

Kids at the Capitol 2023



LEGISLATIVE SUMMARY

Kids at the Capitol: 2023 Legislative Summary

The 2023 Arkansas General Assembly kicked off with the historic inauguration of our state's first female governor, Sarah Huckabee Sanders. From the start, lawmakers were mostly focused on accomplishing her three major policy priorities: education reform, prison expansion, and tax cuts. Along the way, child advocates cheered for the passage of a few absolute wins for our state's kids and families, while sounding the alarm about a string of ill-conceived and unproven policy proposals.

Perhaps the most far-reaching new law, the Arkansas LEARNS Act, will fundamentally change Arkansas's education system by creating a universal voucher program that will send public dollars to private schools that lack key accountability measures. While the legislation's increase in starting teacher pay was welcome and necessary, the law failed to allocate enough funding for the raise and only slightly adjusted the pay of experienced educators. With so much yet to be ironed out in rules and regulations, we won't see the full impact of the 142-page law for years to come.

Despite increasing spending with the LEARNS Act, the Legislature once again chose to reduce state revenue in the form of an income tax cut. The law didn't go as far as to eliminate the income tax – which Sanders and other legislative leaders have said is their ultimate goal – but it did cut the top rate of tax with benefits mostly flowing to the wealthiest Arkansans. When we hear that there's not enough funding for afterschool programs, or for foster families or for early childhood education, this is one of the reasons why. The tax cut will reduce investments that could help our kids and our communities while increasing the unfairness already existing in our tax system, which relies on the lowest-income Arkansans to pay the highest percentage of their income in taxes.

Numerous bills became law that will make our state less welcoming, and will ultimately cause harm to many children in Arkansas. For example, new laws are on the books that will limit the movement and educational opportunities for transgender and nonbinary children. Legislation like this is sometimes categorized as relating to a “culture war,” but these bills aren't just about culture. They have a real and negative impact on our state's children and their families, and ultimately, all of us.

On the other hand, hundreds of thousands of children will benefit from a handful of really good laws, including one that will provide free school meals to any child who qualifies for reduced-price meals. The state will pick up the extra cost – a real win for children whose families are struggling to make ends meet. New legislation called the CROWN Act will protect students from discrimination based on their natural hair or protective hairstyles. A new law creates the state’s first criminal penalties for people who violate child labor laws, and another requires insurance companies to cover the cost of depression screening for people who have just given birth.

Still, there were many missed opportunities to improve the lives of children and families this session, like expanding access to early childhood education, providing better health care coverage for pregnant and new moms, and eliminating juvenile court fines and fees.

The work of child advocates around the state in the 94th General Assembly kept the well-being of children at the forefront of many important debates and helped pass and reshape legislation that will improve the lives of the kids of our state. But there is still work to do, and we look forward to advocating with you.

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Child Safety and Well-Being

It came as a bit of a shock to find ourselves lobbying to keep Arkansas’s child labor protections from being rolled back, especially in the face of alarming reports of child labor exploitation nationwide and in our state. Nevertheless, a new child labor law will have an impact on the welfare of thousands of Arkansas’s children by removing the requirement that employers get a permit to hire children younger than 16. This will increase the chances that children will end up working in

unsafe conditions and during hours that negatively impact their educational opportunities. Child advocates’ widespread opposition to this new law helped inspire another piece of legislation that will strengthen child labor laws by creating criminal penalties for the first time.

The following are a few of the relevant bills AACF followed this session.

CHILD SAFETY AND WELL BEING

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas’s children and families	AACF’s position
Rep. Rebecca Burkes and Sen. Clint Penzo HB1410	Act 195 will remove a requirement for employers to obtain a permit to hire a worker younger than 16. It will dispense with the state requirement to document the child’s age, hours worked, and most importantly, parental permission.	Opposed
Sen. Clint Penzo and Rep. Rebecca Burkes SB390	Act 687 creates misdemeanor and felony criminal penalties for child labor violations (there are no criminal penalties now) and will increase the allowable amount of civil penalties, as well.	Supported
Sen. Bart Hester and Rep. Charlene Fite SB347	Act 364 adds “grooming” to the definition of sexual abuse and defines it as knowingly disseminating to a child 13 years or younger visual or print medium depicting sexually explicit content. It requires the Child Abuse Hotline to accept reports from a medical provider concerning a child 11 or younger if there is documented evidence of the child being pregnant or having a sexually transmitted disease, despite insufficient evidence of child maltreatment.	Supported
Rep. DeAnn Vaught and Sen. Kim Hammer HB1560	Act 727 prohibits anonymous reporting to the Child Abuse Hotline. It allows the Hotline to document reports of alleged abuse, sexual abuse, or sexual exploitation and forward to local law enforcement for criminal investigation when the alleged victim is 18 years of age or older if the alleged victim is enrolled in high school or in extended foster care. Any one over 18 that observes abuse, sexual abuse, or sexual exploitation is a mandated reporter.	Supported

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. Jimmy Gazaway HB1791 Failed	This bill would have required that public schools conduct an assessment of a student's adverse childhood experiences (ACEs) before disciplining them. If an adverse childhood experience were determined to have a direct and substantial causal relationship to the behavior of the student, the school district would have been required to provide the student with behavioral supports that the school district determines are appropriate.	Supported

Democracy and Voting Rights

Though not the deluge of the 2021 legislative session, there were many bills filed this year that will add to the larger transformation of our state's voting system and ballot measure process, and by extension, our democracy. There are some new laws that will make it easier for Arkansans to vote, like allowing people to vote absentee instead of in-person for religious observance. It is now an "excused absence" at school if a student goes to the polls with their parents when their parent votes.

But there are also new, harmful laws, like the creation of an unnecessary election integrity unit within the Attorney General's office and a law that will allow even more political interference in our elections by giving new powers to a small group

of legislators. There is also a new law that goes against the will of the voters by putting in place a law restricting ballot access that is almost identical to a proposed law voters rejected at the ballot box. Over the past two legislative sessions, and really the past 15 years or so, we have seen many small bills and major court decisions chip away at our voting rights, building together into a significant decrease in our rights. And one final note, a bill that would have allowed Arkansas to join 42 other states in implementing an online voter registration option was blocked from being considered by legislators.

The following are a few of the relevant bills AACF followed this session.

DEMOCRACY AND VOTING RIGHTS

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Andrew Collins and Sen. Jim Dotson HB1325	Act 263 requires counties to have more consistent early voting hours between different polling sites.	Supported

CATEGORY CONTINUES

Bills That Became Law CONTINUED		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Kendon Underwood and Sen. Jim Dotson HB1419	Act 236 drastically increases the number of counties that petition signatures must be collected from to put a measure on the ballot for voters' consideration.	Opposed
Sen. Jim Petty and Rep. Mindy McAlindon SB273	Act 389 makes a few changes around voting centers (polling locations where any registered voter in a given county can vote) that would make it easier to vote. In runoff elections, it requires counties to try to ensure there is a voting center within the precinct for which the runoff election is taking place. The law also allows county boards of election commissioners to add additional voting centers less than 30 days before an election if they feel that the already established voting centers will not meet demand.	Supported
Sen. Jim Dotson and Rep. Carlton Wing SB247	Act 141 will allow people to vote absentee if they are unable to vote on election day because of religious observances.	Supported
Sen. Tyler Dees and Rep. Rebecca Burkes SB258	Act 353 prevents the future use of ballot drop boxes regardless of potential need or security measures in place, even though no counties currently use ballot drop off boxes.	Opposed
Sen. Jim Petty and Rep. Austin McCollum SB272	Act 620 allows political interference in elections by allowing the state Legislature's Joint Performance Review Committee to refer specific counties' elections to the state Election Commission for review. It also requires random checks of county election operations even if no potential violations were raised.	Opposed
Rep. Austin McCollum and Sen. Kim Hammer HB1512	Act 421 removes a requirement that registered Arkansas voters living overseas have to request their absentee ballot 30 days before the election for their ballot to be counted.	Supported
Rep. Austin McCollum and Sen. Jim Petty HB1513	Act 544 creates an Election Integrity Unit within the state Attorney General's office. Election fraud is exceedingly rare, and can already be prosecuted under current law.	Opposed
Sen. Clarke Tucker and Rep. Ashley Hudson SB285	Act 621 allows a student to have an excused absence if they accompany their parent or guardian to vote.	Supported

DEMOCRACY AND VOTING RIGHTS

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Sen. Clarke Tucker SB216 Failed	This bill would have required that no voter wait more than one hour in line to vote and that the counties' board of election commissioners ensure that there are enough polling locations and equipment so that no one waits more than one hour.	Supported
Sen. Bryan King SB230 Failed	This bill would have required employers to provide 8 hours of paid leave for employees to vote on Election Day or during early voting for the primary, primary runoff, and general elections. The bill would also have extended the early voting period from 15 days to 30 days before the election.	Supported
Sen. Clarke Tucker SB234 Failed	This bill would have required absentee ballot materials to be written in a way that the materials could be understood by the average voter. It would have also created a more transparent "curing" process by ensuring voters were informed if their ballot was marked "provisional."	Supported
Rep. Andrew Collins and Sen. Clarke Tucker HB1537 Failed	If this bill had passed, Arkansas would have joined 42 other states in providing online voter registration.	Supported

DEMOCRACY AND VOTING RIGHTS

Narrow Misses		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. David Ray and Sen. Mark Johnson HB1025 Failed	If this bill had passed, people collecting signatures for petitions to put measures on the ballot would not be able to collect signatures within 100 feet of the main entrance of polling places while the polling place is being used for election purposes.	Opposed
Rep. David Ray and Sen. John Payton HB1601 Failed	If this bill had become law, each person paid to collect signatures for a ballot measure (a paid canvasser) would have been required to attend a training and obtain a license from the Secretary of State before they could collect signatures. This bill would have made it much harder to collect the required signatures within the required timeframe.	Opposed
Sen. Alan Clark and Rep. Tony Furman SB431 Failed	This bill would have ended the ability for absentee voters to have "designated bearers" of their ballot. For instance, a person could not deliver to the County Clerk's office the absentee ballots of their elderly parents, and a person could be charged with a felony if they did.	Opposed

Education

This year, Governor Sanders’ Arkansas LEARNS Act dominated the legislative process for months. While there are parts of the law we support, the legislation’s emphasis on creating an unlimited voucher system will ultimately decrease funding for our state’s public education system. For that reason, we couldn’t support it. AACF will continue to offer support to education advocates and the Arkansas Department of Education as the legislation enters implementation during the next academic year, in hopes of minimizing the harm of the bill and supporting good provisions in the law.

In partnership with the Arkansas Out of School Network, we advocated for state funding to allow our state to sustain the high-quality and effective out of school programs that have been expanded or created with one-time federal pandemic relief

funding. While a \$25 million appropriation became law, no state funds were approved to maintain the programs.

We also advocated for a workforce tax credit for early childhood educators, which was ultimately unsuccessful. However, we were happy to see a state fund created to hopefully expand the Dolly Parton Imagination Library, as well as the Pregnant and Parenting Students Act, which will grant our state’s pregnant and parenting students more flexibility to stay on track academically. Arkansas has the nation’s highest teen birth rate.

The following are a few of the relevant bills AACF followed this session.

EDUCATION

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas’s children and families	AACF’s position
Rep. Ashley Hudson and Sen. Clarke Tucker HB1161	Act 128 will support pregnant and parenting students by allowing for related excused absences and by giving pregnant and parenting students the flexibility to complete missed school work.	Supported
Sen. Breanne Davis and Rep. Keith Brooks SB294	Act 237 , also known as Arkansas LEARNS, will overhaul Arkansas’s education system and create an unlimited voucher system through state-funded “educational freedom accounts.” Families will be able to use these funds to pay for private school or homeschool, and over time it will decrease funding for public education. It will raise the minimum teacher salary to \$50,000 but will do little to address the average teacher salary for existing teachers, and it repeals the Teacher Fair Dismissal Act.	Opposed
Sen. Jim Petty SB331	Act 678 allows spending up to \$25 million for out-of-school programs across the state. This includes after school and summer programs that are proven to be effective at increasing student achievement, career readiness, and literacy while also decreasing dropout rates. The amount wasn’t included in the state budget though, so it will only be allowed if funding comes from another source.	Supported

CATEGORY CONTINUES

Bills That Became Law CONTINUED		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Sen. Clarke Tucker and Rep. Brian Evans SB416	Act 640 creates the Imagination Library of Arkansas Program Fund. Dolly Parton's Imagination Library sends an age-appropriate book to children registered in the program from birth to 5 years old.	Supported
Rep. Bruce Cozart and Sen. Jane English HB1534	Act 424 does away with school board zones, regardless of the overall district population, moving instead to each school board seat being considered "at large." This effectively eliminates fair representation in school board elections.	Opposed
Rep. DeAnn Vaught and Rep. Hope Duke HB1538	Act 548 adjusts the professional development requirements for public school teachers as well as mandates that private school teachers have the same requirements.	Supported
Sen. Clarke Tucker and Rep. Vivian Flowers SB364	Act 633 establishes a protocol for school districts to return to local control after being under the control of the state board for five years.	Supported
Rep. Mindy McAlindon and Sen. Kim Hammer HB1559	Act 511 makes it so that public schools generally cannot require that teachers or staff take implicit bias training. The State Board of Education will also not be allowed to require implicit bias training for teacher licensure or professional development. The new law does allow such training to be required if 95% of it "is required by an accreditor, grantor, or licensor."	Opposed
Rep. Denise Ennett and Sen. Linda Chesterfield HB1315	Act 286 requires public schools to create a seizure safety plan to support students with seizure disorders. Each public school will need to have two trained individuals who can administer FDA approved medication or provide the appropriate care for a student having a seizure. It also requires each public school district to develop an age-appropriate seizure education program.	Supported
Rep. Shad Pearce and Sen. Blake Johnson HB1393	Act 290 designates the first week of May to be mental health awareness week in Arkansas public schools.	Supported
Rep. Tara Shephard and Sen. Linda Chesterfield HB1514	Act 811 requires that public high schools and state supported institutions of higher education have opioid overdose rescue kits available.	Supported

EDUCATION

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. Julie Mayberry and Sen. Missy Irvin HB1158 Failed	This bill would have provided tax credits to help promote access to, and improve the quality of, early child care.	Supported
Rep. Tippi McCullough and Sen. Greg Leding HB1268 Failed	This bill would have raised the salaries of public school teachers who are employed full time by \$10,000, and also would have brought our minimum starting salary up to \$50,000.	Supported
Sen. Greg Leding and Rep. McCullough SB149 Failed	This bill would have raised the minimum pay for classified public school staff to \$15 per hour.	Supported
Rep. Jamie Scott and Sen. Linda Chesterfield HB1343 Failed	The bill would have required teacher preparation programs to include evidence-based trauma-informed classroom instruction and recognition of behavioral reactions to trauma.	Supported
Rep. Julie Mayberry and Sen. Kim Hammer HB1447 Failed	This bill would have changed the classification of school nurses and increase their pay to a minimum base salary that is at least equal to the minimum base salary required for classroom teachers.	Supported
Rep. R Scott Richardson and Sen. Jim Dotson HB1511 Failed	This bill would have required that an electronic child safety alarm be installed in public or charter school buses.	Supported

EDUCATION

Narrow Misses		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Sen. Clint Penzo and Rep. Howard M. Beaty, Jr. SB206	This bill would have amended the term length for school board members, as well as require individuals running for school board to be nominated by a political party.	Opposed

Equity

Instead of working to create more equitable policies so that Arkansans can have what they need to have healthy, happy, successful lives, this session legislators filed and passed many cruel pieces of legislation targeted against historically excluded groups of people including: Black, Indigenous, and other People of Color (BIPOC); LGBTQIA+ individuals; trans children and adults; and women.

Thankfully, a bill failed that would have eliminated programs for historically excluded people, like a program aimed at drawing BIPOC teachers to work in high-need areas such as the Delta. However, other harmful legislation did pass, like a law that will prohibit schools and higher education institutions from requiring implicit bias training. Other laws will make it so that school staff are required to misgender transgender or nonbinary children and require transgender children to use the bathroom that aligns with the gender they are

assigned at birth. These bills make it so that school is not a safe place for transgender or nonbinary children and make it much more dangerous for these kids to just live their authentic lives.

Finally, we saw lawmakers create penalties for librarians who provide books to children that are considered “obscene” in an effort to exclude books by BIPOC and LGTBQIA+ people from being accessible to the public.

One bright light in making our state laws more equitable was the passage of the CROWN Act, which will protect students from discrimination based on their natural hair or protective styles and includes these same protections in the Arkansas Civil Rights Act.

The following are a few of the relevant bills AACF followed this session.

EQUITY

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Mary Bentley and Sen. Dan Sullivan HB1156	Act 317 requires students in public schools to use bathrooms or locker rooms based on their sex assigned at birth, effectively forcing transgender students into bathrooms that do not correspond with the gender they live in daily.	Opposed

CATEGORY CONTINUES

EQUITY

Bills That Became Law CONTINUED		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Sen. Dan Sullivan and Rep. Justin Gonzales SB81	Act 372 allows certain books to be banned in public libraries and schools and would allow criminal charges to be brought against librarians who loan to minors books determined to be "obscene."	Opposed
Rep. Wayne Long and Sen. Mark Johnson HB1468	Act 542 requires school teachers and staff to misgender nonbinary and transgender students and staff, would prohibit them from using their preferred name (unless it's a direct derivative of the name listed on their birth certificate), without written permission from a parent or guardian. It also prohibits schools from requiring staff members or students to use a student's or staff person's personal pronouns if the pronoun is not consistent with that individual's gender assigned at birth, even if parental consent is given. And it allows for a civil cause of action to be filed if a person is harmed by a violation of the bill.	Opposed
Rep. Jamie Scott and Sen. Breanne Davis HB1576	Act 514 prohibits discrimination based on an individual's natural, protective or cultural hairstyle. It adds such hairstyles to protections in the state Civil Rights Act and explicitly prohibits discrimination by schools and institutions of higher education. It is named the CROWN Act – for "Creating a Respectful and Open World for Natural Hair."	Supported

EQUITY

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Sen. Linda Chesterfield SB60 Failed	This bill would have prohibited the use of a criminal defense that a person committed the offense due to the discovery, knowledge, or disclosure of the victim's sexual orientation, sex, gender, gender identity, gender expression, or sex assigned at birth.	Supported

EQUITY

Narrow Misses		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Sen. Dan Sullivan and Rep. Marcus Richmond SB71 Interim Study	This bill would have prohibited state agencies from providing programs targeted toward historically excluded groups, including on the basis of race, gender, color, ethnicity, or national origin in matters of state employment, public education, or state procurement. This could have resulted in the elimination of scholarships to Black, Hispanic, Asian, and Native Americans who commit to teaching in the Delta; university retention programs for Black, Hispanic, Asian, and Native American students, faculty, and staff. It would also have prevented programs designed to recruit more diverse staff in state government.	Opposed
Rep. Stephen Meeks HB1049 Failed	This bill would have prevented financial institutions from prioritizing services to businesses that have good policies around diversity, equity, and inclusion; good governance policies; etc. They also could not refuse services to a business or organization that promotes policies that are racist or discriminatory, or even those that lack good policies around governance such as business ethics, anti-corruption, or accounting practices which could increase the financial institution's risk in providing services.	Opposed

Family Economic Security

The Legislature worked to undermine family economic security by making it harder to access the kinds of services and programs that we know help children and families thrive. The duration of important cash assistance programs was shortened, and red tape and barriers were added to other programs. Lawmakers rejected a bill that had the

potential to improve child care access and another that sought to ensure that workers have written proof that they're being paid for the hours that they've worked.

The following are a few of the relevant bills AACF followed this session.

FAMILY ECONOMIC SECURITY

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Kendon Underwood and Sen. Ben Gilmore HB1196	Act 160 will add red tape to public housing, pending federal approval, by creating a stringent work-reporting requirement without any investment in supportive services.	Opposed

CATEGORY CONTINUES

FAMILY ECONOMIC SECURITY

Bills That Became Law CONTINUED		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Rebecca Burkes and Sen. Clint Penzo HB1401	Act 266 limits the assistance available to working families with children under 18 living in the home enrolled in the Transitional Employment Assistance or Work Pays programs by reducing the amount of time families with work-eligible adults can receive cash assistance from the current 24 months to just 12 months.	Opposed
Rep. Robin Lundstrum and Sen. Kim Hammer HB1430	Act 196 reduces the maximum length of unemployment benefits from 16 weeks to 12 weeks, making Arkansas tied for the shortest duration in the nation.	Opposed
Rep. Rebecca Burkes and Sen. Clint Penzo HB1575	Act 587 creates unreasonably stringent standards for people to access their unemployment insurance benefits.	Opposed
Rep. Kendon Underwood and Sen. Ben Gilmore HB1197	Act 106 will burden workers and businesses with more red tape in an attempt to keep people from accessing unemployment benefits.	Opposed

FAMILY ECONOMIC SECURITY

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Sen. Greg Leding SB522 Failed	This bill would have required employers to provide employees with pay stubs in either paper or electronic format. This legislation would have helped ensure employees get paid what they are owed.	Supported
Sen. Missy Irvin and Rep. Julie Mayberry SB352 Failed	This bill would have created an income tax incentive for employers who contribute to an employee's dependent care assistance fund. The money could have been used to pay for child care or other qualified expenses.	Supported
Rep. David Ray HB1046 Interim Study	The bill aimed to eliminate the sales tax on vehicles that are wheelchair accessible, or for services to make a vehicle wheelchair accessible.	Supported

Food Security

This session brought good news for low-income Arkansans as, unlike many previous sessions, no legislation passed that will restrict access to the Supplemental Nutrition Assistance Program (SNAP). SNAP is highly effective at reducing hunger and is a very powerful anti-poverty tool. Instead, the Legislature passed laws making food benefits more accessible for some groups in Arkansas. For example, a new law will allow children from families who are low-income and qualify for reduced-price school meals to receive those meals for free. The state will make up the difference in cost.

Another new law will allow the state to request a waiver to exempt combat veterans' disability

benefits from the income requirements of the SNAP program. If approved, this will make benefits more accessible to combat veterans in Arkansas.

Lawmakers also proposed changes to the law that sets limits on how many assets a family can have if they qualify for SNAP, in an effort to make it easier for families enrolled in the program to accumulate savings for emergencies and other family needs. However, the final, amended version of the bill won't change the asset limit restriction enough to make a difference for most families, so further changes will be needed.

The following are a few of the relevant bills AACF followed this session.

FOOD SECURITY

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Dwight Tosh and Sen. David Wallace HB1340	Act 201 . The new law requires the Department of Human Services to apply for a waiver from the U.S. Food and Nutrition Service to exempt certain veterans' benefits from being used as income for purposes of receiving SNAP.	Supported
Sen. Jonathan Dismang and Rep. DeAnn Vaught SB306	Act 675 will, pending federal approval, allow the Arkansas Department of Human Services to set Arkansas's asset limit for the Supplemental Nutrition Assistance Program (SNAP, previously known as "food stamps") to the federal rate and will allow a family whose assets exceed that level a temporary limit of \$5,500 for one year.	Supported
Sen. Johnathan Dismang and Rep. DeAnn Vaught SB477	Act 656 ensures that students who qualify for reduced-price school meals would not be charged for them. They will receive free meals instead, with the price difference made up with state dollars.	Supported

Foster Care and Family Systems

Following previous sessions, the Legislature continued an important emphasis on increasing permanency options for kids in the foster care system, particularly for older youth, and finding ways to encourage and support relative placement options as well as those with fictive kin (someone not biologically or legally related, but with a close emotional relationship). A new law will allow state-funded subsidies for many families with

foster children 18 to 21 years old who participate in the extended foster care program. Another new law will allow relatives and fictive kin to receive a monthly foster care board payment when they are a provisional foster home, rather than making them wait to be fully approved as a foster home.

The following are a few of the relevant bills AACF followed this session.

FOSTER CARE AND FAMILY SYSTEMS

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Sen. Missy Irvin and Rep. Jimmy Gazaway SB426	Act 770 extends maternity leave for state employees to include placement of an adoptive child under 1 year of age and foster placement of an infant under 1 year.	Supported
Rep. DeAnn Vaught and Sen. Clarke Tucker HB1775	Act 756 creates foster care leave for state employees and allows employees to have up to 40 hours of foster care leave per calendar year with pay when a child in foster care has been placed in the home of the employee.	Supported
Sen. Bart Hester and Rep. Charlene Fite SB346	Act 363 makes several changes to foster care law, including allowing state-funded subsidies for children 18 to 21 years of age who participate in the extended foster care program and are not Title IV-E eligible. It allows a relative or fictive kin (someone not biologically or legally related, but with a close emotional relationship) who has his or her home opened as a provisional foster home to receive a monthly board payment from DCFS for up to six months before they are fully opened as a foster home. It changes the word "visitation" to "family time."	Supported
Sen. Kim Hammer and Rep. Charlene Fite SB195	Act 348 states a parent will not have adverse legal consequences if the parent voluntarily leaves the child with a medical provider, law enforcement agency, or fire department. A parent will not be held criminally liable or have a true finding of maltreatment or abandonment if the parent's identity is known.	Supported
Rep. Carol Dalby and Sen. Gary Stubblefield HB1144	Act 61 creates a specialty court program for families involved in dependency-neglect proceedings that are affected by substance use disorders or mental health disorders.	Supported

Health and Health Care

AACF wanted to tackle numerous health priorities during the 94th General Assembly to ensure families and children had access to necessary medical care.

Our main focus was addressing maternal and child health in Arkansas. Rep. Aaron Pilkington was the lead sponsor of several new bills that would support better maternal and child health outcomes, including a new law that will require all newborns to be screened at the time of birth for medical conditions as recommended by the U.S. Department of Health and Human Services.

Some missed opportunities regarding maternal and child health included a bill that would have provided mothers on Medicaid 12 months of postpartum coverage, and another that would have sped up the process for pregnant women who apply for Medicaid services, ensuring that they are

able to seek out necessary prenatal care while their insurance application is being processed. These bills would have helped address the maternal mortality and morbidity crisis, infant mortality crisis, and dismal rates of preterm births in the state of Arkansas.

Another priority this session was advocating for the passage of bills that would help to address the mental health crisis affecting many children and youth in Arkansas. Act 512 created the Arkansas Legislative Study on Mental and Behavioral Health, a continuation of the behavioral health interim study that took place in 2022 to address the mental health crisis within the state.

The following are a few of the relevant bills AACF followed this session.

HEALTH AND HEALTH CARE

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Aaron Pilkington HB1011	Act 562 requires Medicaid to reimburse providers for depression screening during someone's pregnancy.	Supported
Rep. Aaron Pilkington and Sen. Missy Irvin HB1035	Act 316 requires insurance providers and Medicaid to cover depression screening for all mothers at the time of birth.	Supported
Rep. Aaron Pilkington and Rep. Clint Penzo HB1102	Act 490 requires that all newborns be screened at birth for medical conditions as recommended by the U.S. Department of Health and Human Services.	Supported
Rep. Lee Johnson and Sen. Missy Irvin HB1127	Act 59 will allow small rural hospitals to make a change in designation from critical access hospital to rural emergency hospital, thereby allowing these hospitals to get higher reimbursement for outpatient services.	Supported

CATEGORY CONTINUES

Bills That Became Law CONTINUED		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Lee Johnson and Sen. Missy Irvin HB1129	Act 494 allows for integrated behavioral health services within primary care physicians' clinics and hospital outpatient clinics. These settings will be able to provide screenings and services for behavioral health conditions, which will be reimbursed by Medicaid and insurance companies.	Supported
Sen. Justin Boyd and Rep. Ryan Rose SB74	Act 49 will allow certain people who need one to use a surrogate to apply for public benefits such as Medicare and Medicaid.	Supported
Sen. Gary Stubblefield and Rep. Mary Bentley SB199	Act 274 establishes stringent requirements for physicians who offer gender-affirming care to minors in Arkansas. It will be nearly impossible for parents to obtain gender-affirming care for their children. It will also make it more difficult for physicians wishing to provide such care to be able to obtain or retain medical malpractice insurance.	Opposed
Rep. DeAnn Vaught and Sen. Breanne Davis HB1385	Act 581 ensures more women have access to long-acting reversible contraceptives by improving Medicaid reimbursement rates to providers.	Supported
Rep. DeAnn Vaught and Sen. Clarke Tucker HB1565	Act 512 creates the Arkansas Legislative Study on Mental and Behavioral Health to be conducted by the Joint House and Senate Public Health, Welfare and Labor Committees. The study seeks to further address the mental health crisis in the state.	Supported
Rep. DeAnn Vaught and Sen. Kim Hammer HB1574	Act 513 provides a Medicaid supplemental reimbursement rate for pediatric primary care physicians enrolled in the patient-centered medical home program for integrated behavioral health services to better address the child mental health crisis in Arkansas.	Supported
Rep. Bart Schulz and Sen. Ben Gilmore HB1562	Act 586 ensures that medicines to help reverse the effects of opioid overdoses, such as naloxone, are more widely available and accessible to people at risk of experiencing or witnessing an overdose.	Supported

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. Aaron Pilkington HB1010 Failed	This bill would have provided mothers on Medicaid with coverage for 12 months after giving birth, without interruption.	Supported
Rep. Lee Johnson HB1126 Failed	This bill would have expanded the list of medications for conditions or treatments that are not counted towards the monthly Medicaid prescription benefit cap.	Supported
Rep. Aaron Pilkington HB1787 Failed	This bill would have allowed the state to speed up the process for approval of pregnancy Medicaid applications, allowing pregnant women to get prenatal care services more quickly.	Supported
Rep. Denise Garner and Sen. Greg Leding HB1761 Interim Study	This bill aimed to reduce the likelihood of people who are prohibited from owning guns, including convicted felons and domestic abusers, being able to purchase firearms by closing background check "loopholes" on private sales and transfers.	Supported
Rep. Denise Ennett HB1304 Failed	The bill would have required insurance policies to cover prescribed prenatal vitamins.	Supported
Rep. Ashley Hudson HB1670 Failed	This bill would have amended the Arkansas Human Life Protection Act to allow for abortions to take place for pregnant women experiencing a medical emergency or when the pregnancy is the result of incest.	Supported
Rep. Tippi McCullough and Sen. Greg Leding HB1797 Failed	This bill would have allowed a court to issue an emergency risk protection order and to grant a warrant to law enforcement that would allow them to temporarily remove guns from a person known to possess them and who poses a risk of imminent personal injury to himself, herself, or to another person.	Supported
Rep. Tippi McCullough HB1796 Failed	This bill would have provided a sales tax holiday from July 1, 2023 through June 30, 2024 for purchases of a gun safe or gun safety device. Gun safes and devices equipped or installed on a firearm that permits a user to program the firearm to operate only for specified persons will be exempt from state sales tax during this year-long period.	Supported

Narrow Misses		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. Delia J. Haak and Sen. Joshua Bryant HB1305 Failed	This bill would have limited youth aged 16 and 17 from being able to consent for their own medical treatment. It would have required youth aged 16 and 17 to have parental or guardian consent for all medical treatment regarding their personal health needs.	Opposed
Sen. Bryan King and Rep. Josh Miller SB278 Failed	This bill would have terminated the ARHOME Medicaid expansion program. It would have required a transfer of those currently enrolled in the ARHOME program into the traditional Arkansas Medicaid Program.	Opposed

Juvenile Justice

For the second legislative session in a row, lawmakers rejected a proposal to eliminate fees and fines assessed to young people and their families in the juvenile court system. The juvenile justice system is required, by state law, to be “rehabilitative” for young people who encounter the system. But too often, families end up burdened with debts to cover the costs of programs and services, creating added strife in families who often are already struggling. Legislation proposed this session would have eliminated those fees and fines, while still

requiring that young people pay restitution to victims.

One positive outcome of the session was a new state law, Act 38, which requires the Legislature to study fees and fines throughout the justice system. This study could shed light on ways these fees and fines burden families who have very little means to pay them.

The following are a few of the relevant bills AACF followed this session.

JUVENILE JUSTICE

Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. Carol Dalby and Sen. Gary Stubblefield HB1245	Act 38 requires a legislative study of the court systems in Arkansas, including “substantial amounts” of fees and fines assessed to defendants who are often unable to pay them.	Supported

Missed Opportunities		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. Grant Hodges HB1754 Withdrawn by author	This bill would have eliminated fees and fines in the juvenile court system, while still requiring young people to make restitution to victims in delinquency cases.	Supported

Tax and Budget

Though the Governor and other leading elected officials had campaigned in favor of the elimination of the state income tax, we saw no legislation that proposed anything that reckless. However, lawmakers did take an incremental step in that direction, reducing the highest rate of the state's income tax, a cut that will mostly benefit the state's wealthiest residents and profitable corporations. With Act 532, the Legislature continued a decade-long habit of cutting revenue that would have

helped fund important public services, from infrastructure to programs critical to children and their families. The reduction in the income tax also makes the state and local governments more reliant on sales taxes, which are some of the highest in the nation and burden low-income families the most.

The following are a few of the relevant bills AACF followed this session.

TAX AND BUDGET

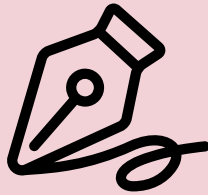
Bills That Became Law		
Primary sponsors and bill numbers	What it means to Arkansas's children and families	AACF's position
Rep. David Ray and Rep. John Payton HB1026	Act 96 will undercut the ability of local governments to set tax and budget policies that work in their local communities.	Opposed
Rep. Howard Beaty and Sen. Ben Gilmore HB1045	Act 485 eliminates the "throwback rule" that had ensured corporations paid taxes on all of their income regardless of how complex tax rules in different states interact.	Opposed
Rep. David Ray HB1454	Act 541 lets businesses take a tax break normally reserved for individual taxpayers.	Opposed
Sen. Jonathan Dismang and Rep. Les D. Eaves SB549	Act 532 lowers the top personal income tax rate from 4.9% to 4.7%, and the top corporate income tax rate from 5.3% to 5.1%.	Opposed

Narrow Misses		
Primary sponsors, bill numbers, final status	What it would have meant to Arkansas's children and families	AACF's position
Rep. Howard Beaty, Jr. HB1044 Failed	This bill would have allowed businesses to take larger deductions on certain kinds of assets in a way that would reduce state revenue without inducing economic growth or investment.	Opposed
Rep. Stephen Meeks HJR1002 Failed	This proposed constitutional amendment would have put the elimination of property taxes on the 2024 election ballot for voters' consideration.	Opposed

Fast Facts – 2023 Legislative Session

1,439

bills filed



\$6,593 billion

general revenue budget
2023-2024



889

bills
passed



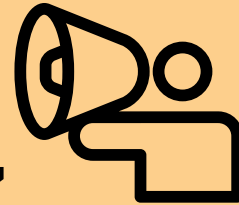
For more, visit aradvocates.org/2023Session

6 bills
from AACF
agenda
introduced



AACF promoted

8 advocacy alerts,
resulting in



234 advocates contacting their
legislators

340 times by email
and **882** petition signatures

122 attendees
at our Kids Count
Day at the Capitol



6 AACF staff testified

23 times before
legislative
committees





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