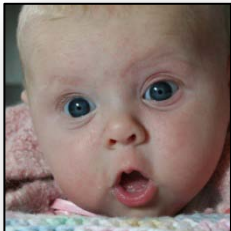


# Weekly Legislative Summary

## 2011 General Session of the Arkansas State Legislature

Jan. 31- Feb. 4



<b>Introduction.....</b>	<b>2</b>
<b>Child Welfare.....</b>	<b>3</b>
<b>Early Childhood Education.....</b>	<b>3</b>
<b>Economic Self Sufficiency.....</b>	<b>3</b>
<b>Education .....</b>	<b>5</b>
<b>Health .....</b>	<b>6</b>
<b>Immigration.....</b>	<b>9</b>
<b>Juvenile Justice .....</b>	<b>10</b>
<b>Other.....</b>	<b>10</b>
<b>Substance Abuse.....</b>	<b>11</b>
<b>Tax.....</b>	<b>11</b>

## Introduction

Bills are trickling in more and more, and committees are getting busier each week. Last week saw some gains in good bills, but several bills filed last week have real potential to harm Arkansas families.

The Senate Public Health Committee passed two bills that will improve access to oral health care among children and families. SB42 would allow dental hygienists to apply dental sealants in schools and other settings and SB43 would allow physicians to apply preventive fluoride varnish during check-ups. Both bills passed the House unanimously Monday.

A series of bills (see them under “Economic Self-Sufficiency” section below) would make the process of accessing unemployment benefits much harder for Arkansans seeking work. In particular, Senate Bill 157 would require all applicants for benefits to pass a drug test and pay for the test. This would likely cost the state money in [implementation and also raise legal challenges](#). Senate Bill 209 would require those seeking benefits to have a high school diploma or GED or take education classes.

We still expect that several important bills will hit committees:

- The highly anticipated “Positive Youth Development Act” could come up in the Senate Education committee soon. [SB138](#) was filed last week by Sen. Johnny Key, along with Rep. Bobby J. Pierce in the House [Arkansas Out-of-School Network](#), the Governor’s Afterschool Task Force, and other groups have worked for many months and years toward this new structure, modeled after the state Pre-K program, Arkansas Better Chance.
- [House Bill 1056](#), sponsored by Rep. Uvalde Lindsey, will soon be considered in the House Revenue and Tax committee. It would fix an error from a 2007 law to eliminate most state income taxes for low-income families. When the law was implemented, it essentially left out single parents with two or more kids, who have been paying approximately \$200 annually in taxes ever since.

Each section below outlines a brief list of bills related to children and families along with a brief description and bill status. Remember to visit AACF’s website to sign up for e-alerts and watch

legislative happenings, read our [ARVoices blog](#), which will provide more regular session updates on key issues, and follow us on [twitter](#).

### **Child Welfare**

**HB1116: D. Hutchinson:** TO PROMOTE THE SAFETY AND WELL-BEING OF NEWBORNS BY REQUIRING A CHILD MALTREATMENT CENTRAL REGISTRY CHECK FOR ALL BIRTHING MOTHERS AT THE TIME OF FILING THE CERTIFICATE OF BIRTH.

Thursday January 13th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Aging, Children and Youth, Legislative & Military Affairs.

**HB1220: Biviano:** TO CLARIFY REPORTING REQUIREMENTS FOR THE DEPARTMENT OF HUMAN SERVICES TO UTILIZE FOR THE BENEFIT OF CHILDREN IN THE FOSTER CARE SYSTEM.

Monday January 24th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Aging, Children and Youth, Legislative & Military Affairs.

**SB188: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF CHILDREN AND FAMILY SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

### **Early Childhood Education**

**SB186: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

### **Economic Self Sufficiency**

**HB1054: Altes:** TO REQUIRE THE DEPARTMENT OF WORKFORCE SERVICES TO CONDUCT REEMPLOYMENT INTERVIEWS TO DETERMINE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

Notes: This bill would require the Department of Workforce Services (DWS) to conduct biweekly interviews with individuals receiving unemployment benefits in order to discuss/review the individual's efforts in finding work for the previous two weeks and to plan their work search for the upcoming two weeks. HB1054 also allows that DWS can consider both attendance and participation in these biweekly meetings when determining an individual's unemployment benefits eligibility.

**HB1057: Altes:** AN ACT TO REQUIRE EMPLOYEE CONTRIBUTIONS TO THE UNEMPLOYMENT COMPENSATION FUND.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

Notes: This bill would require that employees contribute .5% of their wages to the unemployment compensation fund. Employers must deduct the .5% from an employee's wages and hold them in a trust until these wages can be deposited into the Unemployment Compensation Fund. Also, the funds that are deducted from an employee's wages are not subject to garnishment and cannot be considered the asset of an employee in the event of a lien, judgment or bankruptcy proceedings.

**HB1058: Altes:** AN ACT TO AMEND VARIOUS PROVISIONS OF THE DEPARTMENT OF WORKFORCE SERVICES LAW CONCERNING UNEMPLOYMENT BENEFITS.

Wednesday February 2nd, 2011: REPORTED CORRECTLY ENGROSSED.

Notes: This bill would decrease the weekly benefit amount for individuals receiving unemployment benefits from 66 2/3% of the state average weekly wage to 55% of the state average weekly wage.

**HB1122: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF WORKFORCE SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Tuesday January 18th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget Committee.

Notes: This is an appropriations bill for the Department of Workforce Services (DWS). This bill provides appropriates for various programs related to unemployment benefits and the general operations of DWS.

**HB1266: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF COUNTY OPERATIONS APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget Committee.

**SB157: Pritchard:** AN ACT TO REQUIRE THAT APPLICANTS FOR UNEMPLOYMENT BENEFITS TEST NEGATIVE FOR ILLEGAL DRUG USE.

Thursday January 27th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Public Health, Welfare and Labor.

Notes: This bill would require applicants for and recipients of unemployment benefits to pass a drug test before receiving their first week of benefits. Also, the drug test would have to be paid for by the applicant/recipient.

**SB209: E. Williams:** AN ACT TO REQUIRE A HIGH SCHOOL DIPLOMA A GED OR ADULT EDUCATION CLASSES TOWARD A GED WHILE RECEIVING UNEMPLOYMENT BENEFITS.

Wednesday February 2nd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Public Health, Welfare and Labor.

**SB87: Key:** CONCERNING QUALIFICATIONS AND DISQUALIFICATION FROM UNEMPLOYMENT COMPENSATION BENEFITS WHEN BEING DISCHARGED FOR MISCONDUCT.

Thursday January 20th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Public Health, Welfare and Labor.

## Education

**HB1047: Carnine:** TO INCREASE PUBLIC ACCESS TO SCHOOL DISTRICT REPORTS.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Education.

Notes: HB1047 amends the code to increase public access to school district reports by requiring a school district/charter school to include on its website, among other things, information concerning the school's performance in a host of areas including achievement, finances and budget, and use of federal funds.

**HB1097: Carnine:** TO REQUIRE ALL SUPERINTENDENTS TO PARTICIPATE IN A SUPERINTENDENT MENTORING PROGRAM.

Wednesday January 12th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Education.

**HB1099: Lenderman:** TO ALLOW PUBLIC SCHOOL DISTRICTS FLEXIBILITY IN SCHOOL START DATES.

Wednesday February 2nd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Education.

**HB1277: Hall:** TO REMOVE THE TIME LIMITATION FOR A SCHOOL DISTRICT TO REMAIN IN ACADEMIC DISTRESS OR FISCAL DISTRESS.

Monday January 31st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Education.

**SB104: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HIGHER EDUCATION APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 24th, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB138: Key:** TO ESTABLISH THE POSITIVE YOUTH DEVELOPMENT GRANT PROGRAM ACT.

Monday January 31st, 2011: Re-referred to Senate Committee on Education.

Notes: This bill establishes the framework for granting afterschool and summer program grants once funding becomes available. This is a priority agenda item for Arkansas Advocates for Children and Families.

**SB210: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF EDUCATION APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Wednesday February 2nd, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB211: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF EDUCATION APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Wednesday February 2nd, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB81: J. Jeffress:** TO IMPROVE THE EFFECTIVENESS OF PUBLIC SCHOOL ALTERNATIVE LEARNING ENVIRONMENTS.

Wednesday January 19th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Education.

## Health

**HB1049: Allen:** TO IMPROVE THE SAFETY OF HIGHWAYS AND ROADS BY PROHIBITING WIRELESS TELEPHONE USE IN SCHOOL ZONES.

Tuesday February 1st, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Transportation, Technology and Legislative Affairs.

**HB1053: D. Meeks:** AN ACT TO ENSURE FREEDOM OF CHOICE IN HEALTH CARE FOR ALL ARKANSANS AND TO PREVENT INVOLUNTARY ENROLLMENTS IN HEALTH CARE INSURANCE PROGRAMS.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

**HB1172: Hall:** AN ACT TO AUTHORIZE ADVANCED PRACTICE NURSES TO ENTER INTO COLLABORATIVE AGREEMENTS WITH AREA HEALTH EDUCATION CENTERS.

Monday January 24th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

**HB1205: Mauch:** THE ARKANSAS WATER ADDITIVE ACCOUNTABILITY ACT.

Monday January 24th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

Notes: This bill will require a "declaration of safety" for additives for water systems and could affect the addition of fluoride to public water systems.

**HB1211: Mayberry:** AN ACT TO CLARIFY THE DEFINITION OF A QUALIFYING DIAGNOSIS THAT ESTABLISHES CATEGORICAL ELIGIBILITY FOR DEVELOPMENTAL DISABILITY SERVICES.

Thursday January 27th, 2011: Returned by the Committee Do Pass.

Notes: This bill clarifies that "spina bifida and Down syndrome" are among the diagnoses that allow eligibility for developmental disability services.

**HB1217: Tyler:** AN ACT TO AUTHORIZE ADVANCED PRACTICE NURSES TO BILL MEDICAID DIRECTLY FOR HEALTH CARE SERVICES.

Monday January 24th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

**HB1229: Hall:** TO CLARIFY THE LAW RELATED TO SPEED LIMITS NEAR SCHOOLS.

Tuesday January 25th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Education.

Notes: This bill clarifies the meaning of "when children are present" to speed limit laws in school zones.

**HB1247: B. Wilkins:** AN ACT TO ENSURE THE CONSTITUTIONALITY OF EXEMPTIONS FROM THE REQUIREMENTS TO TEST NEWBORN INFANTS AND FROM THE REQUIREMENTS TO IMMUNIZE NURSING HOME RESIDENTS.

Thursday January 27th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

Notes: This bill adds a "philosophical" exemption which allows guardians to exempt newborns from testing and to exempt nursing home residents from immunizations.

**HB1263: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HEALTH APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget Committee.

**HB1264: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HEALTH APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget Committee.

**HB1265: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: MEDICAID EXPANSION PROGRAM APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget Committee.

**HB1268: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: ADMINISTRATION APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget Committee.

**HB1294: H. Wilkins:** TO AMEND THE CHILD PASSENGER PROTECTION ACT AND THE MANDATORY SEAT BELT LAW TO REQUIRE SEAT BELT USE ON ALL SCHOOL BUSES IF THE BUS WAS PURCHASED ON OR AFTER JULY 1 2013.

Wednesday February 2nd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Transportation.

**HB1301: Hyde:** TO AUTHORIZE THE CODIFICATION OF ACT 755 OF 2003 THE ARKANSAS COMMISSION ON EYE AND VISION CARE OF SCHOOL AGE CHILDREN AND TO DECLARE AN EMERGENCY.

Wednesday February 2nd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

**HB1315: Lindsey:** TO PROVIDE HEALTH INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDERS.

Thursday February 3rd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

**HB1317: Tyler:** AN ACT TO EXPAND THE IMMUNIZATION REGISTRY TO BETTER PROTECT THE CITIZENS OF ARKANSAS.

Thursday February 3rd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Health, Welfare and Labor.

**SB130: P. Malone:** AN ACT TO CLARIFY THE AUTHORITY OF PHARMACISTS TO PROVIDE VACCINES AND IMMUNIZATIONS AND TO ADMINISTER CERTAIN MEDICATIONS.

Monday January 24th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Public Health, Welfare and Labor.

Notes: This bill would allow pharmacists to administer flu vaccines and immunizations to persons of any age (adding children), and medications that are the subject of a patient-specific order or prescription.

**SB136: Madison:** REGARDING RESTRICTED DRIVERS LICENSES AS THE RESULT OF A DWI.

Tuesday January 25th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Judiciary.

Notes: This would allow individuals who have restricted driving permits to drive their children to school and school-sponsored events.

**SB154: J. Taylor:** TO IMPROVE THE SAFETY OF HIGHWAYS AND ROADS BY PROHIBITING WIRELESS TELEPHONE USE IN SCHOOL ZONES AND HIGHWAY WORK ZONES.

Wednesday February 2nd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Public Transportation.

**SB184: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF BEHAVIORAL HEALTH APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB187: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF MEDICAL SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB189: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB42: D. Johnson:** AN ACT TO AUTHORIZE DENTAL HYGIENISTS TO PERFORM DENTAL HYGIENE PROCEDURES FOR PERSONS IN PUBLIC SETTINGS WITHOUT THE SUPERVISION OF A DENTIST.

Monday February 7th, 2011: RECEIVED FROM THE SENATE.

Notes: This bill would allow dental hygienists to perform preventive dentistry including sealants, fluoride treatments, and assessment of need for further treatment without the supervision of a dentist. Hygienists would be able to practice in a public health setting that includes schools, health departments, community health clinics, and charitable clinics.

**SB43: D. Johnson:** AN ACT TO AUTHORIZE PHYSICIANS AND NURSES TO APPLY FLUORIDE VARNISH TO A CHILDS TEETH AFTER APPROPRIATE TRAINING.

Monday February 7th, 2011: RECEIVED FROM THE SENATE.

**SB65: J. Jeffress:** AN ACT TO IMPROVE ENROLLMENT OF ARKANSAS CHILDREN IN THE ARKIDS FIRST A AND B MEDICAL ASSISTANCE PROGRAMS.

Thursday January 27th, 2011: Re-referred to Senate Committee on Insurance and Commerce.

Notes: This bill requires the Department of Human Services to increase enrollment of uninsured children who are eligible for ARKids or Medicaid, to improve retention of coverage, and minimize administrative barriers to the application and renewal processes for ARKids First A, ARKids First B and Medicaid. This is a priority agenda item for Arkansas Advocates for Children and Families and the Finish Line Coalition.

**SB66: J. Jeffress:** AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE COVERAGE FOR THE TREATMENT OF MORBID OBESITY.

Tuesday January 18th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Insurance and Commerce.

Notes: This bill would require that health benefit plans provide coverage for the treatment of morbid obesity including bariatric surgery, gastric bypass surgery, and lap-band surgery.

**SB69: J. Jeffress:** AN ACT TO PROHIBIT THE SALE OF HERBAL SNUFF TO PERSONS UNDER EIGHTEEN 18 YEARS OF AGE.

Wednesday February 2nd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Select Committee on Rules.

**SB98: Wyatt:** AN ACT TO AUTHORIZE ADVANCED PRACTICE NURSES TO ENTER INTO COLLABORATIVE AGREEMENTS WITH AREA HEALTH EDUCATION CENTERS.

Monday January 24th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Public Health, Welfare and Labor.

## **Immigration**

**HB1008: Harris:** TO REQUIRE UNITED STATES CITIZENSHIP OR LAWFUL PRESENCE IN THE UNITED STATES FOR A PERSON TO BE ELIGIBLE FOR IN-STATE TUITION.

Thursday January 20th, 2011: REPORTED CORRECTLY ENGROSSED.

Notes: This legislation would do the opposite of what a DREAM Act would accomplish. It would prohibit undocumented immigrants from paying their own way to state colleges and universities at in-state tuition prices.

**HB1013: Nickels:** AN ACT TO ALLOW THE CONTRACTORS LICENSING BOARD TO TAKE ACTION AGAINST A CONTRACTOR FOR KNOWINGLY EMPLOYING A WORKER WITHOUT LEGAL AUTHORIZATION TO WORK IN THE UNITED STATES.

Monday February 7th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on State Agencies and Governmental Affairs.

**HB1292: Hubbard:** TO PROHIBIT ILLEGAL ALIENS FROM RECEIVING ANY STATE BENEFIT EXCEPT IN INSTANCES OF EMERGENCY OR WHEN LIFE-SAVING MEASURES ARE REQUIRED.

Tuesday February 1st, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on State Agencies and Governmental Affairs.

Notes: This bill seeks to prohibit undocumented immigrants from receiving state services by requiring recipients to verify their citizenship or lawful presence through an affidavit submitted to state agencies. It seems likely that the legislation would prohibit the continuation of the state's prenatal program for undocumented women.

### Juvenile Justice

**SB190: Joint Budget Committee:** AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES: DIVISION OF YOUTH SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

Monday January 31st, 2011: Read first time, rules suspended, read second time, referred to Joint Budget Committee.

**SB218: J. Jeffress:** TO DEFINE THE PARTNERSHIP BETWEEN THE DIVISION OF YOUTH SERVICES OF THE DEPARTMENT OF HUMAN SERVICES AND THE DYS CONTRACT COMMUNITY-BASED YOUTH SERVICES PROVIDERS.

Thursday February 3rd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on State Agencies and Governmental Affairs.

### Other

**HB1017: Garner:** THE ARKANSAS OPEN CHECKBOOK ACT.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on State Agencies and Governmental Affairs.

Notes: This bill would require the Department of Finance and Administration to create a "searchable" website that provides information on all revenue and expenditures items including but not limited to: bond debt, salaries and wages for individual employees at state agencies, and grants. This website would need to be operational no later than January 1, 2012.

**HB1022: Cheatham:** CONCERNING LOBBYIST REGISTRATION BY A FORMER MEMBER OF THE GENERAL ASSEMBLY.

Wednesday January 26th, 2011: WITHDRAWN BY AUTHOR.

Notes: This bill would require a former member of the General Assembly to wait 2 years after the end of his or her term of office before becoming eligible to register as a lobbyist.

**HR1002: D. Hutchinson:** TO AMEND RULE 36M OF THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY TO ESTABLISH THE METHOD FOR THE DISTRIBUTION OF GENERAL IMPROVEMENT FUNDS.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Select Committee on Rules.

Notes: This bill would require that General Improvement Funds be distributed equally between the members of the House of Representatives.

**SB180: Key:** TO REQUIRE VOTER APPROVAL OF CERTAIN TAX LEVIES AND TO MAKE TECHNICAL CORRECTIONS.

Monday February 7th, 2011: Re-referred to Senate Committee on Revenue and Taxation.

Notes: This bill would require that tax ordinances at the county and city level to be approved by voters within 120 days of being put into place.

**SB221: Dismang:** THE ARKANSAS FINANCIAL TRANSPARENCY ACT.

Thursday February 3rd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on State Agencies and Governmental Affairs.

Notes: This bill would require the Department of Finance and Administration to provide detailed expenditure information to the public on a website.

**SJR3: E. Williams:** TO AMEND THE ARKANSAS CONSTITUTION TO REQUIRE THE GENERAL ASSEMBLY TO PASS A BALANCED BUDGET EVERY YEAR.

Wednesday February 2nd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on State Agencies and Governmental Affairs.

### **Substance Abuse**

**HB1020: Lea:** CONCERNING THE MEMBERSHIP OF THE DRUG COURT ADVISORY COMMITTEE AND DECLARING AN EMERGENCY.

Monday January 31st, 2011: Notification that HB1020 is now Act 5.

**SB62: Madison:** AMENDING THE UNIFORM CONTROLLED SUBSTANCES ACT CONCERNING CERTAIN CRIMINAL PENALTIES.

Tuesday January 18th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Judiciary.

### **Tax**

**HB1002: Garner:** TO CREATE THE ARKANSAS CAPITAL GAINS REDUCTION ACT OF 2011.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would add an income tax exemption that would excluded all capital gains earnings on Arkansas property acquired after July 1, 2011. The estimated revenue loss for FY2013 is \$44.5 million and for FY2014 is \$68.5 million.

**HB1012: G. Smith:** TO EXEMPT SALES AND USE TAX ON THE MANUFACTURERS OR DEALERS REBATE OF A MOTOR VEHICLE.

Monday February 7th, 2011: REPORTED CORRECTLY ENGROSSED.

Notes: This bill would exempt the proceeds derived from a manufacturer's or dealer's rebate on a motor vehicle from the sales and use tax.

**HB1016: Baird:** TO PROVIDE ADDITIONAL INCOME TAX RELIEF TO HEAD OF HOUSEHOLD TAXPAYERS WITH TWO 2 OR MORE DEPENDENTS.

Tuesday February 1st, 2011: WITHDRAWN BY AUTHOR.

Notes: This is a shell bill to provide additional income tax relief to head of household taxpayers with two or more dependents.

**HB1023: English:** TO EXEMPT FROM INCOME TAX A LIMITED AMOUNT OF RETIREMENT BENEFITS RECEIVED FOR SERVICE IN THE ARMED FORCES.

Monday January 31st, 2011: Transfer to House Committee on Revenue and Taxation.

Notes: This bill creates a state income tax exemption for retirement benefits from the Armed Services. At this time, all residents receive a state income tax exemption on the first \$6,000 received in retirement benefits. Under this bill, Armed Services retirement benefits will receive a different exemption level (but will not be eligible for the \$6,000 exemption.) Estimated revenue loss: FY2012: \$3,462,000; FY2013: \$8,656,000; FY2014: \$12,342,000; FY2015: \$13,501,000; FY2016: \$14,647,000; FY2017 and after: \$15,547,000.

**HB1025: Altes:** TO PROVIDE AN INCOME TAX CREDIT FOR A PARENT WHO CHOOSES TO STAY AT HOME WITH HIS OR HER YOUNG CHILD.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would introduce a \$1,000 tax credit for a parent who chooses to stay home with his or her child (ages 4 and under) if they are not employed during the taxable year, if they are not a full-time student, and if their adjusted gross income is \$32,000 or less. Estimated revenue loss for FY 2012 \$8,420,045 and FY2013 \$8,630,547.

**HB1030: Altes:** TO ESTABLISH AN INCOME TAX CREDIT FOR EDUCATION EXPENSES OF DEPENDENTS.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would create a state income tax credit for taxpayers with one or more dependents who are full-time students in a K-12 education program at any school if they spend more than \$300 on tuition, books, and lab fees. The tax credit would be 25% of the amount paid on the listed expenses but could not exceed the amount of income tax the taxpayer owes. Estimated revenue loss for FY2012 \$57,166,000 and FY2013 \$58,300,000.

**HB1031: Altes:** TO PROVIDE A SALES TAX EXEMPTION FOR UTILITIES USED BY MANUFACTURERS IN THE MANUFACTURING PROCESS TO REPEAL THE LOWER TAX RATE FOR UTILITIES USED IN MANUFACTURING AND TO DECLARE AN EMERGENCY.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would create a sales tax exemption for utilities (natural gas and electricity) used by manufacturers in the manufacturing process. Currently, utilities used in the manufacturing process are taxed at a lower sales tax rate but this bill would create a complete sales tax exemption for these utilities.

**HB1033: Altes:** TO CREATE A BACK-TO-SCHOOL TAX-FREE HOLIDAY BY EXEMPTING ITEMS OF CLOTHING FROM SALES AND USE TAX DURING A LIMITED TIME PERIOD.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would create a tax holiday (exempting sales and use tax) on purchases of school clothes on the first Saturday in August. This tax holiday would not include clothing items over the cost of \$75, sports or recreational equipment worn in conjunction with an athletic or recreational activity, and protective equipment.

**HB1034: Altes:** TO CLARIFY THE DEFINITION OF FOOD AND FOOD INGREDIENTS TO INCLUDE DIETARY SUPPLEMENTS FOR SALES AND USE TAX PURPOSES.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would include "dietary supplements" in the definition of "food" and "food ingredients" for the purposes of the sales and use tax.

**HB1035: Altes:** TO EXEMPT REPAIR OR REPLACEMENT PARTS FOR FARM EQUIPMENT AND MACHINERY FROM THE GROSS RECEIPTS AND USE TAX.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would create a gross receipts and use tax exemption on repair or replacement parts used to repair farm equipment and machinery. It is estimated that this bill would result in a loss of \$6.7 million in state revenue for FY2012 and \$10.3 million in FY2013. An additional \$2.2 million in FY2012 and \$3.4 million in FY2013 will be lost in local sales tax revenue.

**HB1036: Altes:** TO EXEMPT FROM SALES AND USE TAX THE RETAIL SALE OF RENEWABLE RESOURCE EQUIPMENT.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

**HB1037: Altes:** TO PROVIDE AN INCOME TAX CREDIT FOR A BUSINESS OR INDIVIDUAL THAT PURCHASES RENEWABLE RESOURCE EQUIPMENT.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

**HB1038: Altes:** TO REDUCE THE INDIVIDUAL INCOME TAX RATE AND INCREASE THE SALES AND USE TAX RATE.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would lower the state income tax rate while raising the sales and use tax rates. For net income of \$25,000 or above the tax rate would be: 7% for tax years before 2012; 5.5% for 2012; 4.5% for 2013; and 4% for 2014 and on. The sales and use tax would increase by the following: 1% for 2012; 2% for 2013; and 3% for 2014 and on.

**HB1052: Jean:** TO DECREASE THE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED BY MANUFACTURERS AND TO DECLARE AN EMERGENCY.

Monday January 10th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

Notes: This bill would decrease the sales and use tax rate on natural gas and electricity used by manufacturers from 3.125% to 2.625% on July 1, 2011. It is estimated that \$3.8 million in FY2012 and \$4.2 million in FY2013 will be lost in state revenue with this bill.

**HB1056: Lindsey:** TO PROVIDE ADDITIONAL INCOME TAX RELIEF TO HEAD OF HOUSEHOLD TAXPAYERS WITH TWO 2 OR MORE DEPENDENTS.

Monday January 31st, 2011: REPORTED CORRECTLY ENGROSSED.

Notes: This bill will exempt all families with children and incomes below the poverty line from paying state income taxes. This bill is estimated to decrease state revenue by \$3.7 million in FY2012 and \$3.8 million in FY2013.

**HB1062: Lovell:** TO AMEND ARKANSAS LAW TO IMPOSE SURCHARGES UPON COMMERCIAL MOBILE RADIO SERVICE PROVIDERS TO SUPPORT THE TELECOMMUNICATIONS EQUIPMENT FUND AND DECLARING AN EMERGENCY.

Thursday February 3rd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Insurance and Commerce.

Notes: This bill would allow the Public Service Commission to place a \$0.03 surcharge per month on all commercial mobile radio service providers to assist in funding the equipment distribution program. The surcharge will be collected through special revenue. This bill is estimated to raise \$840,000 for the Telecommunications Equipment Fund.

**HB1118: Pennartz:** TO ESTABLISH AN INVESTMENT TAX CREDIT FOR THE REHABILITATION AND DEVELOPMENT OF CENTRAL BUSINESS IMPROVEMENT DISTRICTS AND TO ESTABLISH AN EMERGENCY.

Tuesday February 1st, 2011: REPORTED CORRECTLY ENGROSSED.

Notes: This bill would create an investment tax credit for rehabilitation and development of structures within central business improvement districts for projects that will cost more than \$50,000. The tax credit will be equal to 20% of the first \$1,000,000 of a qualified project. It is estimated that this would result in the following revenue loss: \$400,000 for FY2012; \$7,400,000 for FY2013; \$9,250,000 for FY2014; \$11,562,000 for FY2015; and \$13,875,000 for FY2016 through FY2018.

**HB1160: Webb:** AN ACT TO ALLOW TAXPAYERS PAYING MINIMUM AMOUNTS OF SEVERANCE TAX TO REPORT AND PAY QUARTERLY OR ANNUALLY.

Wednesday February 2nd, 2011: Returned by the Committee, with the recommendation that it Do Pass.

**HB1233: Westerman:** TO PROMOTE SUSTAINABLE ECONOMIC DEVELOPMENT AND DOMESTIC JOB GROWTH AND TO CREATE AN EXEMPTION FROM SALES AND USE TAX FOR CERTAIN CONSTRUCTION MATERIALS USED FOR PUBLIC CONSTRUCTION PROJECTS.

Wednesday January 26th, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on Revenue and Taxation.

**HJR1001: Barnett:** PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO RAISE REVENUES TO BE USED EXCLUSIVELY AS HIGHWAY REVENUES TO IMPROVE SURFACE TRANSPORTATION AND ECONOMIC DEVELOPMENT IN THE STATE.

Thursday February 3rd, 2011: Read the first time, rules suspended, read the second time and referred to the Committee on House Committee on State Agencies and Governmental Affairs.

**SB134: Teague:** AN ACT TO AMEND THE ASSESSMENT FEE LEVIED ON HOSPITALS TO IMPROVE HEALTH CARE ACCESS FOR THE CITIZENS OF ARKANSAS.

Monday February 7th, 2011: DELIVERED TO GOVERNOR.

Notes: This bill would amend the cap on the assessment to be the same as the federal rate (or at a rate that would cause the assessment proceeds to exceed the indirect guarantee threshold set forth by federal regulations).

**SB137: J. Taylor:** TO PROVIDE THAT THE SALE OF MACHINERY OR EQUIPMENT AND RELATED ATTACHMENTS USED FOR THE HARVESTING OF TIMBER ARE EXEMPT FROM THE ARKANSAS GROSS RECEIPTS TAX AND THE ARKANSAS COMPENSATING USE TAX.

Tuesday January 25th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Revenue and Taxation.

**SB152: Dismang:** TO PROVIDE AN INCOME TAX CREDIT FOR VOLUNTEER FIREFIGHTERS.

Wednesday January 26th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Revenue and Taxation.

Notes: This bill would create a \$250 income tax credit for volunteer firefighters.

**SB159: Dismang:** TO INCREASE THE INCOME TAX EXEMPTION FOR ARMED SERVICES PAY.

Thursday January 27th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Revenue and Taxation.

**SB162: Key:** TO INCREASE THE INCOME TAX EXEMPTION FOR RETIREMENT AND DISABILITY BENEFITS AND TO PROVIDE FOR A COST-OF-LIVING ADJUSTMENT TO THE INCOME TAX EXEMPTION FOR RETIREMENT AND DISABILITY BENEFITS.

Thursday January 27th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Revenue and Taxation.

Notes: This bill would increase the income tax exemption for retirement and disability benefits to include the first \$7,500. This bill would result in a revenue loss of \$9,884,000 beginning in FY2012.

**SB163: Key:** TO INCREASE THE INCOME TAX EXEMPTION FOR RETIREMENT AND DISABILITY BENEFITS AND TO PROVIDE FOR A COST-OF-LIVING ADJUSTMENT TO THE INCOME TAX EXEMPTION FOR RETIREMENT AND DISABILITY BENEFITS.

Thursday January 27th, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Revenue and Taxation.

Notes: This bill would increase the income tax exemption on retirement and disability benefits to include the first \$10,000 received. It is estimated that Arkansas would lose \$24,406,000 beginning in FY2012 if this bill were to pass.

**SB212: Dismang:** TO REQUIRE VOTERS TO REAPPROVE ADVERTISING AND PROMOTION TAXES.

Wednesday February 2nd, 2011: Read first time, rules suspended, read second time, referred to Senate Committee on Revenue and Taxation.

Notes: This act would require counties, cities of the first and second class, and incorporated towns to place measures on the ballot requiring electors to reapprove advertising and promotion taxes every four years during the general election. If such taxes are not reapproved, then collection of the taxes shall cease as soon as the existing indebtedness is redeemed. Any surpluses that arise will be transferred to the county, city, or town's general fund.