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## **93rd General Assembly**

### **Wednesday, Feb. 10, 2021 – Session Day 31**

#### **TODAY AT THE CAPITOL**

The House and Senate are scheduled to convene at 1 p.m. this afternoon. The Speaker said yesterday they would approach the weather forecast like schools do. They will make decisions when weather issues are apparent.

#### **LEGISLATIVE COMMITTEE MEETINGS**

8:30 a.m. Joint Budget

9:30 a.m. House Insurance/Commerce and State Agencies | Senate Judiciary

Noon House Rules

2:00 p.m. Senate Education and Health | House Aging

To view the full schedule of floor calendars, committee meetings, their agendas and video access, click [here](#).

#### **NEW BILLS**

#### **CONSTITUTIONAL AMENDMENTS**

Today is the deadline to file Joint Resolutions that seek to refer measures to the 2022 General Election Ballot. Three Joint Resolutions were filed yesterday, one of which was a shell bill (no content).

#### **CITIZENS COMMISSION ON THE MINIMUM WAGE**

**HJR1007** by Rep. Fred Love seeks to create a Citizens Commission on the Minimum Wage to have sole authority to implement increases to the minimum wage. It would set member term limits of two terms that are four years each; sets membership of seven members and the officials to appoint them: two by the Governor, two by the President Pro Tempore of the Senate, two by the Speaker of the House, and one by the Chief Justice of the Supreme Court. It would require the Division of Labor of the Department of Labor and Licensing to provide staff assistance as requested.

It would also require members to be state residents for two years; over the age of 25; prohibit membership by anyone who holds civil office or is a state employee or lobbyist and immediate family members of anyone in those groups and the Commission to conduct biennial reviews, first of worker minimum wage and then state minimum wage; and report any proposed increases to the public, including affording 45 days or less for public comment, and file them with the Secretary of State.

Finally, it would subject the Commission to the Freedom of Information Act of 1967 and authorize the General Assembly to amend the section and the Arkansas Code Revision Commission to make technical corrections to the amendments. The effective date would be January 1, 2023.

#### **BALLOT INITIATIVE APPROVAL**

**HJR1008** by Rep. DeAnn Vaught would require 60 percent of electors to approve a ballot

initiative or to approve a petition to overturn a law that was passed with an emergency clause. The effective date would be January 1, 2023.

## TODAY AT THE CAPITOL

### PPP INCOME TAX EXEMPTION

**HB 1361** by Rep. Les Eaves and Sen. Jonathan Dismang seeks to adopt federal statutes for the purpose of computing Arkansas income tax liability from the Paycheck Protection Program, loan forgiveness and emergency grants. It excludes payments received under the Coronavirus Food Assistance Program. It sets an effective date of tax years beginning on or after January 1, 2019. *This bill received a Do Pass recommendation yesterday by the House Revenue and Taxation Committee and is on this afternoon's House Calendar.* The State Chamber/AIA Supports.

### UNEMPLOYMENT INSURANCE TAX EXEMPTION

**SB 236** Sen. Jonathan Dismang and Rep. Joe Jett would exempt from income tax 2020 and 2021 unemployment compensation benefits paid from federal unemployment funds or from Title IV of the Social Security Act. *This bill received a Do Pass recommendation yesterday in the House Revenue & Taxation Committee and is on this afternoon's House Calendar.* The State Chamber/AIA Supports.

### LOCAL ELECTIONS

**HB 1368** by Rep. David Ray and Sen. Bart Hester seeks to set the date for most special elections as the presidential preferential primary date or the general election date in a year in which those elections are held, otherwise on the third Tuesday in May or the Tuesday after the first Monday in November. It also seeks to: require the local board or acting local board to publish the proclamation at least 90 days before the election date; require authorized documents calling for a special election to be filed at least 75 days before the date the special election is to be held; exempt special elections to fill vacancies in office, special runoff elections, local option elections, or special elections otherwise provided for by the Arkansas Constitution. It also seeks to provide that an emergency special election may be held on a date other than the dates specified in this act; defines emergency as a substantial change in the interpretation of the law by federal or state courts; circumstances due to fire, flood, tornado, or other natural disaster; circumstances determined by the governing body of the entity requesting the election to be an imminent danger to the public health and safety, and a delay of the special election that would cause a substantial and undue hardship to the governing entity. *This bill was defeated 40 Yea to 49 No on the House floor on February 4 and notice of reconsideration was filed February 8 to allow the bill to be reconsidered.* The State Chamber/AIA joins local chambers and other organizations in opposition to this bill.

## YESTERDAY AT THE CAPITOL

### FREEDOM OF INFORMATION ACT EXPANSION

**SB 195** by Sen. Dan Sullivan seeks to expand the impact of FOIA laws to private entities in specific circumstances. *This bill was amended yesterday and awaits consideration in the Senate State Agencies Committee.* The State Chamber/AIA Opposes.

### FREEDOM OF INFORMATION ACT EXPANSION

**SB 208** by Sen. Dan Sullivan seeks to redefine "meeting" for application of FOIA laws. *This bill was amended yesterday and awaits consideration in the Senate State Agencies Committee.* The State Chamber/AIA Opposes.

## STATE CHAMBER/AIA PRIORITY AGENDA BILLS:

We support the following bills because they meet criteria of the Priority Section of our 2021 Legislative Agenda. For details on each bill, click [here](#).

### PROTECTING CRITICAL INFRASTRUCTURE

**HB 1321** by Rep. Jimmy Gazaway  
*This bill awaits consideration by the House Judiciary Committee.*

The State Chamber/AIA Supports.

### **ELECTIVE PASSTHROUGH ENTITY TAX**

**HB 1209** by Rep. Joe Jett

*This bill awaits consideration in the House Revenue and Taxation Committee.*

The State Chamber/AIA Supports.

### **UNEMPLOYMENT INSURANCE EXPERIENCE FORGIVENESS**

**HB 1212** by Rep. Jack Ladyman and Sen. Missy Irvin

*This bill awaits consideration by the Senate Public Health, Welfare and Labor Committee.*

The State Chamber/AIA Supports.

### **UNEMPLOYMENT INSURANCE – CAP STABILIZATION TAX IN 2021**

**HB 1407** by Rep. Robin Lundstrum and Sen. Ricky Hill

*This bill has awaits consideration in the House Public Health, Welfare and Labor Committee.*

The State Chamber/AIA Supports.

### **UNEMPLOYMENT INSURANCE – CAP WAGE BASE IN 2022**

**HB 1409** by Rep. Robin Lundstrum and Sen. Ricky Hill

*This bill awaits consideration in the House Public Health, Welfare and Labor Committee.*

The State Chamber/AIA Supports.

### **SOFT DRINK TAX PHASEOUT**

**HB 1316** by Rep. Lanny Fite and Sen. Dave Wallace

*This bill has been amended and awaits consideration by the House Revenue & Taxation Committee.*

The State Chamber/AIA Supports.

## **BILLS WE SUPPORT**

To view details of these bills, click [here](#).

### **DAMAGE DEFINITION CLAIRIFICATION**

**SB 255** by Sen. Missy Irvin would define recoverable damages for necessary medical care, treatment, or services as only those costs actually paid by or on behalf of the plaintiff or that remain unpaid and for which the plaintiff or any third party is legally responsible.

*This bill awaits consideration in the Senate Judiciary Committee.*

The State Chamber/AIA Supports.

### **EXPANSION OF EXISTING SALES TAX EXEMPTION**

**SB 26** by Sen. James Sturch

*This bill was presented in the Senate Revenue & Taxation Committee on February 1, but a vote was delayed until later in the session.*

The State Chamber/AIA Supports.

## **BILLS WE OPPOSE**

To view details of these bills, click [here](#).

### **DISCLOSURE OF PRIVATE TAX INFORMATION**

**SB 293** by Sen. Bill Sample would require taxpayers claiming certain sales and use tax credits, refunds, or rebates to provide notification to the executive head of the county or municipality that levied the tax, to complete prescribed forms and disclose pertinent tax information. *This bill has been assigned to the Senate Revenue & Taxation Committee.*

### **REPEAL OF ARKANSAS WORKS**

**HB 1428** by Rep. Josh Miller and Sen. Dan Sullivan

*This bill awaits consideration in the House Public Health, Welfare and Labor Committee.*

The State Chamber/AIA Opposes.

### **PATISAN LOCAL ELECTIONS**

**HB 1252** by Rep. Clint Penzo and Sen. Bart Hester  
*This bill has been assigned to the House City, County & Local committee.*  
The State Chamber/AIA Opposes.

### **CLOSE AEDC OFFICE IN CHINA**

**SB 252** by Sen. Trent Garner would prohibit the Arkansas Economic Development Commission from establishing or maintaining an office in China. It also would require the commission to close any existing offices in China as of the effective date of the act.  
*This bill was defeated in the Senate State Agencies Committee on February 4 but remains on the committee's agenda.*  
The State Chamber/AIA opposes this bill.

### **HYBRID AUTO REGISTRATION FEE REPEAL**

**SB 117** by Sen. Mark Johnson  
*This bill awaits consideration in the Senate Transportation, Technology & Legislative Affairs Committee.*  
The State Chamber/AIA Opposes.

### **HYBRID AUTO REGISTRATION FEE REDUCTION**

**SB 225** by Sen. Blake Johnson  
*This bill awaits consideration in the Senate Transportation, Technology & Legislative Affairs Committee.*  
The State Chamber/AIA Opposes.

### **STATE CHAMBER/AIA BILL TRACKING**

\*Total Bills Filed: 774 | New Bills Filed: 17 | House 10 – Senate 7  
\*Bills added to State Chamber/AIA Tracking: 7 | Total Tracked Bills: 265

To view a list of the new bills added to our tracking, click [here](#).

To see all tracked bills saved by category, click [here](#).

*\*Resolutions are not included in our bill counts.*

### **LEGISLATIVE SESSION INFORMATION**

To view schedules, calendars, bill information and legislator information, click [here](#).

To view the statement regarding Capitol access and committee attendance, click [here](#).

### **Legislative Message Center**

House of Representatives: 501-682-6211  
Senate: 501-682-2902

### **STATE CHAMBER/AIA INFORMATION**

#### **2021 LEGISLATIVE AGENDA**

To view the State Chamber/AIA's legislative agenda, click [here](#).

#### **BILL SCORING**

Floor votes on bills that address issues in our Legislative Agenda and/or are discussed in a Daily Legislative Update are subject to being scored.

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