to burn the lands and the location of the lands.

HIV AND HEPATITIS TESTING OF A PERSON WHO ASSAULTS AN OFFICER

Act 438, (HB 1343), provides that a person who commits an assault or battery upon a law enforcement officer, firefighter or emergency medical technician, may be required by a court to be tested for the presence of HIV or any antibody to HIV, or hepatitis.

IDENTITY OF OFFICERS WORKING UNDERCOVER

Act 895, (HB 1009), amends the Freedom of Information Act to preclude the disclosure of the identity of law enforcement officers working undercover.

LAW ENFORCEMENT STANDARDS COMMISSION MEMBERS

Act 109, (HB 1008) increases by one the membership of the Commission on Law Enforcement Standards to include the President of the Arkansas Municipal Police Association.

PARKS AND TOURISM DEPARTMENT OFFICERS

Act 458, (SB 464), authorizes certified law enforcement officers of the Department of Parks and Tourism to enforce watercraft laws.

POLICE CHIEF CERTIFICATION PROGRAMS

Act 1111, (HB 1807), designates the Criminal Justice Institute of UALR as the coordinator of all supervisory and management education and training for law enforcement officers in Arkansas. The Institute shall approve instructors, lesson plans and certify management training for all law enforcement supervisors, managers and heads of police departments and law enforcement agencies. The Institute shall be the clearinghouse to determine the qualifications of instructors and to certify all programs of instruction and to develop a certification and accreditation program for all law enforcement supervisors and heads of police departments.

POLICE CORPS SCHOLARSHIP PROGRAM

Act 315, (HB 1180) increases the total number of scholarships that may be awarded under the Police Corps Scholarship Program at any one time to 250 and makes the program more accessible to persons currently employed as law enforcement officers in Arkansas.

RACE RELATIONS TRAINING

Act 110, (HB 1040), requires the Commission on Law Enforcement Standards and Training to include race relations and sensitivity in the curriculum for probationary police officers.

LAW ENFORCEMENT (Cont.)

RADAR

Act 63, (HB 1007), redefines the term "Police Traffic Radar" to include speed measuring devices utilizing an infrared light system.

SERVICE OF WARRANTS

Act 459, (SB 499), provides that the chief of police of a second class city shall be entitled to fees for serving city warrants.

STATE POLICE VEHICLE RENOVATION

Act 108, (SB 97), authorizes the State Police to use monies in the Motor Vehicle Acquisition Revolving Fund for renovating motor vehicles.

TRAINING REIMBURSEMENT

Act 191, (SB 27), provides the amount of reimbursement counties, cities and towns must pay another county, city or town which has paid the cost and expenses of training a law enforcement officer when they hire the officer within 18 months of the training.

WILDLIFE OFFICERS

Act 362, (SB 230), designates wildlife officers of the Arkansas Game and Fish Commission as certified law enforcement officers.

Act 436, (HB 1290), designates full-time wildlife officers of the Arkansas Game and Fish Commission as certified law enforcement officers, so long as they don't exercise their authority to the extent that any federal funds would be jeopardized.

LIABILITY

EMERGENCY ASSISTANCE

Act 1191, (HB 1689), exempts any person or entity who provides emergency assistance at the request of any city, county or state agency from civil liability, provided that the services were provided without compensation and at the place of the emergency.

IMMUNITY FOR INJURIES TO CERTAIN CRIMINALS

Act 588, (SB 76), provides that a person who causes injury to another person who is committing a felony or is damaging the person's property shall not be liable for damages nor subject to suit for the injury or damage.

LANDOWNER LIABILITY TO TRESPASSER

Act 581, (SB 529), provides that an owner, lessee or occupant of land is not liable for any injury to a trespasser on the land until the presence of the trespasser on the premises is known and any injuries sustained by the trespasser are caused by the willful or wanton misconduct of the owner, lessee, or occupant.

LIMITED LIABILITY COMPANIES

Act 1003, (HB 1419), authorizes a new form of business entity, the limited liability company, which is an unincorporated association affording its members partnership tax status and the limited liability identified with corporations.

LIBRARIES

AMENDMENT 72 IMPLEMENTATION

Act 920, (SB 769), provides for the implementation of Amendment 72 of the Arkansas Constitution regarding the levy of property taxes (up to 3 mills) for libraries in cities and counties. It defines the purposes for which library bonds may be issued and provides for the procedures for the election on the levy and pledge of ad valorem taxes for libraries and library improvements.

STATE AGENCY REGULATIONS

Act 1106, (HB 1756), amends the Administrative Procedure Act to require every public agency (including those exempt agencies) to file certified copies of each rule and regulation with the Arkansas State Library (in addition to the Secretary of State's office) before they are effective.

LIENS

AMBULANCE SERVICE LIENS

Act 271, (SB 298), authorizes ambulance service providers to file a lien for the value of services provided to patients.

MATERIALMEN'S LIENS AND BONDING NOTICE TASK FORCE

Act 970, (HB 1281), creates a 13 member Arkansas Task Force on Materialmen's Liens and Bonding Notice Requirements, to be appointed by August 1, 1993, and to submit recommendations for necessary revisions in the laws concerning materialmen's liens and bonding notice.

MUNICIPAL COURT JUDGEMENT

Act 1179, (SB 515), provides that a municipal court judgment shall not be a lien on real estate until filed and indexed in the judgment records of the circuit clerk.

POSSESSORY LIENS

Act 1000, (HB 1329), authorizes law enforcement officers to tag and order removed any unattended or abandoned vehicles on or near public roads, provides penalties for violations, and creates possessory liens for towing-storage companies on vehicles for all reasonable charges.

LIFE CARE PROVIDERS

Act 787, (SB 512), creates licensing requirements for life care providers to be administered by the Department of Insurance.

LOCAL LEGISLATION

BAILIFFS

NINETEENTH JUDICIAL DISTRICT

Act 789, (HB 1853), provides bailiffs for the circuit, chancery, and circuit-chancery judges of the Nineteenth Judicial District to be paid as determined by the quorum courts.

LOCAL LEGISLATION - BAILIFFS (Cont.)

SEVENTH JUDICIAL DISTRICT

Act 1307, (HB 1416), provides for the appointment of bailiffs for the Circuit and Circuit-Chancery Court-Division 2 of the Seventh Judicial District.

SIXTH JUDICIAL DISTRICT

Act 572, (HB 1398), provides a bailiff for each of the circuit, chancery, and circuit-chancery judges of the Sixth Judicial District, and further provides their salary to be set by the Pulaski County Quorum Court.

BOONEVILLE

TRANSFER PROPERTY TO LOGAN COUNTY

Act 571, (HB 1321), authorizes the City of Booneville to donate and convey a one-half acre of city property to Logan County.

CASE COORDINATORS

FIFTEENTH JUDICIAL CIRCUIT

Act 604, (SB 525), prescribes the minimum and maximum salaries of the case coordinator and the probation officer of the Fifteenth Judicial Circuit.

SECOND JUDICIAL DISTRICT

Act 188, (SB 88), provides case coordinators for the judges of the 2nd Judicial District and sets their salary.

CLERK-SECRETARY

NINTH JUDICIAL DISTRICT-WEST

Act 189, (SB 217), sets the salary of the circuit/chancery court clerk-secretary of the Ninth Judicial District-West.

COURT COSTS

AUGUSTA MUNICIPAL COURT

Act 311, (HB 1005), allows the governing body of the city of Augusta to levy a four dollar (\$4.00) court cost on all criminal cases and violations to provide funds to pay the retirement benefits for the municipal judge and clerks of the Augusta Municipal Court.

CERTAIN MUNICIPALITIES

Act 162, (SB 47), allows certain municipalities to increase a fee from \$3.00 to \$7.00 levied for entering upon the records of the court each criminal case and each moving traffic violation to provide funds for retirement benefits of municipal court judges and clerks.

NORTH LITTLE ROCK

Act 1289, (HB 1742), provides that a city having a population of between 60,000 and 65,000 persons, according to the 1990 federal decennial census (North Little Rock), may enact an ordinance to require 10% of all court costs collected by the police department of the city for violations of city ordinances or state law to be added to the police pension and relief fund.

TENTH JUDICIAL DISTRICT

Act 395, (SB 118), authorizes the courts in the Tenth Judicial District to collect prosecuting attorney's fees on all cases.

LOCAL LEGISLATION (Cont.)

DEPUTY PROSECUTING ATTORNEY

TENTH JUDICIAL DISTRICT

Act 996, (HB 1602), authorizes the 10th Judicial Prosecuting Attorney to supplement the salary of the deputy prosecuting attorney from the Hot Check Fund or the Drug Forfeiture Fund so long as the total salary does not exceed the maximum allowed by law.

EIGHTEENTH JUDICIAL DISTRICT-WEST - POLK COUNTY

Act 853, (HB 1882), prescribes the salary and expenses for the deputy prosecuting attorney for Polk county.

EIGHTH JUDICIAL DISTRICT-NEVADA COUNTY

Act 573, (HB 1800), prescribes the salary and expenses of the deputy prosecuting attorney for Nevada County.

FIFTEENTH JUDICIAL DISTRICT

Act 361, (SB 62), authorizes the deputy prosecuting attorney of the Fifteenth Judicial District to reside outside of the Fifteenth Judicial District as long as he maintains a law practice within the District.

FIFTH JUDICIAL DISTRICT

Act 878, (HB 1637), prescribes the salary and expenses of the deputy prosecuting attorneys and other employees of the Fifth Judicial District.

HEMPSTEAD COUNTY

Act 1298, (HB 1857), prescribes the salary and expense allowances for the deputy prosecuting attorney of Hempstead County.

LAFAYETTE COUNTY

Act 560, (HB 1799), prescribes the salary and expenses of the deputy prosecuting attorney for Lafayette County.

MILLER COUNTY

Act 842, (SB 727), prescribes the salary of the deputy prosecuting attorney for Miller county.

RANDOLPH COUNTY

Act 240, (HB 1325), prescribes the salary and expenses of the Deputy Prosecuting Attorney for Randolph County.

SECOND JUDICIAL DISTRICT-GREENE COUNTY

Act 790, (HB 2012), prescribes the salary and expenses of the deputy prosecuting attorney for Greene county.

SECOND JUDICIAL DISTRICT-CRAIGHEAD COUNTY

Act 797, (SB 632), prescribes the salary and expenses for the deputy prosecuting attorneys for Craighead county.

TWELFTH JUDICIAL DISTRICT

Act 312, (HB 1429), prescribes the salaries and expenses for the deputy prosecuting attorneys in Crawford and Sebastian counties.

JUDGES

SIXTH JUDICIAL DISTRICT

Act 229, (HB 1179), and Act 283, (SB 154), creates a new circuit-chancery judgeship in the Sixth Judicial District to be appointed by the Governor until the November 1994 election when the new judge will be elected and take office January 1, 1995. This judgeship was created to hear primarily juvenile cases.

TWENTIETH JUDICIAL DISTRICT

Act 131, (HB 1115), converts a circuit judgeship to a circuit/chancery judgeship effective January 1, 1995, converts a chancery judgeship to a circuit/chancery judgeship effective January 1, 1997, and allows the judges of the 20th Judicial District to sit on exchange and hear cases for each other pursuant to a written agreement.

MUNICIPAL JUDGE'S RETIREMENT

SPECIFIC BENEFITS PRESCRIBED

Act 239, (HB 1083), provides that, upon the approval of a majority of the city council or board of directors of a city of the first or second class, any municipal judge who has held the office of municipal judge not less than ten (10) years and who shall attain the age of fifty (50) and who shall have served two (2) or more years as an elected justice of the peace and three (3) or more years as a certified full time law enforcement officer shall be eligible to receive retirement benefits in an amount equal to one-half (1/2) of the salary payable to him at the time of his resignation, retirement, or succession in office.

PROBATION OFFICER

FIFTEENTH JUDICIAL CIRCUIT

Act 604, (SB 525), prescribes the minimum and maximum salaries of the case coordinator and the probation officer of the Fifteenth Judicial Circuit.

PROSECUTING ATTORNEYS

EIGHTEENTH JUDICIAL DISTRICT-WEST

Act 844, (HB 1060), reclassifies the Prosecuting Attorney of the 18th Judicial District-West from Division B (part-time) to Division A (full-time).

FIRST JUDICIAL DISTRICT

Act 995, (HB 1248), reclassifies the 1st Judicial District Prosecuting Attorney from Division A to Division B.

SEVENTEENTH JUDICIAL DISTRICT-EAST

Act 168, (SB 72), reclassifies the Prosecuting Attorney of the 17th Judicial District-East from Division B (part-time) to Division A (full-time).

SIXTEENTH JUDICIAL DISTRICT

Act 360, (SB 438), reclassifies the Prosecuting Attorney of the Sixteenth Judicial District from Division A (full-time) to Division B (part-time).

SIXTH JUDICIAL DISTRICT STAFF

Act 997, (HB 1978), establishes salaries for the 6th Judicial District Prosecuting Attorney's staff and authorizes the prosecuting attorney to appoint additional staff upon receiving grant awards.

LOCAL LEGISLATION (Cont.)

PUBLIC DEFENDERS

CERTAIN COUNTIES

Act 281, (SB 236), allows certain counties (21,000 to 22,000 inhabitants) to increase a court cost from \$15.00 to \$20.00 on violations, misdemeanors and felonies for their "Public Defender Fund".

PURPLE MARTIN CAPITOL

FORT SMITH - NORTHWEST CAPITOL

Act 871, (SB 101), designates Fort Smith as the Northwest Purple Martin Capitol of Arkansas.

LAKE VILLAGE - SOUTHEAST CAPITOL

Act 469, (SB 52), designates the city of Lake Village as the Southeast Purple Martin Capitol of Arkansas.

SECRETARY-CASE COORDINATORS

EIGHTEENTH JUDICIAL DISTRICT-EAST

Act 313, (HB 1485), prescribes the salaries of the secretary-case coordinators in the Eighteenth Judicial District-East.

SECRETARY-COURT REPORTER-CASE COORDINATORS

FOURTH JUDICIAL DISTRICT

Act 570, (SB 358) prescribes the salaries of the secretary-court reporter-case coordinators of the Fourth Judicial District.

TROUT CAPITOL

COTTER

Act 740, (SB 699), designates the City of Cotter, Arkansas, (Baxter County) as the "Trout Capitol of the USA".

MILITARY

ADJUTANT GENERAL

AUTHORITY TO ACCEPT REAL PROPERTY

Act 924, (SB 829), clarifies the authority of the Adjutant General of the Arkansas National Guard to accept title to real property and operate military facilities as ordered by the Governor and permitted by agreements with the United States.

CIVILIAN JUVENILE STUDENT TRAINING PROGRAMS

Act 375, (SB 375), authorizes the Adjutant General of the Arkansas National Guard to implement a civilian juvenile student training program.

SERVICE CLUB

Act 1074, (SB 698), authorizes the Adjutant General of the Arkansas National Guard to establish a service club at Ebbing Field in Sebastian County.

MILITARY (Cont.)

DISABLED VETERANS

FOREST FIRE PROTECTION TAX EXEMPTION

Act 1082, (SB 341), exempts certain disabled veterans from the payment of the Forest Fire Protection Tax if the amount owed is less than \$5.00.

IMPACT PROGRAM

Act 463, (HB 1413), authorizes maximum stipends of \$10 per day, T-shirts, baseball-style caps, and jackets with the Military Department's logo for all participants in the Arkansas IMPACT program, a youth-oriented education and job placement program sponsored by the Military Department.

MILITARY JUSTICE

LAWFUL ORDERS AND REGULATIONS

Act 1035, (HB 1924), defines lawful orders and regulations for armed forces and exempts lawful orders and regulations from the requirement of the Arkansas Administrative Procedures Act.

LAWFUL ORDERS OR REGULATIONS

Act 926, (SB 831), defines lawful orders and regulations for the purposes of court martial and exempts lawful orders and regulations from the requirements of the Administrative Procedures Act.

NATIONAL GUARD

ACTIVE STATE DUTY

Act 925, (SB 830), grants the same protection to members of the Arkansas National Guard with reference to employment, reemployment, privileges and benefits when called to active state duty as when called to active federal duty.

Act 1036, (HB 1925), protects the employment of members of the National Guard when called to active state duty.

CAMP ROBINSON

Act 1034, (HB 1923), authorizes the Adjutant General to accept title, enter into leases, licenses, operating agreements or acquire real property improvements and appurtenances adjoining Camp Robinson. The Adjutant General is further authorized to establish and operate upon such lands military training and support facilities, canteens, morale, welfare and recreational facilities, service clubs and other facilities as may be necessary and proper for military purposes.

VETERANS' AFFAIRS

COMMISSION ON VETERANS' AFFAIRS

Act 136, (HB 1250), changes the name of the Governor's Task Force on Veterans' Affairs to the Governor's Commission on Veterans' Affairs.

QUALIFICATIONS OF DIRECTOR

Act 719, (HB 1795), reduces the residency requirement for a person to qualified to be appointed as Director of the Department of Veterans Affairs. The act provides a two year residency requirement.

MINING

CRATER OF DIAMONDS REVENUE

Act 1156, (SB 672), creates the Crater of Diamonds State Park Improvement Fund and the Arkansas State Parks Trust Fund, to consist of revenues raised from the mining of diamonds on state property.

OPEN-CUT LAND RECLAMATION ACT

ROADS AND HIGHWAYS

Act 368, (SB 226), excludes the construction and maintenance of streets and highways from the provisions of the "Arkansas Open-Cut Land Reclamation Act" when the construction is conducted under the auspices of the Arkansas Highway Department or any county or municipal government.

Act 378, (SB 429), provides that the requirements of the Arkansas Open-Cut Land Reclamation Act shall not apply to the noncommercial removal of clay, bauxite, gravel or other materials by a landowner for construction, improvement or maintenance of roads. The act requires the removal of gravel from streams or stream beds to comply with the requirements of Open-Cut Reclamation Act and prohibits mining in streams designated as Extraordinary Resource Waters.

SURFACE COAL MINING AND RECLAMATION ACT

ADDITIONAL LANDS ELIGIBLE

Act 371, (SB 291), makes additional lands and water affected by coal mining or other mining processes eligible for reclamation or drainage abatement expenditures.

Act 209, (HB 1368), extends eligibility for reclamation or drainage abatement expenditures to abandoned mines meeting certain criteria.

SMALL OPERATOR DEFINITION

Act 737, (SB 676), expands the definition of "small operator" as used in the Surface Coal Mining and Reclamation Act and includes certain technical services for use in the determination of the probable hydrological consequences of mining and reclamation operations with costs to be borne by the Department of Pollution Control and Ecology in accordance with regulations issued by the Pollution Control and Ecology Commission.

MINORITIES

CIVIL RIGHTS

ACT 962, (HB 1075), provides a state cause of action to certain person subjected to the deprivation of any rights, privileges, or immunities secured by the Constitution of Arkansas, or to discrimination based on race, religion, gender, or disability etc.

LAW ENFORCEMENT RACE RELATIONS TRAINING

Act 110, (HB 1040), requires the Commission on Law Enforcement Standards and Training to include race relations and sensitivity in the curriculum for probationary police officers.

SCHOLARSHIPS

Act 301, (HB 1273), and Act 330, (SB 351), require the State Board of Higher Education and publicly-supported institutions of higher education to review annually all minority scholarship or grant programs administered by the institutions to ensure compliance with federal regulations. The institutions are also required to report their findings annually to the Joint Interim Committee on Education.

MINORITIES (Cont.)

SCHOOLS

AFRICAN-AMERICAN HISTORY IN SCHOOL CURRICULUM

Act 963, (HB 1644), requires the Department of Education to develop materials related to African-American history for inclusion in the appropriate curricula of all K-12 public school students beginning with the 1994-95 school year.

RACIAL AND ETHNIC SENSITIVITY PROGRAM FOR SCHOOL PERSONNEL

Act 197, (HB 1042), directs the State Board of Education to develop, in cooperation with the Arkansas Black History Advisory Committee, a statewide program to increase the racial and ethnic sensitivity of certified school personnel. Depending on the availability of funds, the program must be implemented during the 1993-94 school year. Institutions of higher education are encouraged to work with neighboring school districts in professional development of racial and ethnic awareness.

STATE AGENCIES

EMPLOYMENT INFORMATION

Act 358, (HB 1594), requires state agencies to submit information on the number of males and females employed and the number of employees who are members of various racial groups. The information must be submitted to Legislative Council and Joint Budget Committee at the same time the agency submits a budget request for pre-session budget hearings.

EQUAL OPPORTUNITY REPORTS

Act 426, (SB 437), requires each state agency to adopt and pursue a comprehensive equal employment hiring program designed to achieve a goal of increasing the percentage of minority employees within the agency to a level which approximates the percentage of minorities in the state's population. Each state agency must report its efforts to the Legislative Council.

MOTOR FUELS

ALTERNATIVE FUELS TAX

Act 1119, (HB 1869), levies an alternative fuels tax on each type of alternative fuels sold, or used in Arkansas for the purpose of propelling a motor vehicle or motor vehicles. The tax is to be levied by the Department of Finance and Administration at 5 cents "per gallon equivalent" for the first one thousand vehicles and up on the various types of alternative fuels being utilized in this state. It sets up the structure for levying and collecting the tax by the Department of Finance and Administration with the consultation of the Highway Department. Funds are to be divided: 15% to cities, 15% to counties, and 70% to the Highway Department.

DIESEL FUEL DEALERS FEES AND REGISTRATION

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine license, inedible fats and oils, salt water disposal and fortune telling.

PETROLEUM TRADE PRACTICES ACT

Act 380, (HB 1226), establishes the Arkansas Petroleum Trade Practices Act to prevent below cost motor fuel sales to retailers where the effect may injure competition, to prevent discriminatory motor fuel allocations and rebates, to provide for the disclosure of transfer prices on all motor fuel and to provide for enforcement of the act.

MOTOR FUELS (Cont.)

SPECIAL MOTOR FUEL TAX

Act 1026, (HB 1859), amends various sections of Title 26, Chapter 56, Section 2 of Ark. Code Ann. regarding special motor fuels storage facilities and reporting of diesel fuel inventories for taxation purposes.

TAXES

REPORTING REQUIREMENTS

Act 1029, (HB 1879), amends existing motor fuel tax laws to require that pipeline terminals provide the Department of Finance and Administration with detailed information concerning withdrawals from the pipeline. It also requires the Director of the Department of Finance and Administration to promulgate regulations with the advice of the Director of the Highway Department by July 1, 1993.

TECHNICAL AMENDMENTS

Act 618, (HB 1577), adopts technical amendments to the motor fuel tax laws.

MOTOR VEHICLES

ABANDONED VEHICLES

Act 1000, (HB 1329), authorizes law enforcement officers to tag and order removed any unattended or abandoned vehicles on or near public roads, provides penalties for violations, and creates possessory liens for towing-storage companies on vehicles for all reasonable charges.

ACCIDENT REPORT FEES

Act 606, (SB 205), authorizes an increase in the fee charged by the State Police for copies of accident reports, from a flat \$2 per copy to \$10 for a copy of a basic accident report and \$1.50 per page for copies of supplemental reports.

ALL-TERRAIN VEHICLES

Act 1308, (HB 1917), authorizes the Department of Finance and Administration to register an all-terrain vehicle whose owner cannot provide proof of ownership if the owner posts a bond equal to at least one and one-half times the market value of the all-terrain vehicle.

BRANDED TITLE LAW

Act 614, (HB 1420), requires motor vehicles sustaining damage in an amount equal or exceeding 70% of its retail value to have the certificate of title branded with the word "DAMAGED" in the remarks section of the title. If a motor vehicle issued a "DAMAGED" certificate of title is reconstructed, the vehicle is to be issued a title with the words "PREVIOUS DAMAGE" in the remarks section on the title. The information on the repair of the vehicle shall be maintained by the Department of Finance and Administration and shall be available to prospective buyer or transferee upon request via a 1-900 toll service telephone number. Any car dealer selling a motor vehicle with a title branded shall disclose to the purchaser, prior to sale, the nature of the title brand and a description of the damage to motor vehicle.

DECEPTIVE TRADE PRACTICES

ODOMETER FRAUD VIOLATIONS

Act 1047, (HB 1985), provides that odometer fraud violations will constitute an unlawful practice under the Deceptive Trade Practice Act.

MOTOR VEHICLES - DECEPTIVE TRADE PRACTICES (Cont.)

TRANSFER OF MOTOR VEHICLE SUBJECT TO SECURITY INTEREST

Act 1042, (HB 1958), prohibits subleasing or transferring a motor vehicle subject to a security interest, lease or lien without the consent of the secured party, lessor or lienholder. Any sublease or transfer in violation of this act will constitute an unlawful practice under the Deceptive Trade Practices Act. Act 1042 also provides for civil remedies in the event of an unlawful sublease or transfer.

DRIVER'S LICENSE

DWI - TEMPORARY DRIVING PERMITS

Act 736, (SB 673), amends the law regarding the issuance of temporary driving permits for DWI offenders to add that temporary permits may be issued to persons who are full time students to drive to and from school and to persons whose jobs involve driving a motor vehicle as an essential part of their work. The permit may only be issued in situations where the offense has not occurred within three (3) years of a prior offense under the DWI law. (Previously, it was only for first-time offenders).

HOME SCHOOL - TEMPORARY LICENSE

Act 971, (HB 1300), amends the law regarding the proof of enrollment in school before driver licenses may be issued to persons under eighteen to permit a student enrolled in a home school program to be issued a temporary license, either upon the presentation of satisfactory test results from the previous school year or, if the student was not enrolled in a home school during the previous school year, a proof of satisfactory progress in the public or private school in which he was last enrolled. The temporary license shall expire upon the next July 1 after it is issued.

MANDATORY SUSPENSION FOR DRUG OFFENSES

Act 1257, (HB 1860), provides for the mandatory suspension of driving privileges for persons convicted of certain drug offenses.

ORGAN AND TISSUE DONORS

Act 409, (SB 95), requires the Department of Finance and Administration before February 1, 1994 to redesign all driver's license forms to contain a statement of intent by the licensee regarding the licensee's consent for organ and tissue donation. The driver is to be asked whether he or she wishes to donate his or her body organs and the response shall be noted on the driver's license, indicating the licensee's intent to either donate or not donate his or her body organs.

REMITTANCE OF EXAMINATION FEES

Act 1168, (HB 1079), requires that examination fees for applicants for a Class D, Class M, or Class MD driver's license be remitted in the manner prescribed by the Commissioner of the Office of Motor Vehicles.

SUSPENSION FOR WEAPON OFFENSES ON SCHOOL PROPERTY

Act 264, (SB 69), provides for a long-term driver's license suspension of any minor found guilty of a criminal offense committed on school property or in a school bus and involving a weapon or of any minor adjudicated by a juvenile court as a delinquent for the offense. The suspension period can be from twelve (12) to thirty-six (36) months.

Act 781, (HB 1406), provides for a 12 to 36 month suspension of a motor vehicle operator's license for any person under 19 years of age who is guilty of a criminal offense involving an illegal weapon on school property or in or on a school bus or is found by the juvenile court to have committed the offense.

MOTOR VEHICLES - DRIVER'S LICENSE (Cont.)

UPDATES TO LAW

Act 445, (HB 1584), amends various sections of the Arkansas Code pertaining to drivers' licenses, deletes references to a chauffeur's license, conforms to federal law governing a commercial driver's license, and adds new sections requiring a person to obtain an Arkansas driver's license within 30 days of becoming a resident or after 90 days if the person is a non-resident and physically present in the state.

EMERGENCY LIGHTS

Act 1010, (HB 1695), allows emergency medical technicians to use emergency lights on vehicles when responding to an emergency.

FINANCING STATEMENTS FOR LEASED AUTOMOBILES

Act 877, (SB 717), permits financing statements for leased automobiles to be filed like financing statements for other security to perfect the security interest instead of requiring they be filed with the Office of Motor Vehicles.

INSURANCE

COVERAGE EXTENDED TO LOANER CARS

Act 1252, (HB 1741), requires every motor vehicle liability insurance policy to extend liability coverages to include any other motor vehicle operated by the insured individual and its occupants if the other motor vehicle is loaned by an automobile dealer as a temporary substitute to the insured individual for use as a substitute vehicle while the insured's vehicle is out of use because of breakdown, repair, or servicing or if the other motor vehicle is loaned by an automobile dealer for use as a demonstrator vehicle.

CREDIT HISTORY NOT GROUNDS FOR NONRENEWAL

Act 898, (HB 1686), provides that an authorized automobile insurer shall not refuse to issue or renew insurance coverage on an automobile risk in Arkansas based solely upon an applicant's credit history, unless it falls within the exceptions specified in the act.

MANDATORY LIABILITY INSURANCE PENALTIES

Act 357, (HB 1590), amends the law on mandatory motor vehicle liability insurance to require law enforcement officers to impound the license plate of any driver who fails to present proof of insurance coverage upon request. The officer who impounds the plate shall issue a temporary sticker good for ten (10) days until the driver can present proof of insurance to the local revenue office. Failure to present proof of insurance coverage results in the suspension of the vehicle's registration and a twenty dollar (\$20.00) reinstatement fee.

Act 411, (SB 286), provides that a driver without mandatory motor vehicle liability insurance who is involved in an accident shall be deemed guilty of a Class A misdemeanor.

MOTOR VEHICLE SERVICE CONTRACTS

Act 805, (HB 1873), enacts the Motor Vehicle Service Contract Act to prescribe the requirements for "service contracts". Service contracts are agreements given for separate consideration whereby a provider undertakes to perform or provide repairs for the operational or structural failure of a motor vehicle due to defect in materials or workmanship or normal wear and tear. It prescribes the contents, disclosures, terms and conditions of termination, and many other features of the contracts.

MOTOR VEHICLES - INSURANCE (Cont.)

POLICY CANCELLATION

Act 457, (SB 455), provides that automobile insurers cannot cancel, because of fraud or misrepresentation, any coverage for injury or damages suffered by innocent third parties.

UNINSURED MOTORISTS

Act 1180, (SB 626), amends Ark. Code Ann. §23-809-209 relating to uninsured motorist coverage.

LEMON LAW

Act 285, (SB 169), and Act 297, (HB 1233), enact a "lemon law" for Arkansas consumers so they may receive a replacement motor vehicle, or a full refund, for a new automobile which cannot be repaired within the warranty period provided for in the act. The time period for making claims is twenty-four (24) months after the date of delivery or the first twenty-four thousand (24,000) miles of operation, whichever is later. After three (3) repair attempts have been made on the same defect, the consumer shall give written notification to the manufacturer and they are allowed one final attempt to cure the nonconformity. The manufacturer must then provide the consumer with a new replacement motor vehicle or a full refund.

LICENSE PLATES

FRAUDULENTLY OBTAINED DECALS

Act 233, (HB 1339), amends the motor vehicle annual registration law to make it unlawful to display a fraudulently obtained annual tab or decal on the vehicle's license plate.

SPECIALTY LICENSE PLATE - FIREFIGHTERS

Act 569, (HB 1698), requires the Department of Finance and Administration to design a special motor vehicle license plate to be issued to certified firefighters. Any person who is certified by the Fire Protection Services Board as a certified firefighter shall be entitled to special firefighters motor vehicle license plates. The fee shall be the regular licensing and registration fee plus ten dollars (\$10.00).

SPECIALTY LICENSE PLATE - JUSTICE OF THE PEACE

Act 1248, (HB 1538), creates a special license plate for each Arkansas resident, who is elected as a member of a county quorum court representing a quorum court district in any county of Arkansas. The license plate shall be the same design as is currently issued and shall have placed across the bottom thereof a permanent decal bearing the words "Justice of the Peace". The license plate shall be issued by the Department of Finance and Administration for the fee for regular license plates plus and a \$10.00 application fee.

SPECIALTY LICENSE PLATE - RETIRED MILITARY

Act 613, (HB 1355), increases the license fee for the specialty license plates for retired members of the U.S. Armed Forces from \$1.50 to \$5.00 for each plate issued or renewed.

SPECIALTY LICENSE PLATE - UNIVERSITIES

Act 609, (SB 511), authorizes the Department of Finance and Administration to issue special collegiate license plates for motor vehicles. The design commemorating a university or college for the special license plate shall be designed by each university or college with the approval of Department of Finance and Administration. A university or college shall receive and retain all applications for the special license plates until a minimum of five hundred (500) applications have been received. A university or college shall use at least 85% of the funds for academic or need-based scholarships and may use a maximum of 15% for the administration and promotion of the special collegiate license plate program.

MOTOR VEHICLES (Cont.)

MOTOR CARRIERS

ALLOWABLE WIDTH SIZE INCREASED

Act 1113, (HB 1818), increases the largest width size for moving mobile or manufactured homes on the public streets and highways from 16 feet to 18 feet in width. It prescribes a new Highway Department fee of no more than \$150.00 for each mobile or manufactured home to be moved which is greater than sixteen feet (16') in width but does not exceed eighteen feet (18') in width.

CONTRACT CARRIERS

Act 1020, (HB 1829), amends the terms and conditions for obtaining a permit for contract carriers.

CONTROLLED SUBSTANCE OR INTOXICATING LIQUOR

Act 1022, (HB 1832), provides fines for operators of certain motor vehicles convicted of possession or use of controlled substances or intoxicating liquor while operating such vehicles.

FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM

Act 1212, (HB 1831), adopts the federal motor carrier regulations pertaining to the hours of duty of drivers of motor vehicles in order for the state to continue to receive federal funding assistance under the Motor Carrier Safety Assistance Program. The number of hours a driver is allowed to stay on duty without a rest is increased from twelve (12) to fifteen (15).

INSURANCE REGISTRATION

Act 1027, (HB 1862), amends the laws relating to registration of insurance by motor carriers to conform with federal laws and regulations.

REGISTRATION

Act 1027, (HB 1862), amends the laws relating to registration of insurance by motor carriers to conform with federal laws and regulations.

SAFETY VIOLATION

Act 1023, (HB 1833), provides that any carrier, shipper, broker, or agent thereof, who violates the safety regulations prescribed by the Arkansas State Highway Commission shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$500 for the first offense and not less than \$500 nor more than \$1,000 for any subsequent offense.

MOTOR VEHICLE SAFETY RESPONSIBILITY ACT

Act 912, (SB 172), amends the Motor Vehicle Safety Responsibility Act, to set the amount of security required under the Act to be in an amount equal to the minimum amounts specified for motor vehicle insurance coverage: \$25,000 for accident resulting in bodily injury or death to one (1) person; \$50,000 for accident resulting in bodily injury or death to two (2) or more persons; or \$15,000 for accident resulting in destruction of property of others. It limits the discretionary authority of the Department of Finance and Administration - Revenue Division to adjust the amounts of security posted.

MOTORCYCLE

INSPECTIONS

Act 213, (HB 1496), requires the motor vehicle safety inspection certificates for a motorcycle to be placed on the motorcycle beneath the license plate on the rear of the vehicle.

MOTOR VEHICLES - MOTORCYCLE (Cont.)

STAGGERED REGISTRATION

Act 135, (HB 1237), amends the motorcycle registration law to establish a system for the registration of motorcycles on a monthly series basis to distribute the work of registering motorcycles as uniformly as practicable throughout the twelve (12) months of the calendar year. Currently, motorcycles are required to be registered annually between June 1st and July 31st of each year.

REGISTRATION

AUTOMOBILES AND PICK-UPS

Act 1261, (HB 1927), requires assessors to permit telephone assessment of real and personal property by individual taxpayers and to mail, within 5 working days, an assessment containing a certification indicating whether required personal property taxes have been paid, to include, if requested, proof of assessment and payment information appropriate for motor vehicle registration. It also provides a financial incentive for renewing passenger car and pick-up truck registration by mail and requires notification to owners 60 days before registration and license expire.

BONDED TITLES

Act 1013, (HB 1781), allows the Office of Motor Vehicles to require applicants for vehicle registration who cannot present proper certificates of title to post bonds in amounts equal to one and one-half (1-1/2) times the value of the vehicles as determined by the office.

INTERSTATE BUSES

Act 404, (HB 1595), eliminates the formula used for calculating the registration and license fees for interstate buses and adopts the current schedule of fees for other motor vehicles, (i.e., "motor trucks").

PENALTIES FOR UNREGISTERED VEHICLES

Act 230, (HB 1133), provides when persons are arrested and fined for driving unregistered motor vehicles, if the arresting officer was a State Policeman, the fine shall be deposited in the State Treasury, if the officer was a county officer, the fine shall be deposited in that county treasury, and if the officer is a municipal law enforcement officer, the fine shall be deposited in the municipal general fund. The funds are to be used for the purchase of police or emergency vehicles.

TRAILERS

Act 905, (SB 617), amends the law regarding the annual registration fees for trailers to provide that all boat and travel trailers drawn by any truck with a load capacity of one (1) ton or less shall be \$7.00.

SERVICE CONTRACT REGULATION

Act 805, (HB 1873), enacts the Motor Vehicle Service Contract Act to prescribe the requirements for "service contracts". Service contracts are agreements given for separate consideration whereby a provider undertakes to perform or provide repairs for the operational or structural failure of a motor vehicle due to defect in materials or workmanship or normal wear and tear. It prescribes the contents, disclosures, terms and conditions of termination, and many other features of the contracts.

SOLID WASTE HAULERS

Act 1266, (HB 2027), places additional size and weight restrictions on vehicles hauling solid waste.

MOTOR VEHICLES (Cont.)

TRAILING VEHICLES

Act 1021, (HB 1830), prevents motor vehicles from being operated on the state's highways, roads or streets with more than two trailing vehicles.

USED CAR DEALERS LICENSING

Act 490, (HB 1331), enacts the Used Motor Vehicle Buyers Protection Act to require used car dealers to be licensed by the Arkansas State Police. (Currently, they are licensed by the Department of Finance and Administration.) It specifies the grounds for licensing and the licensing fees to be paid by the applicant. It requires the licensed used motor vehicle dealers to have a corporate surety bond in effect for the consumers.

WINDOW TINTING

Act 967, (HB 1178), amends the law regarding the after-market window tinting of automobile windows to permit, on all 1994 model and later model vehicles, the side windows and side wings located on the immediate right or left of the driver and those to the right or left immediately behind the driver to be covered with an after-market tinting material which results in a twenty-five percent (25%) net light transmission. (Previously, it required 35% light transmission or greater). On all 1994 models and later model vehicles, the rearmost window may be covered with an after-market tinting material which results in at least ten percent (10%) net light transmission (previously, it was 25%). It allows after-market tinting applied under previous laws to continue to be legal as long as the owner of the automobile remains the same.

NATIONAL GARDEN WEEK

Act 351, (HB 1452), establishes the first full week in June as "National Garden Week".

NONPROFIT CORPORATION ACT

Act 1147, (SB 330), is the Arkansas Nonprofit Corporation Act of 1993.

NURSE ANESTHETISTS

Act 577, (SB 249), requires insurance coverage to include services of certified registered nurse anesthetists to the same extent those services are provided by persons licensed under the Arkansas Medical Practices Act.

OPTOMETRISTS

SCOPE OF PRACTICE

Act 176, (SB 252), clarifies that practice of optometry does not include the use of prescription oral drugs.

OPTOMETRISTS (Cont.)

PENALTIES

Act 474, (SB 251), authorizes the imposition of a civil penalty against optometrists or entities providing optometry services that are found in violation of laws and regulations relating to optometry by the State Board of Optometrists.

PAWNSHOPS

Act 1131, (HB 2052), prohibits pawnbrokers from purchasing personal property as security from any person under eighteen (18) years of age who has not been emancipated under Arkansas law. It also makes it unlawful for a pawnbroker to dispose of personal property purchased or received as security until at least 15 calendar days after the property is purchased or pawned, or 7 days if reported to the local police.

PHARMACISTS

ABBREVIATION OF "DOCTOR OF PHARMACY"

Act 769, (SB 127), amends the law on licensing of pharmacists to change the abbreviation of "Doctor of Pharmacy" from "P.D." to "Pharm.D.".

MEDICAID REIMBURSEMENT

Act 918, (SB 712), establishes guidelines to govern Medicaid reimbursement for services provided by qualified pharmacy home intravenous drug therapy providers.

PHARMACIST ASSISTANTS

Act 922, (SB 783), allows the State Board of Pharmacy to establish reasonable qualifications and fee requirements to certify or register pharmacist assistants.

PHYSICAL THERAPISTS

Act 1210, (HB 1731), makes it unlawful for a physical therapist to engage in the division, transferring, assigning, rebating or refunding of referral fees. Physical therapists employed by physicians or group physician practices where the physical therapy services are provided within the same facility as the referring physician's services and physical therapy positions in hospitals and nursing homes are exempt from this act.

PHYSICIANS

GOOD SAMARITAN LAW

Act 1190, (HB 1633), defines the term "physician" for purposes of the "Good Samaritan Law".

IMPAIRED PHYSICIAN AND DENTIST TREATMENT ACT

Act 1220, (HB 1957), authorizes the Arkansas Dental Association and the Arkansas Medical Society to establish health committees to address the problems of impaired dentists and physicians referred by the State Medical Board or State Dental Board.

PHYSICIANS (Cont.)

LICENSURE BY CREDENTIALS

Act 276, (SB 315), establishes licensure by credentials in lieu of reciprocity for physicians and surgeons licensed by the State Medical Board.

PHYSICIAN RECRUITMENT AND RETENTION PROGRAM

Act 763, (HB 1492), changes the population requirement for designation as a rural community for the Physician Recruitment and Retention Program.

PHYSICIAN'S TRAINED ASSISTANTS

Act 277, (SB 319), increases reregistration fees and delinquent registration fees for physician's trained assistants licensed by the State Medical Board.

REGISTRATION PENALTY

Act 275, (SB 314), increases the delinquent penalty for annual registration for a license from the State Medical Board to practice medicine.

RURAL MEDICAL CLINIC LOANS/FINANCIAL ASSISTANCE GRANTS

Act 762, (HB 1441), changes the requirements for obtaining rural medical clinic loans and financial assistance grants.

STUDENT'S LOANS

Act 1107, (HB 1776), establishes a program of financial assistance to encourage primary care physicians to accept full-time faculty positions in a UAMS Area Health Education Center community and the Department of Family and Community Medicine. Board certified family physicians and general pediatricians shall be eligible for financial assistance and UAMS may provide financial assistance to eligible individuals for the repayment of medical student loans or personal loans. The financial assistance shall not exceed \$12,000 per year for up to 4 years.

VIOLATION OF MEDICAL PRACTICES ACT

Act 290, (SB 316), authorizes the State Medical Board to collect fines and out-of-pocket costs from any physician or surgeon licensed by the State Medical Board who has been found in violation of the Medical Practices Act.

PLUMBING

Act 638, (HB 1851), requires the State Board of Health to prescribe rules for the use of corrugated stainless steel piping. The rules are to be no more stringent than the American National Standards for Interior Fuel Gas Piping Systems.

PRIVATE INVESTIGATORS

Act 940, (HB 1597), provides reciprocity for any person licensed under the laws of another state as a security services contractor, private investigator or alarm systems company.

PROPERTY

ASSESSORS

Act 859, (SB 235), requires the allocation of the assessment of real property subject to ad valorem taxes within thirty days after a request by the buyer of a portion of the property.

CORPORATE CONVEYANCES

Act 1046, (HB 1984), exempts from the real property transfer tax conveyances of land between corporations or between a corporation and its shareholders incident to the organization, reorganization, merger, consolidation or liquidation of a corporation.

DUTY OF CARE TO TRESPASSERS

Act 366, (SB 45), provides that owners, lessees or occupants of real property are not liable to trespassers for injuries unless those injuries are caused by the willful and wanton misconduct of the owner, lessee, or occupant.

EMINENT DOMAIN POWER OF AETN

Act 1007, (HB 1660), grants the Arkansas Education Television Commission the right of eminent domain to condemn real property leased or rented by the commission if no agreement can be made for purchase. Payment for real property acquired under this act shall come solely from any appropriation for the commission.

ENERGY EFFICIENT MORTGAGE

Act 750, (SB 762), requires the Office of Energy to develop and implement a pilot program to determine how best to use the energy efficient mortgage to its full capability as a means to increase energy efficiency and reduce energy costs of existing residential structures.

FORFEITURE AND SALE OF TAX DELINQUENT LAND

Act 791, (SB 514), amends various laws pertaining to the forfeiture and sale of tax delinquent land.

HOMESTEADS

INSTRUMENTS AFFECTING HOMESTEADS

Act 1164, (SB 801), invalidates instruments affecting the homestead of any married person, except in specified instances, unless his or her spouse joins in executing the instrument, or conveys by a separate document, and acknowledges it. The act also provides that instruments affecting the homestead of married persons, which were executed before the act's effective date, will not be invalid solely because the spouses failed to sign and acknowledge the same document.

URBAN HOMESTEADS

Act 1009, (HB 1688), is entitled the Commissioner of State Lands Urban Homestead Act and authorizes the commissioner to donate tax-forfeited urban lands to any city, incorporated town, or community organization that agrees to transfer parcels of land to eligible individual persons or family units.

HORIZONTAL PROPERTY REGIME

Act 434, (HB 1247), allows the administration of a horizontal property regime to establish additional assessments to be collected from a co-owner of an apartment available for rent or lease for certain expenses incurred on account of the unit being available for rent or lease.

LIENS ON REAL ESTATE

Act 1179, (SB 515), provides that a municipal court judgment shall not be a lien on real estate until filed and indexed in the judgment records of the circuit clerk.

PROPERTY (Cont.)

MINERAL INTERESTS

Act 864, (SB 510), provides that the State Land Commissioner shall hold tax delinquent severed mineral interests indefinitely for redemption. However, in certain circumstances the tax delinquent mineral interests are to be sold to the surface owner.

MORTGAGE FEES

Act 451, (SB 444), requires that all recording, satisfaction, and termination fees with respect to mortgages shall be collected at the time of the initial filing with the circuit clerk or the Secretary of State.

REAL PROPERTY TRANSFER TAX

EXEMPTION

Act 1046, (HB 1984), exempts from the real property transfer tax conveyances of land between corporations or between a corporation and its shareholders incident to the organization, reorganization, merger, consolidation or liquidation of a corporation.

TAX INCREASE

Act 1181, (SB 757), increases the tax on transfer instruments by one dollar and ten cents (\$1.10).

TITLE

FORFEITED LAND

Act 646, (SB 528), provides the procedure for confirming and quieting title to real property forfeited and conveyed to the state for the nonpayment of taxes.

INSTRUMENTS AFFECTING TITLE

Act 1081, (SB 284), cures existing and future defects in certain instruments which affect the title to real and personal property so that those defects will render the instrument ineffective.

UNCLAIMED PROPERTY

Act 1153, (SB 637), amends various sections of the Uniform Disposition of Unclaimed Property Act.

PSYCHOLOGICAL EXAMINERS

Act 993, (HB 2057), authorizes an increase in fees charged for temporary permits and permanent licenses by the Arkansas Board of Examiners in Psychology.

PUBLIC WORKS

BIDS

PREFERENCE LAW REPEALED

Act 580, (SB 516), repeals the public works bidders preference law.

TRENCH OR EXCAVATION SAFETY SYSTEMS

Act 291, (SB 320), requires the inclusion in all bids for public works projects a separate price pay item for trench or excavation safety systems; and any bid not containing the separate price pay item will be invalid as a non-responsive bid.

PUBLIC WORKS (Cont.)

ELECTRICIAN LICENSE

Act 1076, (SB 771), requires persons performing electrical work on public works projects to be licensed or be a bona fide apprentice under a licensed electrician.

PURPLE MARTIN CAPITOL

LAKE VILLAGE - SOUTHEAST CAPITOL

Act 469, (SB 52), designates the city of Lake Village as the Southeast Purple Martin Capitol of Arkansas.

FORT SMITH - NORTHWEST CAPITOL

Act 871, (SB 101) designates Fort Smith as the Northwest Purple Martin Capitol of Arkansas.

RACING

DOG RACING

ADDITIONAL DAYS OF RACING

Act 879, (HB 1095), allows six additional days of racing in a twelve month period with 25% of the net proceeds to be distributed to the county where the dog racing meet is held and 75% of the net proceeds to be distributed to an institution of higher education in the county where the dog racing track is located.

PRIVILEGE TAX RATES FOR SIMULCAST RACES

Act 1163, (SB 785), establishes privilege tax rates for simulcast dog races.

PASSES

Act 341, (HB 1150), requires the Director of the Department of Finance and Administration to set the maximum number of racing passes to be printed and issued annually and that number shall not be less than the number printed in 1990.

RAILROADS

RAIL CARRIER FEES

Act 725, (SB 156), provides that fees and charges collected from rail carriers by the State Highway and Transportation Department will be utilized by the department for construction and maintenance of state highway system highways and bridges.

RAILROAD CROSSINGS

HIGHWAY COMMISSION JURISDICTION

Act 726, (SB 157), grants the Arkansas Highway Commission exclusive jurisdiction over matters pertaining to railroad crossings and the operation and movement of trains within the state.

RAILROADS - RAILROAD CROSSINGS (Cont.)

RIGHT-OF-WAY REQUIREMENTS

Act 399, (HB 1431), revises the law on keeping the railroad crossing right-of-way free from obstructions to require it be clear for distance of fifty (50) feet on each side of the centerline between the rails for the maintenance width and 100 yards from the center-line of the public road. It revises the law on railroad crossings supervision to clarify that the supervision is under the control of the "Arkansas Highway and Transportation Commission". It revises the law on warning boards required at crossings to eliminate the obsolete language.

RETIREMENT

HIGHER EDUCATION

ALTERNATE RETIREMENT PLAN

Act 443, (HB 1474), allows the board for each institution of higher education or the State Board of Higher Education acting for the Department of Higher Education to designate an alternate retirement plan for their employees.

HIGHWAY EMPLOYEES RETIREMENT

HIGHWAY COMMISSION

Act 359, (HB 1645), provides that an employee of the State Highway Department who is a member of the Arkansas State Highway Employees Retirement System shall receive partial credit for service on the Highway Commission, forty percent (40%) of the time served, as "creditable service". The "creditable service" attributed to serving on the Highway Commission shall be considered only toward vesting in the System, and not for determining retirement eligibility or when calculating the annuity.

BOARD OF TRUSTEES ENLARGED

Act 615, (HB 1521), expands the membership of the Board of Trustees of the State Highway Employees' Retirement System from 5 to 6 members and adds a member representing the retirees of the System. It also allows the Executive Secretary of the Board to cast a tie-breaking vote when necessary.

INCREASE IN BASE ANNUITIES

Act 929, (HB 1263), provides, effective July 1, 1993, the retirement benefit payable to the retirees and beneficiaries of the Arkansas State Highway Employees Retirement System will be increased by 2.9% above the annuity any retiree or beneficiary received for June 1993. The increase in benefits shall be added to the base annuity for the purpose of computing the annual post-retirement cost-of-living increases provided by law for July 1, 1993 and for all years thereafter.

RE-DEFINE THE TERM "AVERAGE COMPENSATION"

Act 930, (HB 1264), re-defines the term "average compensation" to mean the member's annuity will be calculated on the average of the highest annual salary paid a member during any period of 48 consecutive months of creditable service with a state employer. (Previously, it was based on any 60 months of service).

RETIREMENT (Cont.)

JUDICIAL RETIREMENT SYSTEM

DIRECTOR, ADMIN. OFFICE OF COURTS, TRANSFERRED

Act 944, (HB 1656), transfers the Executive Director of the Administrative Office of the Courts from coverage under the Judicial Retirement System to the Public Employees' Retirement System. It fixes the benefits for the current Director at the same level as those available under the Judicial Retirement System.

RETIREMENT BENEFITS OF JUDGES

Act 407, (SB 36), amends the Judicial Retirement System law to clarify that if a judge is elected or appointed to a state judicial office after retirement and the judge was eligible for an escalator clause in his or her initial retirement, then he or she is entitled to the benefits of the escalator clause upon his or her subsequent retirement.

LOCAL POLICE & FIRE RETIREMENT (LOPFI)

PUBLIC SAFETY SERVICE CLARIFIED

Act 873, (SB 285), clarifies the meaning of public safety service under the LOPFI system includes "public safety" service with the Arkansas Public Employees Retirement System and the Arkansas State Police Retirement System.

DEATH AND DISABILITY ANNUITIES

Act 1202, (HB 1569), increases the amount of the limitation on death and disability annuities under the local police and fire retirement system from ninety percent (90%) to one hundred percent (100%) of the final average salary.

FEDERAL LAWS

Act 1199, (HB 1373), amends the disability retirement provisions of the Arkansas Local Police and Fire Retirement System law to conform with federal law.

PRE-EMPLOYMENT PHYSICAL ELIMINATED

Act 1203, (HB 1570), replaces the requirement of a pre-employment physical prior to being covered under the local police and fire retirement system with an employment physical examination.

PURCHASE OF CREDITED SERVICE

Act 1084, (SB 494), allows certain members of the Arkansas Local Police and Fire Retirement System who have previous employment with a local government covered by a municipal police relief and pension fund or a municipal firemen's relief and pension fund to purchase credited service in the system up to a maximum of 5 years.

MUNICIPAL JUDGES

COUNTIES WITH POPULATION OF 150,000 OR MORE

Act 586, (HB 1016), amends the benefit provisions of the municipal judges retirement law for municipal courts in counties with a population of 150,000 or more (Pulaski County) to make them apply to judges and clerks of the county municipal court. Previously, this law was for the municipal judges of the city municipal courts within such a county. It also changes the retirement eligibility provisions to allow a judge to retire with 16 years of combined service as a judge and county deputy prosecuting attorney.

RETIREMENT - MUNICIPAL JUDGES (Cont.)

COUNTIES WITH POPULATION OF 150,000 OR MORE

Act 585, (HB 1048), creates a board of trustees for a retirement system for the county municipal court in counties with a population of 150,000 or more (Pulaski County). Previously, this law was for the municipal judges of the city municipal courts within a such a county. The county treasurer serves as the treasurer for the board and county clerk as board secretary.

LOCAL LEGISLATION

Act 162, (SB 47), allows certain municipalities to increase a fee from \$3.00 to \$7.00 levied for entering upon the records of the court each criminal case and each moving traffic violation to provide funds for retirement benefits of municipal court judges and clerks.

SPECIFIC BENEFITS PRESCRIBED

Act 239, (HB 1083), provides that, upon the approval of a majority of the city council or board of directors of a city of the first or second class, any municipal judge who has held the office of municipal judge not less than ten (10) years and who shall attain the age of fifty (50) and who shall have served two (2) or more years as an elected justice of the peace and three (3) or more years as a certified full time law enforcement officer shall be eligible to receive retirement benefits in an amount equal to one-half (1/2) of the salary payable to him at the time of his resignation, retirement, or succession in office.

MUNICIPAL OFFICERS AND EMPLOYEES RETIREMENT

ACCRUAL OF SERVICE CREDIT

Act 1103, (HB 1642), provides for retirement systems for municipal officials that any city clerk or clerk-treasurer in a city who has served as an employee of the same city covered by another retirement plan, may apply all years served with the city toward the accrual of the vesting period provided for under the retirement systems for municipal officials and employees.

INVESTMENT ADVISORS

Act 1130, (HB 2045), permits municipal nonuniformed employees pension and relief funds, with assets in excess of \$100,000, to employ an investment advisor to invest the assets, subject to the terms, conditions, limitations, and restrictions imposed by law upon the Arkansas Local Police and Fire Retirement System. The investments of these pension funds will not be limited to interest-bearing bonds. It also allows a city whose local police or fire pension and relief fund has a surplus balance and no participants to transfer money left in the subsidy account to the city general fund for capital improvements.

MUNICIPAL POLICE AND FIRE PENSIONS

ACCOUNTANT'S ANNUAL REPORT

Act 999, (HB 1294), allows local police and fire pension funds to include the cost value of stock held or 80% of the year end market value, whichever is greater, in their accountant's annual report.

BENEFITS INCREASED TO 100% OF FINAL SALARY

Act 872, (SB 240), amends the law prescribing the monthly pension benefits for police officers retiring after July 1, 1987 to increase the police officers maximum benefits after July 1, 1993 above the previous maximum 75% of their final salary up to a new maximum benefit of 100% of their final salary.

RETIREMENT - MUNICIPAL POLICE AND FIRE PENSIONS (Cont.)

BOARD OF TRUSTEES MEETINGS

Act 201, (HB 1112), changes the meeting requirements for the board of trustees for firemen's relief and pension fund for first class cities from a required monthly meeting to a permissive monthly meeting and a required meetings at least quarterly.

DEFERRED RETIREMENT OPTION PLAN

Act 1004, (HB 1624), creates the Arkansas Fire Fighters Deferred Retirement Option Plan, permitting a firefighter eligible for retirement (with 20 years or more of service) to remain employed and diverting retirement benefits into a deferred account for up to 5 years. The monthly benefits that would have been payable if the firefighter had elected to retire are paid into the deferred account. After a maximum of 5 years, the firefighter must terminate employment with any city participating in the Retirement Option Plan and will receive an additional benefit annuity or a lump sum payment from the deferred account.

MINIMUM BENEFITS

Act 1197, (HB 1202), provides a minimum monthly retirement benefit for retired policemen and firemen or their surviving spouses.

NORTH LITTLE ROCK-10% OF COSTS DEPOSITED

Act 1289, (HB 1742), provides that a city having a population of between 60,000 and 65,000 persons, according to the 1990 federal decennial census (North Little Rock), may enact an ordinance to require 10% of all court costs collected by the police department of the city for violations of city ordinances or state law to be added to the police pension and relief fund.

PENSION INCREASE FOR CERTAIN SURVIVING SPOUSES

Act 480, (SB 447), directs, beginning August 1, 1993, the board of trustees of any municipal firemen's pension and relief fund for which a full one (1) mill tax is levied and which received in excess of one-half million dollars (\$500,000) from premium tax funds during the most recent year to increase the surviving spouse benefits payable from the firemen's pension and relief fund to the amount of the pension received by the retired firefighter at the time of his death, or the amount of the pension to which the member would have been entitled on the day he died, had he been retired.

POLICE OFFICERS DEFERRED OPTION PLAN

Act 757, (HB 1328), creates the Arkansas Police Officers Deferred Option Plan which permits an officer who becomes eligible for retirement (with 20 years or more of service) to remain employed and to divert retirement benefits into a deferred account for up to five (5) years. The monthly benefits that would have been payable had the member elected to retire shall be paid into the deferred account. After a maximum of 5 years, the officer shall terminate employment with the city and shall receive an additional benefit annuity from the deferred account or a lump sum payment from the account.

SICK LEAVE USED AS "SALARY"

Act 546, (SB 349), amends the laws regarding local police and firemen pension and relief funds to sick leave to be used in calculating the officer's or firefighter's salary in only limited situations. The term "salary" may include payments for unused accrued sick leave not to exceed ninety (90) work days on the date of retirement, provided, the city agrees to make adequate contributions to the fund to cover the additional costs for the benefits and the fund is judged to be actuarially sound.

RETIREMENT (Cont.)

PUBLIC EMPLOYEES' RETIREMENT (PERS)

ADMINISTRATIVE CHANGES

Act 432, (HB 1131), is the Public Employees Retirement System administrative "clean-up" law to make certain changes in the PERS laws for administering the system, including increasing the minimum death benefit annuity for surviving dependents from fifty dollars (\$50.00) to one hundred fifty dollars (\$150.00).

ANNUITY DETERMINATIONS AND RECOVERY OF OVERPAYMENTS

Act 1093, (HB 1314), provides for some finality to annuity determinations made by the Public Employees Retirement System and a 1 year statute of limitations for recovery of overpayments by the system etc.

CONTRIBUTORY BENEFITS THE SAME AS NONCONTRIBUTORY

Act 722, (SB 28), requires that all contributory members of the Public Employees Retirement System who are retired or who retire later shall receive benefits at least equal to the amount of benefits they would have received had they retired as non-contributory members of the PERS.

INCREASE IN BASE ANNUITIES

Act 938, (HB 1488), provides, effective July 1, 1993, the retirement benefit payable to the retirees and beneficiaries of the Arkansas Public Employees Retirement System will be increased by 2.61% above the annuity any retiree or beneficiary received for June 1993. The increase in benefits shall be added to the base annuity for the purpose of computing the annual post-retirement increases based on the Consumer Price Index.

MUNICIPAL EMPLOYEES

Act 104, (SB 6), allows certain municipal officials who were erroneously enrolled in PERS to correct enrollment and elect to receive credited service in PERS or a reciprocal retirement system for the service time.

REDEFINES - "FINAL AVERAGE PAY"

Act 975, (HB 1489), re-defines the term "final average pay" to mean the PERS member's annuity will be calculated on the average of the highest annual salary paid a member during any period of 48 calendar months of creditable service with a public employer. (Previously, it was based on 60 months of service). It amends the provisions regarding the term "average compensation" to include references to Amendment 70 to the Arkansas Constitution.

REGIONAL AIRPORT AUTHORITIES

Act 286, (SB 219), provides employees of regional airport authorities are covered under the Public Employees Retirement System and the regional airport authorities are to pay the employer contributions to PERS.

SERVICE WITH NON-RECIPROCAL PUBLIC EMPLOYER

Act 1104, (HB 1666), permits a former member of the Public Employees Retirement System who later becomes an employee of a public employer covered by a retirement system which is not a reciprocal retirement system (Judicial Retirement), he shall become eligible to be a member of the system for the limited purpose of purchasing his previously forfeited service. He is required to return member and employer contributions, plus interest from the date of withdrawal to the date of repayment.

RETIREMENT - PUBLIC EMPLOYEES' RETIREMENT (PERS) (Cont.)

SIMULTANEOUS SERVICE ON CLAIMS COMMISSION

Act 1229, (SB 486), permits simultaneous service in the Arkansas Public Employees Retirement System as a member of the Claims Commission and service in another reciprocal system during the same period of time to be counted as credited service to meet the service requirements for benefits from the Public Employees' Retirement System and another reciprocal system for the limited purpose of calculating the retirement annuity under the reciprocal system.

STATE CAPITOL POLICE

Act 1097, (HB 1393), includes the Arkansas State Capitol Police within the definition of "public safety member" in the Public Employees Retirement System and makes the Secretary of State's office responsible for any additional retirement costs.

SURVIVOR'S ANNUITY

Act 1200, (HB 1503), provides for a surviving spouse of a member of the Arkansas Public Employees Retirement System to receive a survivor's annuity if the retired member dies within six months of the effective date of retirement.

SURVIVOR'S BENEFIT FOR RETIRANT PRIOR TO 1967

Act 973, (HB 1361), provides a retirement benefit for the surviving spouse of a Public Employees Retirement System member who retired prior to July 1, 1967. The surviving spouse shall receive a monthly annuity equal to 75% of the retirant's monthly benefit at the time of death, provided the surviving spouse was married to the retirant on the date of retirement, the surviving spouse is unmarried, and the surviving spouse makes application to the system on or before June 30, 1995.

RETIREMENT SYSTEMS IN GENERAL

PURCHASE OF SERVICE TIME RENDERED IN MILITARY

Act 1098, (HB 1428), increases from 3 years to 5 years the amount of military time that certain members of state-supported retirement systems may purchase in a state-supported retirement system.

QUALIFIED DOMESTIC RELATIONS ORDERS

Act 1143, (HB 1966), authorizes chancery courts to enter qualified domestic relations orders to reach any retirement annuities and benefits of any retirement plans.

STATE POLICE RETIREMENT SYSTEM

COURT COSTS

Act 113, (HB 1080), provides for the payment of certain court costs levied under Arkansas Code §16-92-110(a)(4) to the Arkansas State Police Retirement System rather than the Department of Arkansas State Police.

TEACHER RETIREMENT SYSTEM

ADMINISTRATIVE CHANGES

Act 435, (HB 1287), is the Teacher Retirement System administrative "clean-up" law to make certain changes in the Teacher Retirement System laws for administering the system, including guaranteeing that the minimum straight life annuity for a member retiring after June 30, 1965, but before July 1, 1986, shall be one hundred fifty dollars (\$150) per month if he or she had more than ten (10) years of noncontributory service.

RETIREMENT - TEACHER RETIREMENT SYSTEM (Cont.)

COLLEGE AND UNIVERSITY EMPLOYEES

Act 299, (HB 1259), grants employees of colleges and universities under the Teacher Retirement System additional time to determine whether or not to elect to be covered by an alternate retirement plan. The current law provides that the college and university employees may elect coverage under the Teacher Retirement System or an alternative retirement plan. This act extends that election time period to be covered under an alternative retirement plan for another six (6) month period.

CREDIT FOR SERVICE WITH EDUCATIONALLY-RELATED AGENCIES

Act 897, (HB 1501), authorizes service credit in the Teacher Retirement System for employment in an educationally-related agency so long as the employment is related to the public schools or adult education programs.

DIRECT ROLLOVER AUTHORIZED

Act 972, (HB 1313), provides that the Teacher Retirement System may, at the election of the member, pay to the trustee of an eligible retirement plan all or part of his or her eligible rollover distribution directly to the plan as permitted under federal tax law. An "eligible retirement plan" means an IRA (individual retirement account or individual retirement annuity or individual retirement arrangement) or another employer benefit plan which accepts direct rollovers.

ELIGIBILITY

Act 1206, (HB 1611), provides that part-time school personnel who accumulate less than thirty (30) days of cumulative service within a fiscal year shall not be eligible for membership in the teacher retirement system.

FORMER RETIRANTS PURCHASE SERVICE CREDIT

Act 478, (SB 404), allows active members of the Teacher Retirement System who are former retirants to purchase previous service credit in the system rendered in covered employment after becoming a retirant and before rescinding their retirement.

PENALTIES FOR LATE PAYMENTS

Act 300, (HB 1260), amends the late payment provision for the Teacher Retirement System to permit the assessment of a six percent (6%) interest penalty on the money due to the System and not paid on time and a penalty of one hundred fifty dollars (\$150.00) for each late report to the System. The current law provides only for a lien for payments that are delinquent for more than sixty (60) days.

REHABILITATION SERVICES DIVISION

Act 1091, (HB 1066), allows certain employees of the Department of Human Services, Division of Rehabilitation Services who were previously members of the Teacher Retirement System and paid monies into that system prior to January 1, 1978 to receive retirement benefits based on the current benefit provisions for service under the Teacher Retirement System.

SCHOOL FOR MATH AND SCIENCE

Act 293, (SB 470), provides the teachers and administrators and other employees of Arkansas School for Mathematics and Sciences are covered under the Teacher Retirement System.

RETIREMENT - TEACHER RETIREMENT SYSTEM (Cont.)

TAX DEFERRED SAVINGS PLANS

Act 369, (SB 274), provides that the Board of Trustees of the Arkansas Teacher Retirement System can make available to the members of the System, a school employee's individual retirement account plan and any other tax deferral plan permitted by federal law, to enable the members to conveniently and economically receive the fullest benefits offered by federal tax law as it relates to tax deferred savings plans for school employees covered by a mandatory public retirement plan.

VO-TECH STAFF ELECT TO BE MEMBERS

Act 979, (HB 1643), allows staff members of the Technical Colleges, Vocational-Technical schools, and the Division of Vocational Technical Education who have become members of alternate retirement plans to elect to become members of the Teacher Retirement System between July 1, 1993 and December 31, 1993.

SALT WATER DISPOSAL

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine licenses, inedible fats and oils, salt water disposal and fortune telling.

SECRETARY OF STATE

AMBASSADOR'S CERTIFICATE

Act 1058, (HB 2113), authorizes the Secretary of State to issue Arkansas Ambassador's Certificates to Arkansans who will be traveling outside this state.

CAPITOL HILL BUILDING

Act 1068, (SB 589), provides that the management of the Capitol Hill Building is to be the joint responsibility of the Secretary of State and the Joint Interim Committee on Legislative Facilities. It also will be the responsibility of the Secretary of State to provide maintenance and upkeep of the Capitol Hill Building.

COMMUNITY DEVELOPMENT CORP. REGISTRY

Act 989, (HB 1938), requires the Secretary of State to maintain a registry of all the qualified Community Development Corporations in the state. It requires the Community Development Corporations to notify the Secretary of State's Office of their existence within 90 days after the act is effective or after they are formed. It establishes a \$25.00 fee for the registration.

HOMEBUILDERS'S REGISTRATION

Act 158, (HB 1298), and Act 196, (SB 253), require any city or county enacting a homebuilders's registration ordinance to notify the Secretary of State's Office within 30 days of the enactment of the ordinance. The Secretary of State's Office may be requested to send a roster of all persons currently registered under the terms of the Arkansas Homebuilders Registration Act to any incorporated city or town or county that has adopted a homebuilders's registration ordinance.

SIGNATURE IMAGING SYSTEM

Act 1285, (HB 2073), establishes a signature imaging system in the Secretary of State's office and levies an additional franchise tax of \$3.00 on each corporation to fund the system.

SECURITIES

INVESTMENT ADVISOR INCENTIVE FEES

Act 566, (SB 389), allows the securities commissioner to permit an investment advisor to receive performance or incentive fees from clients.

SECURITIES DEPARTMENT

MAINTENANCE, OPERATION, SUPPORT AND IMPROVEMENT

Act 659, (SB 545), and Act 850, (HB 1724), create the "Securities Department Fund" for the maintenance, operation, support, and improvement of the State Securities Department and increases certain security registration fees to provide revenues to the fund.

UNIFORM TRANSFER ON DEATH SECURITY REGISTRATION ACT

Act 114, (HB 1105), establishes the Uniform Transfer on Death Security Registration Act which sets forth the procedures for registration of a security indicating the present owner of the security and the intention of the owner regarding the person who will become owner of the security upon the death of the owner.

SECURITY SERVICES

Act 940, (HB 1597), provides reciprocity for any person licensed under the laws of another state as a security services contractor, private investigator or alarm systems company.

STATE AGENCIES

ADMINISTRATIVE PROCEDURE ACT

FILING OF RULES AND REGULATIONS

Act 1106, (HB 1756), amends the Administrative Procedure Act to require every public agency (including those exempt agencies) to file certified copies of each rule and regulation with the Arkansas State Library (in addition to the Secretary of State's office) before they are effective.

LICENSES AND PERMITS

Act 1083, (SB 367) requires the disclosure of certain information under the provisions of the Administrative Procedure Act to license and permit holders when an agency of the state seeks to revoke or suspend their license or permit, or invoke some other type of sanction.

ALZHEIMER'S DISEASE TASK FORCE

Act 1194, (SB 625), creates the Alzheimer's Disease Task Force.

APPRAISER LICENSING BOARD

Act 413, (SB 310), revises the Appraiser Licensing and Certification Act.

ARCHITECTURE BOARD

Act 578, (SB 416), defines the practice of architecture, increases licensing fees for architects and allows the State Board of Architecture to levy civil penalties.

ARKANSAS' FUTURE COMMISSION

Act 488, (HB 1228), continues the Commission for Arkansas' Future. The Act revises the composition and duties of the commission.

STATE AGENCIES (Cont.)

ATHLETIC COMMISSION

Act 1277, (HB 1404), amends various sections of Title 17, Chapter 19, Sections 2 and 4 regarding the powers and duties of the State Athletic Commission.

BAIL BOND COMPANY AND BAIL BONDSMEN LICENSING BOARD

Act 500, (HB 1552), creates the Professional Bail Bond Company and Professional Bail Bondsmen Licensing Board and authorizes the board to administer and enforce the laws relating to the licensing and regulation of professional bail bond companies and professional bail bondsmen.

BLASTING TASK FORCE

Act 651, (SB 263), creates the Arkansas Task Force on Blasting.

BOARD OF FINANCE

INVESTMENTS

Act 888, (HB 1972), increases the amount of state funds which may be invested in obligations of corporations organized under the Arkansas Development Finance Corporation Act.

MAJOR INDUSTRY FACILITIES INCENTIVE

Act 1165, (HB 1065), creates the Major Industry Facilities Incentive Fund and authorizes state agencies or political subdivisions to apply to the State Board of Finance for assistance in financing eligible facilities to attract major industries.

BOARDS AND COMMISSIONS

APPOINTMENT OF SPECIAL MEMBERS

Act 1251, (HB 1721), authorizes the Governor or other appointing authority to appoint a qualified person to serve as a special member of a state commission, board, council, committee, or similar body when the member is disqualified or is temporarily unable or unwilling to serve. The special member appointed under the act shall have all powers and authority of a regular board member and shall be entitled to receive per diem and expenses in the same amount and under the same procedure and from the same sources as prescribed for regular members.

RESIDENCY OR CITIZENSHIP REQUIREMENTS FOR LICENSURE

Act 1219, (HB 1941), amends sections of the Arkansas Code relating to licensure of various professions and occupations by deleting residency or citizenship requirements.

SUBPOENA POWERS

Act 1286, (HB 2091), specifically grants the power to issue subpoenas to certain state boards and commissions.

BUREAU OF STANDARDS POWERS TRANSFERRED

Act 610, (SB 539), and Act 624, (HB 1683), transfer all duties, powers, functions, assets, properties, and appropriations of the Arkansas Bureau of Standards to the State Plant Board.

CAPITOL ZONING DISTRICT COMMISSION

DIRECTOR

Act 1223, (SB 259) provides that the Director of State Building Services shall have the authority to hire the director and professional staff of the Capitol Zoning Commission.

STATE AGENCIES - CAPITOL ZONING DISTRICT COMMISSION (Cont.)

MEMBERSHIP

Act 1265, (HB 2014), increases the membership of the Capitol Zoning District Commission from 7 to 9 and requires any seller of real property within the Capitol Zoning District to give the purchaser a summary of property restrictions and owner responsibilities.

CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION

ADVISORY CAPACITY

Act 887, (HB 1953), provides that the Arkansas Child Abuse/Rape Domestic Violence Commission shall act in an advisory capacity to a newly created Child Abuse/Rape/Domestic Violence Section within the Office of the Chancellor of the University of Arkansas for Medical Sciences.

MEMBERSHIP

Act 175, (SB 213), adds a representative of the Office of the Attorney General to the Arkansas Child Abuse/Rape/Domestic Abuse Commission.

CHILD CARE FACILITIES REVIEW BOARD

Act 1293, (HB 2025), requires the Child Care Facilities Review Board to perform a criminal records and fingerprint check of each person applying for a child care facility license. It also requires a criminal records background check for all applicants for employment at a child care facility in Arkansas. It prohibits a person from being employed or from holding a license if the person has been convicted of any several enumerated violent crimes or other enumerated sex or abuse crimes.

CLAIMS COMMISSION

CLAIMS AGAINST STATE OFFICERS AND EMPLOYEES

Act 292, (SB 334), permits state and local officers and employees to be named plaintiffs in suits, but only to the extent that they may be covered by liability insurance.

PAYMENTS ON DEATH OF FIREFIGHTER

Act 809, (SB 31), amends the law providing for payments to the survivors of police or firefighters killed in the line of official duty to add that payments shall be made to the survivors of a firefighter who is killed while responding to, engaging in or returning from fighting a fire, rescue or hazardous material or bomb incident.

REPORTS TO LITIGATION SUBCOMMITTEE OF LEGISLATIVE COUNCIL

Act 860, (SB 262) requires any state agency, board, commission, or institution of higher education that admits liability to a claim filed with the State Claims Commission and involving a contract for more than \$5,000 to file a written report to the Litigation Subcommittee of the Legislative Council.

COURTS COST STUDY COMMISSION

Act 1305, (HB 2077), establishes the State and Local Courts Cost Study Commission to review the system of state and local courts.

CRIME INFORMATION CENTER

CRIME HISTORY LAW

Act 1109, (HB 1786), governs the collection and maintenance of criminal history information kept by the Arkansas Crime Information Center (ACIC) on individuals charged or convicted of criminal offenses in Arkansas. ACIC shall issue regulations and law enforcement officials, prosecuting attorneys, judges and court officials, probation, correction and parole officials are required to report offenses under the act.

STATE AGENCIES (Cont.)

CRIME LABORATORY

AUTOPSY

Act 178, (SB 255), amends Arkansas Code § 12-12-318 to delete the word autopsy and replace it with postmortem examinations(s).

AUTOPSY

Act 177, (SB 254), amends Arkansas Code § 12-12-317 to delete the word autopsy and replace it with post mortem examination(s).

COST OF RETURNING DEAD BODIES

Act 1246, (HB 1386), amends the law regarding the transportation of corpses to the State Crime Laboratory to require whoever requests the autopsy to bear the cost of transporting the body of a deceased person when the cause of death was suicide, accidental, or from natural causes. The bodies shall be returned to the county from which they were brought at the expense of the State Crime Laboratory if the Chief Medical Examiner determines that the cause of death was not suicide, accidental, or from natural causes.

COST OF TRANSPORTING DECEASED PERSONS

Act 1063, (SB 221), provides that the bodies of deceased persons shall be returned to the county from which they were brought by or at the expense of the State Crime Laboratory when the Chief Medical Examiner determines that the cause of death was not suicide, accidental, or from natural causes. In cases where the cause of death is suicide, accidental or from natural causes, the transportation expenses shall be borne by whoever requested the examination regarding cause of death.

CRIMINAL DETENTION FACILITIES COMMISSION

TRANSPORTATION GRANTS FOR JUVENILE OFFENDERS

Act 931, (HB 1270), provides for grants and reimbursements for transportation of juvenile offenders to appropriate care or custody facilities or other licensed juvenile facility in those counties which have juvenile detention facilities. The grants and reimbursements for transportation costs of juvenile offenders shall be made in accordance with procedures and criteria developed and administered by the Criminal Detention Facilities Commission.

DENTAL EXAMINERS BOARD

LICENSING

Act 270, (SB 290), provides for the licensing of dentists by credentials.

DEVELOPMENT FINANCE AUTHORITY

ANCILLARY FACILITIES

Act 829, (SB 748), authorizes the State Building Services to construct new storage facilities, warehouses, garages, parking facilities, and other ancillary and related facilities in proximity to existing facilities housing state agencies. The Act authorizes the Arkansas Development Finance Authority in cooperation with State Building Services to issue revenues bonds for such projects.

BOARD OF DIRECTORS

Act 159, (HB 1319), adds the Treasurer of State as an ex-officio member of the board of directors of the Development Finance Authority.

STATE AGENCIES - DEVELOPEMENT FINANCE AUTHORITY (Cont.)

BONDS

Act 1309, (SB 797), authorizes the Arkansas Development Finance Authority to issue bonds for residential community development.

DISPENSING OPTICIANS BOARD

Act 1087, (SB 666), increases the membership of the Board of Dispensing Opticians from 8 to 9 members and makes various changes with reference to its powers and duties.

EDUCATIONAL TELEVISION COMMISSION

EMINENT DOMAIN POWER

Act 1007, (HB 1660), grants the Arkansas Education Television Commission the right of eminent domain to condemn real property leased or rented by the commission if no agreement can be made for purchase. Payment for real property acquired under this act shall come solely from any appropriation for the commission.

LEASING OF FACILITIES

Act 329, (SB 368), empowers the Arkansas Educational Television Commission to arrange for the lease of any facilities that are not being used by the commission, with state agencies and educational institutions having first preference over other entities and persons.

ELECTION COMMISSIONERS BOARD

Act 1092, (HB 1090), changes the composition of the Board of Election Commissioners and establishes its duties; levies an additional fee of one cent (\$.01) for each registered voter identification and address purchased through a county clerk to be deposited to a Computerized Voter Registration Fund.

ELECTRICAL EXAMINERS

FEES AND EXAMINATIONS

Act 831, (SB 780), increases examination and license fees of the Board of Electrical Examiners. The act allows an applicant who fails to pass the examination to take the next scheduled examination upon payment of the required fees.

EMBALMERS AND FUNERAL DIRECTORS BOARD

CREMATORIUMS

Act 365, (HB 1320), requires a permit by the Board of Embalmers and Funeral Directors before constructing a crematorium. A public hearing shall be held in the city or county where the crematorium is proposed to be located.

EMERGENCY SERVICES OFFICE

FIRE PROTECTION SERVICES OFFICE

Act 280, (HB 1261), provides that the Office of Fire Protection Services shall be under the supervision and direction of the director of the Office of Emergency Services.

EMPLOYMENT INFORMATION

PRE-LEGISLATIVE SESSION BUDGET HEARINGS

Act 358, (HB 1594), requires state agencies to submit information on the number of males and females employed and the number of employees who are members of various racial groups. The information must be submitted to Legislative Council and Joint Budget Committee at the same time the agency submits a budget request for pre-session budget hearings.

ENERGY OFFICE

ENERGY EFFICIENT MORTGAGE

Act 750, (SB 762), requires the Office of Energy to develop and implement a pilot program to determine how best to use the energy efficient mortgage to its full capability as a means to increase energy efficiency and reduce energy costs of existing residential structures.

UPDATE ENERGY CODE

Act 234, (HB 1370), and Act 248, (SB 141), amend the law prescribing the powers and duties of the State Energy Office to authorize the Office to promulgate new rules and regulations for the purpose of implementing and prescribing enforcement for thermal and lighting efficiency standards for new building construction in Arkansas. It eliminates reference to the 1979 Rules and Regulations for Energy Efficiency Standards for New Building Construction and the requirement that cities adopt those regulations by ordinance.

ENTERTAINERS HALL OF FAME BOARD

EX OFFICIO BOARD MEMBERS

Act 703, (HB 1977), allows the Arkansas Entertainers Hall of Fame Board to appoint two ex officio members to the board.

EQUAL OPPORTUNITY REPORTS

Act 426, (SB 437), requires each state agency to adopt and pursue a comprehensive equal employment hiring program designed to achieve a goal of increasing the percentage of minority employees within the agency to a level which approximates the percentage of minorities in the state's population. Each state agency must report its efforts to the Legislative Council.

EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

Act 121, (SB 174), amends Arkansas Code to expand the application of licensure provisions involving speech-language pathologists and audiologists.

EXPENDITURE LIMITS

Act 494, (HB 1641), limits expenditures of state agencies to a percentage of an agency's appropriation.

FINANCE AND ADMINISTRATION DEPARTMENT

ALL-TERRAIN VEHICLES

Act 1308, (HB 1917), authorizes the Department of Finance and Administration to register an all-terrain vehicles whose owner cannot provide proof of ownership if the owner posts a bond equal to at least one and one-half times the market value of the all-terrain vehicle.

STATE AGENCIES - FINANCE AND ADMINISTRATION DEPARTMENT (Cont.)

DELINQUENT TAX REPORT TO THE ABC

Act 779, (SB 719), requires the Department of Finance and Administration to report delinquent state taxes to the Alcoholic Beverage Control Board. It also amends various code sections relating to alcoholic beverage permits.

DRIVER'S LICENSE EXAMINATION FEES

Act 1168, (HB 1079), requires that examination fees for applicants for a Class D, Class M, or Class MD driver's license be remitted in the manner prescribed by the Commissioner of the Office of Motor Vehicles.

MOTOR VEHICLE LICENSING, TAXATION AND REGISTRATION

Act 332, (SB 411), authorizes the director of the Department of Finance and Administration to appoint an Administrative Assistant for Revenue to serve as the Commissioner of Revenues. The act provides for the Commissioner of Revenues to administer the motor vehicle licensing, taxation and registration laws. The act changes the legal proceedings relating to hearing officer decisions.

FINANCE AND ADMINISTRATION DEPARTMENT

RACING PASSES

Act 341, (HB 1150), requires the Director of the Department of Finance and Administration to set the maximum number of racing passes to be printed and issued annually and that number shall not be less than the number printed in 1990.

STUDENT INDEBTEDNESS

Act 1018, (HB 1809), authorizes the Commissioner of Revenue to disclose the last known address and last known employer of any person from whom an Arkansas public institution of higher education is attempting to collect student indebtedness.

TRANSFER OF CHILD SUPPORT ENFORCEMENT UNIT

Act 795, (SB 767), transfers the Child Support Enforcement Unit of the Department of Human Services to the Department of Finance and Administration.

FIRE ANT ADVISORY BOARD

Act 268, (SB 216), creates the Arkansas Fire Ant Advisory Board to receive monies for the purpose of financing new and ongoing fire ant research.

FORESTRY COMMISSION

DESIGNATION OF PEACE OFFICER

Act 521, (HB 1227), authorizes the Arkansas Forestry Commission to designate employees of the Commission who have the powers of peace officers in the enforcement of fire laws. Repeals the requirement that a person desiring to burn certain fields, grasslands, or woodlands report to the Commission the time he intends to burn the lands and the location of the lands.

SURPLUS VEHICLES

Act 1095, (HB 1338), removes the restriction that surplus vehicles and other surplus property must be purchased by the Rural Fire Protection Service of the Arkansas Forestry Commission to be made available to rural fire protection districts.

STATE AGENCIES - FORESTRY COMMISSION (Cont.)

TIMBERLAND TAX

Act 1112, (HB 1812), increases the annual timberland tax from five cents to fifteen cents (15¢) per acre on private timberland in Arkansas as a special revenue for the maintenance, operation, and improvement of the Arkansas Forestry Commission. Also, the Forestry Commission is authorized to charge private landowners a fee not to exceed four dollars (\$4.00) per acre to prepare timber management plans.

TIMBERLAND TAX

Act 865, (SB 548), provides additional funds for the Arkansas Forestry Commission by increasing the annual tax levied on all timberlands from \$.05 to \$.15 per acre and authorizing the commission to charge private landowners a maximum of \$4 per acre for the preparation of timber management plans.

FORESTRY MUSEUM STUDY

Act 689, (HB 1340), authorizes a study of the feasibility of establishing a State Historical Museum to be known and operated as the "Arkansas Forestry Museum". The study is to be undertaken by the Arkansas Forestry Commission and the Arkansas Department of Parks and Tourism and two members of the General Assembly.

GAME AND FISH COMMISSION FUNDING STUDY SUBCOMMITTEE

Act 1282, (HB 2001), extends the functions and duties of the Arkansas Game and Fish Commission Funding Study Subcommittee until the 80th General Assembly.

GAME AND FISH COMMISSION

WILDLIFE OFFICERS

Act 362, (SB 230), designates wildlife officers of the Arkansas Game and Fish Commission as certified law enforcement officers.

WILDLIFE OFFICERS

Act 436, (HB 1290), designates full-time wildlife officers of the Arkansas Game and Fish Commission as certified law enforcement officers, so long as they don't exercise their authority to the extent that any federal funds would be jeopardized.

HEALING ARTS BOARDS

INVESTIGATORS OF ALLEGED WRONGDOING

Act 1146, (SB 317), directs the Department of Health to provide inspectors from the Division of Pharmacy Services and Drug Control to the various boards of the healing arts professions to conduct investigations of alleged wrongdoing of individuals licensed by the various boards.

SUBPOENAS

Act 392, (SB 275), authorizes investigative officers of healing arts boards to issue subpoenas. The act also makes changes concerning the chiropractic profession including: establishing the Chiropractic Extern Program; revising provisions concerning continuing education for chiropractors; and increasing the civil penalty the board may levy against licensed chiropractors.

HEALTH CARE ACCESS COUNCIL ABOLISHED

Act 591, (SB 502), abolishes the Arkansas Health Care Access Council and creates the Arkansas Health Resources Commission. Act 591 authorizes the commission to study problems and issues relates to health resources in Arkansas and to propose measures to improve the health care delivery system. The commission is required to prepare a catalogue of public and private agencies and associations comprising the Arkansas health care system.

HEALTH RESOURCES COMMISSION

Act 591, (SB 502), creates the Arkansas Health Resources Commission and authorizes the commission to study problems and issues related to health resources in Arkansas and to propose measures to improve the health care delivery system. The commission is required to prepare a catalogue of public and private agencies and associations comprising the Arkansas health care system. Act 591 also abolishes the Arkansas Health Care Access Council.

HEATING, VENTILATION, AIR CONDITIONING, & REFRIGERATION

Act 112, (HB 1076), exempts from licensing by the Heating, Ventilation, Air Conditioning, and Refrigeration Board certain persons licensed by the Liquefied Petroleum Board.

HERITAGE DEPARTMENT

HISTORIC PRESERVATION LOAN ACT

Act 156, (HB 1172), establishes the Arkansas Historic Preservation Loan Program that provides owners of cultural and historic properties in Arkansas with a mechanism for obtaining financial assistance in the restoration, rehabilitation and repair of cultural and historic properties.

HIGHWAY DEPARTMENT

DEPENDENT SCHOLARSHIPS FOR EMPLOYEES KILLED OR DISABLED

Act 153, (HB 1101), entitles the children or the spouse of a state highway employee who suffers fatal injuries or wounds or who becomes permanently and totally disabled as a result of injuries or wounds in the line of duty to an eight-semester scholarship at any state-supported college or university within this state. Claims for permanent and total disability shall be qualified or disqualified by the Arkansas State Claims Commission.

SPECIAL EXPENSE ALLOWANCES

Act 160, (HB 1322), amends the current law on special expense allowances for various Highway Department personnel to add an expense allowance of up to two thousand dollars (\$2,000) per annum for each motor carrier safety inspector of the Arkansas Highway Police.

HISTORIC PRESERVATION REVIEW COMMITTEE

Act 155, (HB 1171), creates a State Register of Historic Places to be established and administered by the State Historic Preservation Officer, in cooperation with the State Review Committee for Historic Preservation.

INDUSTRIAL DEVELOPMENT COMMISSION

ENTERPRISE ZONE BENEFITS

Act 1142, (HB 1929), authorizes businesses that were certified by the Arkansas Industrial Development Commission (AIDC) as qualifying for enterprise zone benefits but which did not complete construction of facilities before July 1, 1992, to be entitled to benefits prescribed by Ark. Code 15-4-801 et seq. if certain conditions are met.

STATE AGENCIES - INDUSTRIAL DEVELOPMENT COMMISSION (Cont.)

UNDERDEVELOPED AREAS

Act 1172, (HB 1482), authorizes the Arkansas Industrial Development Commission to enter into interagency contracts in order to promote underdeveloped areas of Arkansas with high unemployment.

INTERAGENCY COORDINATION COUNCIL

MEMBERSHIP

Act 937, (HB 1442), changes the composition of the State Interagency Coordination Council and amends certain definitions to comply with federal law.

INTERIOR DESIGNERS

INTERIOR DESIGNERS BOARD

Act 847, (HB 1497), regulates interior designers and creates the Board of Registered Interior Designers.

RESIDENTIAL INTERIOR DESIGNERS BOARD

Act 959, (HB 1982), creates the Board of Registered Residential Interior Designers and provides for the registration of residential interior designers who fulfill certain requirements.

JUDICIAL DISCIPLINE AND DISABILITY COMMISSION

DIRECTOR

Act 505, (SB 264), provides that effective July 1, 1994, the Director of the Judicial Discipline and Disability Commission shall be an attorney licensed to practice in the State of Arkansas.

VARIOUS REVISIONS

Act 1078, (SB 781), conforms provisions of the Arkansas Code with the procedural rules of the Arkansas Judicial Discipline and Disability Commission and further allows the Commission to release information to the appropriate agency or prosecuting attorney if the Commission believes that the Rules of Professional Conduct or the criminal code has been violated.

JUSTICE BUILDING COMMISSION ABOLISHED

Act 235, (HB 1375), abolishes the Justice Building Commission and transfers its powers, duties, personnel, property and funds to the Arkansas State Building Services.

LABOR DEPARTMENT

ARKANSAS CONSERVATION CORPS

Act 1232, (SB 649) creates the Arkansas Conservation Corps within the Arkansas Department of Labor.

BLASTERS FEE

Act 324, (SB 410) allows the Director of the Department of Labor to charge a fee of not more than thirty dollars (\$30.00) for certifying blasters. The fees are to be special revenues for the Department of Labor Fund Account.

PRESSURE PIPING

Act 477, (SB 403), establishes licensing and permitting requirements for persons or entities installing pressure piping and authorizes the Department of Labor to promulgate standards to govern period inspections of pressure piping installations.

LIQUEFIED PETROLEUM GAS BOARD

LICENSING EXEMPTION

Act 112, (HB 1076), exempts certain persons licensed by the Liquefied Petroleum Board from licensing by the Heating, Ventilation, Air Conditioning, and Refrigeration Board.

MANUFACTURED HOME COMMISSION

Act 917, (SB 640), clarifies the appointment procedure for members of the Manufactured Home Commission representing the manufactured home industry.

MAPPING AND LAND RECORDS MODERNIZATION ADVISORY BOARD

Act 150, (HB 1011), creates the State Mapping and Land Records Modernization Advisory Board to study land information needs and make recommendations regarding a modernized land information management system to manage the collection and distribution of land information. The board dissolves ninety (90) days after submission of a study report to the Governor, which must be completed no later than September 30, 1994.

MARTIN LUTHER KING, JR. COMMISSION

Act 1216, (HB 1919), creates the Martin Luther King, Jr. Commission for the purpose of promoting racial harmony and understanding, nonviolence, awareness and appreciation of the civil rights movement and other similar objectives.

MASSAGE THERAPY

Act 714, (HB 1044), revises the massage therapy law.

MEDICAL BOARD

PHYSICIANS AND SURGEONS

Act 276, (SB 315), establishes licensure by credentials in lieu of reciprocity for physicians and surgeons licensed by the State Medical Board.

PHYSICIAN'S TRAINED ASSISTANTS

Act 277, (SB 319), increases registration fees and delinquent registration fees for physician's trained assistants licensed by the State Medical Board.

REGISTRATION PENALTY

Act 275, (SB 314), increases the delinquent penalty for annual registration for a license from the State Medical Board to practice medicine.

VIOLATION OF MEDICAL PRACTICES ACT

Act 290, (SB 316), authorizes the State Medical Board to collect fines and out-of-pocket costs from any physician or surgeon licensed by the State Medical Board who has been found in violation of the Medical Practices Act.

MEDICAL EXAMINER

AUTOPSY REPORTS

Act 1304, (HB 2087), requires the State Medical Examiner to provide copies of autopsy reports to law enforcement agencies and coroners of the jurisdiction in which the death occurred.

STATE AGENCIES (Cont.)

MOTOR VEHICLE COMMISSION

PROCEDURES ALTERED

Act 383, (HB 1344), amends the Arkansas Motor Vehicle Commission law to alter the procedures used by the Commission. It adds grounds to deny or revoke the dealers' licenses for a person engaged in the motor vehicle business for failing to comply with warranty requirements of the manufacturer. It revises the definition of a "broker".

OIL AND GAS COMMISSION

SEISMIC TESTING

Act 342, (HB 1234), requires a surface owner to file a written notice of claim for damages caused by the performance of field seismic operations within one year of the date of expiration of the permit for conducting such operations. The act further provides that such a claim shall be subordinate to the rights of the Arkansas Oil and Gas Commission.

OPINIONS AND ORDERS

Act 563, (HB 1605), requires quasi-judicial boards, commissions and agencies to provide copies of opinions and orders upon request.

OPTOMETRIC BOARD

OPTOMETRIC THERAPEUTIC COMMITTEE ABOLISHED

Act 211, (HB 1460), abolishes the Optometric Therapeutic Committee and delegates its responsibilities to the Arkansas State Board of Optometry.

OPTOMETRIC THERAPEUTIC COMMITTEE ABOLISHED

Act 323, (SB 366), abolishes the Optometric Therapeutic Committee and gives the committee's authority to the Arkansas State Board of Optometry.

PENALTIES

Act 474, (SB 251), authorizes the State Board of Optometrists to levy civil penalties against persons or entities found in violation of laws and regulations relating to optometry.

PARKS AND TOURISM

DIAMOND MINING

Act 1156, (SB 672), creates the Crater of Diamonds State Park Improvement Fund and the Arkansas State Parks Trust Fund, to consist of revenues raised from the mining of diamonds on state property.

STATE PARKS FEES

Act 278, (SB 343), repeals Arkansas Code §§ 22-4-131 and 22-4-314 that provide fee reductions for the use of state parks facilities by "Golden Age Passport" holders, elderly persons and totally disabled veterans.

WATERCRAFT LAWS

Act 458, (SB 464), authorizes certified law enforcement officers of the Department of Parks and Tourism to enforce watercraft laws.

STATE AGENCIES (Cont.)

PHARMACY BOARD

CERTIFICATION OF PHARMACIST ASSISTANTS

Act 922, (SB 783), allows the State Board of Pharmacy to establish reasonable qualifications and fee requirements to certify and/or register pharmacist assistants.

PLANT BOARD

ADDITIONAL POWERS AND DUTIES

Act 610, (SB 539), and Act 624, (HB 1683), transfer all duties, powers, functions, assets, properties, and appropriations of the Arkansas Bureau of Standards to the State Plant Board.

FEE INCREASES

Act 783, (HB 1815), authorizes a general increase in fees assessed by the State Plant Board.

FIRE ANT CONTROL

Act 1262, (HB 1942), creates the Fire Ant Poison Cost Sharing Program under the administration of the State Plant Board and appropriates operating expenses for the program.

PEST CONTROL LICENSING

Act 1116, (HB 1834), increases the surety bond requirement for pest control licenses from \$1,500.00 to \$5,000. It also added the license classification of general fumigation to the insurance requirements in addition to the surety bond requirements for licensing.

POLLUTION CONTROL AND ECOLOGY COMMISSION

POWERS AND DUTIES

Act 163, (HB 1062), amends various laws relating to the authority and responsibility of the Pollution Control and Ecology Commission in regard to water and air pollution.

PRIVATE INVESTIGATORS AND PRIVATE SECURITY SERVICES BOARD

RECIPROCITY

Act 940, (HB 1597), provides reciprocity for any person licensed under the laws of another state as a security services contractor, private investigator or alarm systems company.

PUBLIC SERVICE COMMISSION

POWERS AND DUTIES

Act 238, (SB 417), allows the public service commission to deviate from the rate/base rate of return method of regulation in establishing rates and charges for services provided by the telephone public utility if such deviation is found to be in the public interest.

PUBLIC TRANSPORTATION COORDINATING COUNCIL

Act 353, (HB 1493), creates the Arkansas Public Transportation Coordinating Council. The Council will consist of eleven (11) members, three (3) members appointed by the Governor representing transit operators and consumers, two (2) legislative members, and six (6) other members shall be directors of various state agencies. The Council, through the State Highway Department, is to accomplish the coordination of transportation services provided to the general public with the goal to assure the cost-effective provision of public transportation by qualified transportation operators.

PUBLIC WORKS

SUPERVISION BY ENGINEERS OR ARCHITECTS

Act 284, (SB 93), requires the construction of certain public works to be under the observation of an engineer or architect. The act removes the penalty for failure to comply with the law.

PURCHASING LAW

COMMODITIES

Act 263, (SB 50), narrows the definition of "commodities" used in the bidder preference law to include only materials and equipment used in the construction of public works projects.

PYGMALION COMMISSION

Act 1288, (HB 2121), creates the Arkansas Pygmalion Commission on Nontraditional Education. The commission will act to focus public attention, as a clearinghouse for information regarding alternative learning environments, and to ensure that needed changes are made in curriculum, instructional approaches, school climate, and organization to improve educational outcomes for at-risk students. The Commission shall be composed of 16 members to be appointed to represent various educational interests and groups in contact with children. The Commission will expire on June 30, 1997 and its final report is due in November 1997.

QUALITY MANAGEMENT BOARD

Act 1038, (HB 1935), establishes membership in the Quality Management Board.

RAILS TO TRAILS CONSERVANCY TASK FORCE

Act 682, (SB 667), and Act 1213, (HB 1884) create the Task Force on Rails to Trails Conservancy to investigate the possibility of establishing a Rails to Trails Conservancy in Arkansas.

REAL ESTATE COMMISSION

Act 690, (HB 1425), establishes a new Arkansas Real Estate License Law.

REHABILITATION SERVICES

ADAPTIVE EQUIPMENT LOANS

Act 384, (HB 1520), creates a fund to provide loans to individuals with disabilities for the purpose of purchasing essential assistive technology/adaptive equipment and related services. The fund is to be administered by the Division of Rehabilitative Services. The Act creates the Technology Equipment Revolving Loan Fund Committee.

TRANSFERRED

Act 574, (SB 16) transfers the Division of Rehabilitation Services of the Department of Human Services to the Division of Vocational and Technical Education of the Department of Education where it will be under the authority of the State Board of Vocational Education and will be known as the Arkansas Rehabilitation Services. The transfer is effective July 1, 1993.

STATE AGENCIES (Cont.)

RURAL DEVELOPMENT COMMISSION

ADVISORY INPUT-RURAL COMMUNITY PROJECT GRANTS

Act 946, (HB 1716), amends the law providing grants for rural community projects to provide the Arkansas Rural Development Commission with advisory input into the distribution and awarding of the rural community project grants.

RURAL ADVOCACY

Act 448, (HB 1606), provides that the Arkansas Rural Development Commission shall select one of its members to serve as vice-chairman of the commission and directs the commission to promote and encourage the establishment of a non-profit foundation to aid in rural development and revitalization and to assist the foundation in accessing grant funds to aid in rural development and revitalization.

RURAL FIRE DEPARTMENT STUDY COMMISSION

BIENNIAL REPORT

Act 231, (HB 1197), amends the law which established the Rural Fire Departments Study Commission to continue the study commission in existence and to prescribe its membership as the same members. It adds a requirement for the commission to submit a biennial report and any proposed legislation to the Arkansas General Assembly on or before September 1 of each even numbered year.

SOIL AND WATER CONSERVATION COMMISSION

CONSERVATION DISTRICT DIRECTORS

Act 1005, (HB 1459), provides that absences from scheduled conservation district board meetings and state or area meetings that are excused by the Soil and Water Conservation Commission will not disqualify a director from reappointment or reelection.

IMPROVEMENT DISTRICT REPORTING REQUIREMENTS

Act 1175, (SB 242), establishes financial reporting requirements for all levee, drainage, irrigation, watershed, and river impoundment districts.

SPINAL CORD COMMISSION

Act 1154, (SB 639), changes the name of the State Spinal Cord Commission to the Arkansas Spinal Cord Commission.

STATE BUILDING SERVICES

ANCILLARY FACILITIES

Act 829, (SB 748), authorizes the State Building Services to construct new storage facilities, warehouses, garages, parking facilities, and other ancillary and related facilities in proximity to existing facilities housing state agencies. The Act authorizes the Arkansas Development Finance Authority in cooperation with State Building Services to issue revenues bonds for such projects.

CAPITOL ZONING COMMISSION DIRECTOR

Act 1223, (SB 259), provides that the Director of State Building Services shall have the authority to hire the director and professional staff of the Capitol Zoning Commission.

STATE AGENCIES (Cont.)

STATE POLICE

ACCIDENT REPORT FEES

Act 606, (SB 205), authorizes an increase in the fee charged by the State Police for copies of accident reports, from a flat \$2 per copy to \$10 for a copy of a basic accident report and \$1.50 per page for copies of supplemental reports.

BACKGROUND INVESTIGATIONS

Act 508, (SB 328), authorizes the Arkansas State Police Commission to establish and charge a fee not to exceed twenty dollars (\$20.00), for each background investigation requested of and conducted by the Department of Arkansas State Police. The Background Investigation Fee shall be collected by the Department of Arkansas State Police and deposited into the State Treasury as special revenue. The Director of the State Police is also authorized to make additional salary payments to State Troopers who receive law enforcement officer certifications above the basic level by the Arkansas Commission on Law Enforcement Standards.

COMMERCIAL MEDICAL WASTE VEHICLE INSPECTIONS

Act 412, (SB 292), amends the law allowing state law enforcement agencies to stop haulers of commercial medical wastes to add authorization for the Arkansas State Police to administer and supervise a program of inspection for the vehicles carrying commercial medical wastes with weight ratings of less than 10,000 lbs. It allows the State Police to collect a fee of fifty dollars (\$50.00) for each inspection. It authorizes state law enforcement agencies to conduct vehicle safety inspections of those vehicles transporting commercial medical wastes and to advise the Department of Health of the results.

POLICE VEHICLE RENOVATION

Act 108, (SB 97), authorizes the State Police to use monies in the Motor Vehicle Acquisition Revolving Fund for renovating motor vehicles.

USED CAR DEALERS LICENSING REQUIRED

Act 490, (HB 1331), enacts the Used Motor Vehicle Buyers Protection Act to require used car dealers to be licensed by the Arkansas State Police. (Currently, they are licensed by the Department of Finance and Administration.) It specifies the grounds for licensing and the licensing fees to be paid by the applicant. It requires the licensed used motor vehicle dealers to have a corporate surety bond in effect for the consumers.

STUDENT LOAN AUTHORITY

Act 1284, (HB 2059), clarifies the powers and duties of the Arkansas Student Loan Authority to allow its participation in loan programs supplemental to those programs authorized by the federal Higher Education Act of 1965.

TIMBER LAND ASSESSMENT TASK FORCE

Act 1176, (SB 250), creates the Arkansas Task Force on Timber Land Assessment to examine the use valuation, for tax purposes, of timber land that has additional uses and report its findings and recommendations to the Governor and the Arkansas General Assembly.

STATE AGENCIES (Cont.)

TRAUMA ADVISORY COUNCIL

Act 559, (SB 576), creates the Trauma Advisory Council to advise the Division of Emergency Medical Services of the Department of Health in developing and implementing a comprehensive trauma care system.

UAMS

CHILD ABUSE/RAPE/DOMESTIC VIOLENCE SECTION

Act 887, (HB 1953), creates a Child Abuse/Rape/Domestic Violence Section within the Office of the Chancellor of the University of Arkansas for Medical Sciences and provides that the Arkansas Child Abuse/Rape/Domestic Violence Commission shall act in an advisory capacity to the newly created section.

UAMS-AREA HEALTH EDUCATION CENTER (AHEC)

REPAYMENT OF STUDENT'S LOANS

Act 1107, (HB 1776), establishes a program of financial assistance to encourage primary care physicians to accept full-time faculty positions in a UAMS Area Health Education Center community and the Department of Family and Community Medicine. Board certified family physicians and general pediatricians shall be eligible for financial assistance and UAMS may provide financial assistance to eligible individuals for the repayment of medical student loans or personal loans. The financial assistance shall not exceed \$12,000 per year for up to 4 years.

VETERANS' AFFAIRS

Act 136, (HB 1250), changes the name of the Governor's Task Force on Veterans' Affairs to the Governor's Commission on Veterans' Affairs.

STATE EMPLOYEES

CLASSIFICATION AND COMPENSATION

Act 770, (SB 266), amends the Uniform Classification and Compensation Act to revise maximum annual salaries for state employees.

EMPLOYEE CLASSIFICATIONS AND TITLES

Act 708, (HB 2015), establishes classification titles and grades for state agencies and institutions of higher education.

EMPLOYEE LEASING ACT

Act 410, (SB 228), provides that the state of Arkansas and its agencies and departments are exempt from the Arkansas Employee Leasing Act. The act also authorizes the DHS-Division of Mental Health to lease property and equipment and lease employees to community mental health centers. It authorizes the State Hospital Board to lease facilities to community mental health centers. It deletes the Greater Little Rock Community Mental Health Center from "state mental health system. The act removes the In-Patient Unit of the George W. Jackson Mental Health Center at Jonesboro from the list of institutions to be operated under the control of the State Hospital Board.

STATE EMPLOYEES (Cont.)

HIGHER EDUCATION

CATASTROPHIC LEAVE BANK

Act 441, (HB 1454), authorizes the Department of Finance and Administration and institutions of higher education to establish catastrophic leave banks for non-faculty, non-classified employees.

GROUP HEALTH INSURANCE

Act 1017, (HB 1805), provides that state supported institutions of higher education shall spend no more for group health insurance for an employee than the amount of the state's contribution authorized by law for an employee participating in the State Employee's Insurance Plan.

INSURANCE

STATE CONTRIBUTION

Act 904, (SB 281), authorizes contributions by the state to partially defray the cost of life and health insurance for each employee of the state participating in the plan adopted by the State Employees Insurance Advisory Committee and allows the Governor to consolidate all health insurance plans affecting state employees, with some exceptions.

UNIFIED HEALTH INSURANCE PROGRAM

Act 1051, (HB 2013), creates the State Employee-Public School Personnel Health Insurance Study Committee to conduct a study to determine the feasibility of establishing a unified health insurance program for state employees and public school personnel.

STATE SYMBOLS

WHITE TAIL DEER AS OFFICIAL MAMMAL

Act 892, (HB 2110), designates the white tail deer as the official mammal of the state.

TAXES

AVIATION FUEL SALES RECORDS

Act 1159, (SB 708), provides that the law prohibiting disclosure of tax records does not apply to tax records relating to sales of aviation fuel.

CIGARETTE TAX RATE IN BORDER CITY

Act 1177, (SB 326), reduces the tax on cigarettes sold in Arkansas within three hundred feet of a state line or in any Arkansas city which adjoins a state line or in any city which is separated by a navigable river to a city which adjoins a state line to the tax rate in the adjoining city plus twenty-five cents per one thousand cigarettes.

DELINQUENT TAXES

INSTALLMENT PAYMENTS

Act 1236, (SB 705), allows the Director of the Department of Finance and Administration to enter into installment payment agreements with delinquent taxpayers who owe less than \$1000 rather than issue a certificate of indebtedness.

TAXES (Cont.)

ELECTRONIC FUNDS TRANSFER

Act 848, (HB 1608), authorizes the electronic transfer of funds for the payment of certain taxes.

ESTATE TAX

Act 590, (SB 454), provides that estate taxes collected in a calendar year exceeding 10% of the average annual estate taxes collected for a five year period or \$15,000,000, whichever is greater, shall be credited to the Economic Development of Arkansas Fund to be managed and distributed by the Economic Development of Arkansas Commission.

FOREST FIRE PROTECTION TAX

Act 1039, (HB 1936), amends various sections of the Forest Fire Protection Tax Act regarding payment of the tax.

FRANCHISE TAX

ABATEMENT

Act 1178, (SB 430), repeals Ark. Code Ann. §26-54-196(c) requiring the Secretary of State to abate taxes assessed against a corporation for failure to file a franchise tax report.

SIGNATURE IMAGING SYSTEM

Act 1285, (HB 2073), establishes a signature imaging system in the Secretary of State's office and levies an additional franchise tax of \$3.00 on each corporation to fund the system.

HIGHWAY TAXES

ALTERNATIVE FUELS TAX

Act 1119, (HB 1869), levies an alternative fuels tax on each type of alternative fuels sold, or used in Arkansas for the purpose of propelling a motor vehicle or motor vehicles. The tax is to be levied by the Department of Finance and Administration at 5 cents "per gallon equivalent" for the first one thousand vehicles and up on the various types of alternative fuels being utilized in this state. It sets up the structure for the levying and collecting the tax by the Department of Finance and Administration with the consultation of the Highway Department. Funds are to be divided: 15% to cities, 15% to counties, and 70% to the Highway Department.

ILLEGAL EXACTIONS

Act 279, (SB 419), provides that residual funds from illegal exaction suits unclaimed within a reasonable time shall be deemed abandoned and escheat to the county, city or town which exacted same.

IMPROVEMENT DISTRICTS

MOBILE HOME ASSESSMENTS

Act 915, (SB 535), declares a mobile or manufactured home permanently affixed to a foundation on property owned by the owner of the mobile or manufactured home as "real property" for the purposes of the creation of improvement districts and collection of assessments of the district. Mobile and manufactured homes located on leased property where the mobile or manufactured home owner does not own any interest in the leased property is declared to be "personal property" and shall not be considered real property when creating improvement districts or collecting assessments for the districts.

TAXES (Cont.)

INCOME TAX

CHECK-OFF PROGRAM

Act 471, (SB 149), establishes a United States Olympic Committee income tax check-off program.

CHECK-OFF PROGRAMS

Act 943, (HB 1655), deletes all current income tax check-off programs.

CHILD CARE EXPENSES CREDIT

Act 1268, (HB 2061), requires certification of approved child care facilities by the Department of Education and authorizes income tax credits to qualified taxpayers for child care expenses incurred at certified child care facilities.

CLAIMANT AGENCY

Act 345, (HB 1276), includes the Department of Higher Education as a claimant agency for the setoff of debts against state income tax refunds.

CORPORATE PENALTIES

Act 621, (HB 1625), provides a \$50 penalty for failure to file a corporate income tax return.

DEDUCTIONS FOR DONATIONS

Act 453, (SB 56), provides that education service cooperatives are instrumentalities and political subdivisions of the State of Arkansas and that contributions or donations to the cooperatives are deductible for state income tax purposes.

LIMITED LIABILITY COMPANIES

Act 1003, (HB 1419), authorizes a new form of business entity, the limited liability company, which is an unincorporated association affording its members partnership tax status and the limited liability identified with corporation.

RECYCLING EQUIPMENT CREDIT

Act 654, (SB 449), clarifies the existing provisions allowing income tax credits for certain recycling equipment.

S CORPORATIONS

Act 721, (SB 646), allows a tax credit for a resident shareholder's pro rata share of any net income tax paid by an S corporation to a state that does not recognize S corporation status. The act is effective for taxable years beginning on or after January 1, 1993.

VARIOUS REVISIONS

Act 785, (HB 1578), amends various sections of the Arkansas income tax laws.

WITHHOLDING TAX FOR AGRICULTURAL LABOR

Act 1205, (HB 1579), requires agricultural employers, who have more than four (4) employees in a reporting period and who are required to withhold for federal purposes, to collect, account for and pay over Arkansas income taxes for that reporting period. Employers, who employee three (3) or fewer employees, may collect, account for and pay over Arkansas income taxes for that reporting period if they so choose.

TAXES (Cont.)

LOCAL TAXES

ECONOMIC DEVELOPMENT AND PUBLIC FACILITIES

Act 1012, (HB 1749), authorizes cities and counties to levy any taxes not currently otherwise provided for by law, subject to voter approval, to raise revenue for funding economic development projects or for creation, expansion, and rehabilitation of vital public facilities.

MOTOR FUELS

ALTERNATIVE FUELS TAX

Act 1119, (HB 1869), levies an alternative fuels tax on each type of alternative fuels sold, or used in Arkansas for the purpose of propelling a motor vehicle or motor vehicles. The tax is to be levied by the Department of Finance and Administration at 5 cents "per gallon equivalent" for the first one thousand vehicles and up on the various types of alternative fuels being utilized in this state. It sets up the structure for levying and collecting the tax by the Department of Finance and Administration with the consultation of the Highway Department. Funds are to be divided: 15% to cities, 15% to counties, and 70% to the Highway Department.

REPORTING REQUIREMENTS

Act 1029, (HB 1879), amends existing motor fuel tax laws to require that pipeline terminals provide the Department of Finance with detailed information concerning withdrawals from the pipeline. It also requires the Director of the Department of Finance and Administration to promulgate regulations with the advice of the Director of the Highway Department by July 1, 1993.

SPECIAL MOTOR FUEL TAX

Act 1026, (HB 1859), amends various sections of Title 26, Chapter 56, Section 2 of Ark. Code Ann. regarding special motor fuels storage facilities and reporting of diesel fuel inventories for taxation purposes.

TECHNICAL AMENDMENTS

Act 618, (HB 1577), adopts technical amendments to the motor fuel tax laws.

PERSONAL CARE SERVICES TAX

Act 794, (SB 680), amends various sections of Act 4 of the Second Extraordinary Session of 1992 relating to the personal care services tax. It also repeals Ark. Code Ann. §§26-52-12 and 26-52-13 which levy excise taxes on personal care service providers effective March 31, 1993.

PRIVILEGE TAX

SIMULCAST DOG RACES

Act 1163, (SB 785), establishes privilege tax rates for simulcast dog races.

STORAGE OF PERSONAL PROPERTY

Act 1237, (SB 768), exempts certain property (aircraft, aircraft equipment; railroad parts, cars, and equipment etc.) from the privilege tax on the storage, use, distribution, or consumption of tangible personal property within this state.

PROPERTY TAX

ASSESSED VALUE OF CAR DEALER INVENTORIES

Act 1124, (HB 1979), prescribes the method of determining the average value of inventory of motor vehicle dealers and motor vehicle rental businesses for the purpose of assessing their value for personal property taxes.

TAXES - PROPERTY TAX (Cont.)

ASSESSMENT

Act 1261, (HB 1927), requires assessors to permit telephone assessment of real and personal property by individual taxpayers and to mail, within 5 working days, an assessment containing a certification indicating whether required personal property taxes have been paid, to include, if requested, proof of assessment and payment information appropriate for motor vehicle registration. It also provides a financial incentive for renewing passenger car and pick-up truck registration by mail and requires notification to owners 60 days before registration and license expire.

ASSESSMENT

Act 859, (SB 235), requires the allocation of the assessment of real property subject to ad valorem taxes within thirty days after a request by the buyer of a portion of the property.

DUE DATE ESTABLISHED

Act 984, (HB 1738), amends the law prescribing the due dates for property taxes in Arkansas to establish the date in case the due date falls on a Saturday, Sunday, or a holiday observed by the United States Postal Service. In that event, the taxes will be due the next business day that is not a holiday observed by the United States Postal Service.

PUBLICATION OF THE LIST OF DELINQUENT PERSONAL PROPERTY

Act 986, (HB 1740), amends the law relating to the publication of notices for delinquent personal property taxes to prescribe the size of the type print in the newspaper notice and to require the name of the taxpayer, his school district, and the amount of tax owed to be printed. It also increases the fee for printing of the delinquent list from 40¢ to 75¢ per name per insertion.

PUBLICATION OF THE LIST OF DELINQUENT REAL PROPERTY

Act 985, (HB 1739), amends the law relating to the publication of notices for delinquent real property taxes to prescribe the size of the type print in the newspaper notice and to require the name of the real property owner and a description of the property be printed. It also increases the fee for printing of the delinquent list from 75¢ to \$1.00 per tract per insertion.

TECHNICAL COLLEGE DISTRICTS

Act 423, (SB 288), and Act 945, (HB 1703), authorize the formation of technical college districts and the levy of property taxes to support the districts.

UNIT TAX LEDGER SYSTEM

Act 849, (HB 1681), provides an alternative method of assessment and collection of taxes in counties utilizing the unit tax ledger system.

REAL PROPERTY TRANSFER TAX

EXEMPTION

Act 1046, (HB 1984), exempts from the real property transfer tax conveyances of land between corporations or between a corporation and its shareholders incident to the organization, reorganization, merger, consolidation or liquidation of a corporation.

REVENUES

Act 1054, (HB 2062), provides that the first forty thousand dollars of real property transfer taxes collected each fiscal year shall be credited to the County and Circuit Clerk's Continuing Education Fund.

TAXES - REAL PROPERTY TRANSFER TAX (Cont.)

TAX INCREASE

Act 1181, (SB 757), increases the tax on transfer instruments by one dollar and ten cents (\$1.10).

RENTAL TRUCK TAX

Act 1162, (SB 732), exempts from the Rental Vehicle Tax levied under 26-52-311 gasoline or diesel powered trucks rented or leased for residential moving or shipping and imposes a new tax of 4-1/2% for short term rental of gasoline or diesel powered trucks rented or leased for residential moving or shipping. The new tax is also applicable to the sale of tangible personal property sold in conjunction with the rental or lease.

RENTAL VEHICLE TAX

Act 1059, (HB 2117), provides that the rental vehicle tax shall be collected in lieu of certain gross receipts taxes and eliminates provisions that provided a gross receipts tax credit for a certain portion of the rental vehicle tax collected.

SALES TAX OR USE TAX

BINGO OPERATION

Act 939, (HB 1580), levies a twenty percent sales tax on bingo operations and requires the annual registration of all facilities where bingo is played.

DEBT COLLECTION

Act 282, (HB 1575), clarifies the gross receipts tax applicable to debt collection services by exempting persons collecting a debt or account receivable from the tax if neither the debtor or creditor had an address or place of business within this state at the time the debt was created or referred for collection. The act also requires the tax to be levied only on amounts received as payment for collection services. The act further provides that the person collecting the debt may pass the tax on to the debtor. The act excludes the collection of a debt by an attorney and the collection of accounts which are serviced by a billing service from the tax.

ELECTION CHALLENGE

Act 266, (SB 164), allows the collection of local sales taxes in the event of an election challenge unless enjoined by court order.

EXEMPTION - CERTAIN FILL MATERIALS

Act 1183, (SB 722), exempts the transfer of certain fill materials from sales tax.

EXEMPTION - CHILD CARE FACILITY CONSTRUCTION

Act 987, (HB 1811), enacts an exemption from the Arkansas sales and use taxes for construction materials and furnishings used in the initial construction and equipping of a child care facility operated by a business for the exclusive use of their employees.

EXEMPTION - CHILD SUPPORT COLLECTION AGENCIES

Act 1245, (HB 1381), requires state licensure of child support collection agencies and exempts collection services for delinquent child support from the Gross Receipts Tax.

TAXES - SALES TAX OR USE TAX (Cont.)

EXEMPTION - CONSTRUCTION MATERIALS

Act 820, (SB 574), exempts construction materials and furnishings purchased for use in the initial construction and equipping of a child care facility operated by a business to provide child care service to their employees from sales and use tax. It also allows an income tax credit of 3.9% of the annual salaries of employees employed exclusively in providing child care services.

EXEMPTION - DEBT COLLECTION

Act 282, (HB 1575), clarifies the gross receipts tax applicable to debt collection services by exempting persons collecting a debt or account receivable from the tax if neither the debtor or creditor had an address or place of business within this state at the time the debt was created or referred for collection. The act also requires the tax to be levied only on amounts received as payment for collection services. The act further provides that the person collecting the debt may pass the tax on to the debtor. The act excludes the collection of a debt by an attorney and the collection of accounts which are serviced by a billing service from the tax.

EXEMPTION - FORMS USED IN MANUFACTURING

Act 1001, (HB 1341), exempts from the Arkansas Gross Receipts Tax and the Arkansas Compensating Tax those forms that are destroyed or consumed during manufacture of the items for which the form was built.

EXEMPTION - FORT SMITH CLEARINGHOUSE

Act 913, (SB 197), exempts the sales to Fort Smith Clearinghouse from the Arkansas Gross Receipts Tax and Arkansas Compensating Use Tax and all city and county sales and use taxes.

EXEMPTION - MACHINERY FOR REPLACEMENT DIES AND MOLDS

Act 1250, (HB 1610), exempts from the Arkansas sales and uses taxes the machinery and equipment used by a manufacturer to produce or repair replacement dies, molds, repair parts or replacement parts used or consumed in the manufacturer's own manufacturing process.

EXEMPTION - NATURAL GAS FOR GLASS PRODUCTION

Act 1140, (HB 1490), exempts from the Arkansas Sales and Use Taxes and all city and county sales taxes the proceeds from the sale of natural gas used as fuel in the process of manufacturing glass.

EXEMPTION - NONPROFIT AGENCIES

Act 1144, (SB 51), provides an exemption from sales and use taxes for nonprofit agencies that are organized under the Arkansas Nonprofit Corporation Act and distribute foodstuffs to the poor and needy.

EXEMPTION - RENTAL VEHICLE

Act 1059, (HB 2117), provides that the rental vehicle tax shall be collected in lieu of certain gross receipts taxes and eliminates provisions that provided a gross receipts tax credit for a certain portion of the rental vehicle tax collected.

EXEMPTION - SUBSCRIPTION SALES

Act 617, (HB 1576), provides that items exempt from use tax are exempt from sales tax. The act also provides that subscription sales of publications are exempt from sales tax regardless of their content and repeals tax collection requirements of out-of-state mail order catalog vendors.

TAXES - SALES TAX OR USE TAX (Cont.)

EXEMPTION - WASTE FUEL

Act 1024, (HB 1843), exempts the sale of waste fuel for use in manufacturing operations from sales and use tax.

EXEMPTION - YEAST

Act 98, (SB 19), and Act 151, (HB 1049), exempt chemicals, nutrients, and other ingredients used in the commercial production of yeast from the Arkansas sales and use tax.

EXEMPTIONS - WASTE FUEL

Act 1024, (HB 1843), exempts the sale of waste fuel for use in manufacturing operations from sales and use tax.

HOTEL AND RESTAURANT TAX

Act 347, (HB 1312), provides that hotel and restaurant sales taxes which have been pledged for the repayment of bonds are to be deposited in the city's advertising and promotion fund and are to be dispersed by the Advertising and Promotion Commission. The act further provides that money in the city advertising and promotion fund may be used for city parks' operation.

HOTEL AND RESTAURANT TAX

Act 364, (HB 1544), clarifies the method by which a city may levy a hotel and restaurant tax by providing that any first class city may levy up to 3% gross receipts tax on hotel and restaurant sales. The tax is to be collected by the city advertising commission for use in advertising and promoting the city. A city with a large park may also levy a 1% tax for use by the parks and recreation department of the city.

LOCAL ECONOMIC DEVELOPMENT

Act 1069, (SB 592) allows cities and counties, subject to voter approval, to levy any sales or use tax otherwise provided by law to be utilized for the establishment and operation of local economic development programs.

LOCAL TAX DEDICATED TO SCHOOL DISTRICTS

Act 1070, (SB 597) allows cities and counties, when holding an election on the issue of a sales or use tax, to dedicate a portion of the tax to a school district or districts located within their boundaries.

PERMITS

Act 620, (HB 1623), provides for a non-refundable fee of \$50 for a sales tax permit in lieu of the current \$250 deposit credited to the applicant's sales tax liability.

REVENUES USED TO RETIRE REVENUE BONDS

Act 1014, (HB 1788), allows the revenues from the short-term sales and use tax authorized by 14-164-338 to be used to retire existing revenue bonds issued for capital improvements.

SINGLE ITEM TRANSACTIONS

Act 669, (SB 600), limits the local tax to be collected on single transactions to the first \$2,500 of gross receipts.

TAXES - SALES TAX OR USE TAX (Cont.)

TECHNICAL COLLEGES

Act 867, (SB 702), authorizes a quorum court, to designate all or any portion of an undedicated county sales and/or use tax for the support of a technical college. In the alternative, a quorum court can refer the issue to the voters.

SEVERANCE TAX ON LEAD ORE

Act 25, (SB 43), changes the severance tax on lead ore from 15¢ per ton to 15¢ per ton or 10% of market value, whichever is greater.

TAX DELINQUENT PROPERTY

FORFEITURE AND SALE OF TAX DELINQUENT LAND

Act 791, (SB 514), amends various laws pertaining to the forfeiture and sale of tax delinquent land.

MINERAL INTEREST TITLE

Act 864, (SB 510), provides that the State Land Commissioner shall hold tax delinquent severed mineral interests indefinitely for redemption. However, in certain circumstances the tax delinquent mineral interests are to be sold to the surface owner.

TIMBERLAND TAX

TAX INCREASE

Act 1112, (HB 1812), increases the annual timberland tax from \$.05 to \$.15 per acre on private timberland in Arkansas as a special revenue for the maintenance, operation, and improvement of the Arkansas Forestry Commission. Also, the Forestry Commission is authorized to charge private landowners a fee not to exceed four dollars (\$4.00) per acre to prepare timber management plans.

TAX INCREASE

Act 865, (SB 548), provides additional funds for the Arkansas Forestry Commission by increasing the annual tax levied on all timberlands from \$.05 to \$.15 per acre and authorizes the commission to charge private landowners a maximum of \$4 per acre for the preparation of timber management plans.

TOBACCO PRODUCTS TAX ACT

BAD DEBT DEDUCTION

Act 495, (HB 1174), enables wholesalers to deduct the cost of cigarette tax stamps and tobacco taxes lost through bad debts within three years of the date of the sale for which the bad debt was incurred. Bad debts incurred for sales prior to the effective date of the act are not deductible.

VENDING DEVICE DECAL ACT

DECAL FEE IN LIEU OF TAX

Act 1037, (HB 1926), assesses an annual vending device decal fee on certain vending devices in lieu of the state sales and use taxes.

ENFORCEMENT

Act 1233, (SB 662), provides for the seizure, forfeiture, and sale of vending devices which do not display the required vending device decal pursuant to the Vending Device Decal Act of 1993.

TOURISM

MEETING OR ENTERTAINMENT FACILITIES

Act 164, (HB 1418), provides for the continuation of state assistance for expenditures of eligible tourist meeting or entertainment facilities after the bonds issued to finance the facilities are fully retired.

TREASURER OF STATE

TREASURY MANAGEMENT LAW

Act 745, (SB 735), amends various section of the Arkansas Code relating to State Treasury Management Law.

TROUT CAPITOL

Act 740, (SB 699), designates the city of Cotter, Arkansas, (Baxter County) as the "Trout Capitol of the USA".

TRUSTS

COMPENSATION OF TRUSTEE

Act 1025, (HB 1847), provides that trustees may make temporary investments of funds in short-term interest bearing obligations or deposits, or other short term liquid investments and that the trustees are entitled to reasonable compensation for such services.

MEDICAID

Act 1228, (SB 482), prohibits the creation of a trust to suspend, terminate, or divert income or property interests of persons for the purpose of obtaining or qualifying for Medicaid payments. Trusts for this purpose will be void as a violation of public policy. The act creates the Special Needs Trust Fund to provide a method of assisting persons within the state who, as a result of personal injury, disability, or other medical condition, are in need of supplemental benefits to improve or maintain reasonable quality of life standards and to provide benefits to satisfy those special needs.

UTILITIES

CELLULAR TELECOMMUNICATIONS

Act 1006, (HB 1450), creates the criminal offense of intercepting, recording, or possessing a recording of a cellular phone communication unless a person is a party to the communication or one of the parties has given prior consent to the interception and recording. Exemptions are provided for personnel in law enforcement and telephone public utilities who are acting in the normal course of their employment.

UTILITIES (Cont.)

PIPELINES

NATURAL GAS PIPELINE SAFETY ACT

Act 778, (SB 704), defines "natural gas transporter, owner, or operator" and provides for annual assessment fees to be collected by the Arkansas Public Service Commission from natural gas transporters, owners or operators who are subject to the Natural Gas Pipeline Safety Act.

PUBLIC SERVICE COMMISSION

POWERS AND DUTIES

Act 238, (SB 417), allows the Public Service Commission, to deviate from the rate/base rate of return method of regulation in establishing rates and charges for services provided by the telephone public utility if such deviation is found to be in the public interest.

RURAL TELECOMMUNICATIONS COOPERATIVE

ELECTION OF OFFICERS

Act 327, (SB 283), allows the board of directors of a rural telecommunications cooperative to elect certain officers of the cooperative.

VENDING DEVICE DECAL ACT

DECAL FEES

Act 1037, (HB 1926), assesses an annual vending device decal fee on certain vending devices in lieu of the state sales and use taxes.

ENFORCEMENT

Act 1233, (SB 662), provides for the seizure, forfeiture, and sale of vending devices which do not display the required vending device decal pursuant to the Vending Device Decal Act of 1993.

VETERINARIANS

Act 1198, (HB 1251), amends various provisions of the Arkansas Veterinary Medical Practice Act.

WATER CROSSINGS

Act 344, (HB 1249), repeals the registration fee on beauty pageant operators and the fees and registration requirements on diesel fuel dealers, water crossing permits, slot machine license, inedible fats and oils, salt water disposal and fortune telling.

WATER RESOURCES

DAM PERMIT APPLICATION FEES

Act 657, (SB 501), and Act 942, (HB 1654), increase the ceiling on the dam permit application review fee to \$1,000. The act also increases the fee upon obtaining a dam permit to 12¢ per acre of water with a \$10,000 ceiling and assesses a fee on reservoir tax credit applications.

IMPROVEMENT DISTRICT REPORTING REQUIREMENTS

Act 1175, (SB 242), establishes financial reporting requirements for all levee, drainage, irrigation, watershed, and river impoundment districts.

WATER SYSTEMS

PUMP INSTALLERS

Act 328, (SB 299), and Act 348, (HB 1379), provide for the registration of pump installers upon passing an examination and completing certain experience qualifications. A land owner installing pumping equipment in a water well owned by him for his own use is exempt from the licensing requirements.

WORKERS' COMPENSATION

CHILD SUPPORT OBLIGATIONS

Act 1185, (HB 1032), requires an applicant for workers' compensation benefits to divulge certain information regarding the status of the applicant's child support obligations. It also requires the employer to forward a copy of the application to the Arkansas Child Enforcement Unit.

INMATE BENEFITS

Act 372, (SB 325), authorizes the spouse or minor child of an inmate of the Department of Correction to petition the Workers' Compensation Commission to award to them the inmate's workers' compensation benefits.

LOGGING SERVICE CONTRACTORS

Act 1269, (SB 612), authorizes the Insurance Commissioner to allow issuance of workers' compensation insurance policies to logging contractors or dealers within the Arkansas Workers' Compensation Insurance Plan.

OMNIBUS ACT

Act 796, (HB 1615) is an omnibus act relating to workers' compensation.

PRIVATE SECTOR GUARANTY FUND

Act 452, (HB 1551), relative to the Workers' Compensation Private sector Self-Insurer Guaranty Fund, defines "Public sector self-insurer" as a group of cities, a single city or county, or a state entity that directly exercises control over an employee and pays the employee's salary.

SCHOOL EMPLOYEES

Act 862, (SB 333), requires that, effective July 1, 1994, all school districts shall provide workers' compensation for their employees either through private carriers, municipal self-funding groups, or other self-funding groups.

WORKERS' COMPENSATION (Cont.)

SELF INSURERS

Act 683, (SB 668), permits an employer to post an irrevocable letter of credit as proof of ability to pay workers' compensation benefits and thereby qualify as a self-insurer.

WORKERS' COMPENSATION INSURANCE PLAN

Act 1155, (SB 661), amends the Arkansas Workers' Compensation Insurance Plan so as to promote competition and improve servicing carrier performance.

PROPOSED CONSTITUTIONAL AMENDMENTS

POWERS OF THE GOVERNOR

H.J.R. 1004 proposes an amendment to the Arkansas Constitution that would provide that the Governor retains all powers when out of the state and would allow the Governor to fill vacancies in the General Assembly and the Office of Lieutenant Governor. The amendment would clarify succession to the Governorship and would require that any member of the State Executive Department or the Arkansas Senate or any holder of a state judicial office, who files as a candidate for another office during midterm, forfeit his current office.

GAME AND FISH TAX

H.J.R. 1011 proposes an amendment to the Arkansas Constitution that would levy a sales and use tax of one-eighth of one percent ($1/8$ of 1%) for the support of the Arkansas Game and Fish Commission, the Arkansas Department of Parks and Tourism, the Arkansas Department of Heritage and Keep Arkansas Beautiful, Inc.

CHARITABLE BINGO AND RAFFLES

H.J.R. 1013 proposes an amendment to the Arkansas Constitution that would allow authorized organizations, as defined in the amendment, to conduct games of bingo and raffles in order to raise money for charitable, religious or philanthropic purposes in accordance with restrictions regarding time, place and manner as set forth in the amendment.

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
59th	1953	January 12 - March 12	60
60th	1955	January 10 - March 10	60
61st	1957	January 14 - March 14	60
61st - FES	1957	March 25 - March 27	3
61st - SES	1958	August 26 - September 12	18
62nd	1959	January 12 - March 12	60
62nd - FES	1960	January 19 - January 21	3
63rd	1961	January 9 - March 9	60
63rd - FES	1961	August 24 - September 1	9
63rd - SES	1961	September 18 - September 21	4
64th	1963	January 14 - March 14	60
64th - FES	1964	March 24 - March 27	4
65th	1965	January 11 - March 11	60
65th - FES	1965	May 24 - June 8	16
65th - SES	1965	November 2 - November 4	2 1/2
65th - TES	1965	November 4 - November 6	2 1/2
66th	1967	January 9 - Recessed March 9, Reconv. March 27, Adjourned March 31	65
66th - FES	1968	February 5 - February 21	17
66th - SES	1968	May 20 - May 30	11
67th	1969	January 13 - Recessed April 11, Reconv. May 5 - Adjourned May 8	93
67th - FES	1970	March 2 - March 7 6	
68th	1971	January 11 - Recessed April 2, Reconv April 19 - Adjourned April 19	82
68th - FES	1972	February 7 - February 16	10
69th	1973	January 8 - Recess on April 5 until April 24- Recess until Jan 14, 1974 - Adjourned Jan 14, 1974	88
69th - FES	1974	June 24 - Recessed July 12 - Reconv. Aug. 1 - Adjourned Aug 1	19
70th	1975	January 13 - March 27 - Recess Until Apr. 9 - Adjourned Apr. 9	74
70th - Exten	1976	January 12 - January 28	17
70th - FES	1976	September 8 - September 10	3

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
71st	1977	January 10 - Recessed March 18 Until Apr 6 - Recessed Apr 6 until Aug 14 - Adjourned Aug 14	68
71st - FES	1977	August 2 - August 5	4
72nd	1979	January 8 - Recessed April 4, Reconv. Apr. 20 - Adjourned Apr 20	87
72nd - EXT.	1980	January 7 - January 17	10 1/2
72nd - FES	1980	January 17 - January 24	7 1/2
72nd - SES	1980	April 15 - April 18	4
73rd	1981	January 12, - March 18	66
73rd - FES	1981	November 16 - November 25	10
74th	1983	January 10 - Recessed on March 18, Reconv April 4 - Adj. Apr. 4	68
74th - FES	1983	October 4 - November 10	37
75th	1985	January 14 - Recessed March 22, Reconv. March 29 - Adj. March 29	68
75th - FES	1985	June 17 - June 21	5
75th - SES	1986	April 28 - May 1	4
76th	1987	January 12 - Recessed April 3 - Reconv. April 20 - Adj. April 20	82
76th - FES	1987	June 2 - June 5	4
76th - SES	1987	October 6 - October 9	4
76th - TES	1988	January 26 - February 5	11
76th - 4thES	1988	July 11 - July 14, 1988	4
77th	1989	January 9 - March 17 - Recess until April 3 - Adj. April 3	68
77th - FES	1989	June 20 - June 23	4
77th - SES	1989	July 25 - July 27	3
77th - TES	1989	October 23 - November 3	12
78th	1991	January 14 - March 27 - Recess until April 15 - Adj. April 15	73
78th - FES	1992	February 24 - February 27 - Recess until March 4 - Adj. March 4	4
78th - SES	1992	December 14 - December 18	5
79th	1993	January 11 - April 8 - Recess until May 14 - Adj. May 14	88

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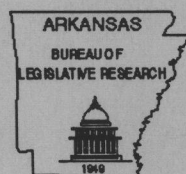
**SUMMARY
OF ACTION ON**

GENERAL LEGISLATION

**BY THE
79TH GENERAL ASSEMBLY
OF THE STATE OF ARKANSAS**

1993

**January 11 through
May 14, 1993**



May, 1993