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93rd General Assembly Monday, March 15, 2021 – Session Day 64

TODAY AT THE CAPITOL

The House and Senate will convene at 1 p.m. this afternoon.

Committee Meetings

8:30 a.m. – Public Retirement

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

2:00 p.m. – Senate Education and Health | House State Agencies, Aging and City/County/Local

STATE CHAMBER/AIA PRIORITY AGENDA BILLS

INDEPENDENT TAX APPEALS COMMISSION

HB 1468 by Rep. Joe Jett and Sen. Jonathan Dismang is our bill that seeks to create an Independent Tax Appeals Commission. **HB 1705** is a technical companion bill.

These bills are on the Tuesday afternoon agenda in the House Revenue & Taxation Committee.

The State Chamber/AIA supports **HB 1468** & **HB 1705**.

WORKERS' COMPENSATION

SB 530 by Sen. Dave Wallace and Rep. Jack Ladyman seeks to decrease the amount of a workers' compensation third-party liability that an employer, carrier, or (newly added) self-insured carrier is entitled to, from two-thirds to one-half of the proceeds that remain after payment of costs. It also provides that the rights of the employer, carrier, or self-insured entity to recover benefits paid as a result of either settlement or judgment against the third party are absolute.

This bill may be considered Wednesday in the Senate Public Health, Welfare and Labor Committee.

The State Chamber/AIA supports **SB 530**.

To view a summary and the status of 20 bills from the State Chamber/AIA's Priority Agenda click [here](#).

TODAY'S BILLS

COVID LIABILITY PROTECTION FOR BUSINESSES

HB 1487 by Rep. Justin Gonzales and Sen. Ben Gilmore would provide an entity or individual immunity from civil liability for damages or injuries caused by exposure to COVID-19 on business premises or during an activity they managed. This bill applies to claims in state or federal court or before the Arkansas State Claims Commission. It excludes willful, reckless, or intentional misconduct and workers' compensation benefits. It presumes good faith conduct if they are substantially complying or attempting to comply with issued guidelines. Set to expire May 1, 2023.

This bill is on this afternoon's House Calendar.
The State Chamber/AIA supports **HB 1487**.

UTILITY RATE REVIEW

SB 489 by Sen. Breanne Davis and Rep. John Maddox seeks to make various changes to the Formula Rate Review Act, adding regulatory parameters to the Public Service Commission's electric utility rate review process.

This bill is on this afternoon's Senate Calendar.

The State Chamber/AIA supports **SB 489**.

SCIENCE OF READING

SB 349 by Sen. Alan Clark and Rep. Keith Brooks seeks to prohibit schools from using reading programs that are not aligned with the science of reading. This bill was amended March 11 to primarily address how to enforce.

This bill is on this afternoon's agenda in the Senate Education Committee.

The State Chamber/AIA supports the science of reading.

MEDICAL ETHICS

SB 289 by Sen. Kim Hammer and Rep. Brandt Smith seeks to ensure a right of conscience for all healthcare institutions, healthcare payers and medical practitioners, prohibiting discrimination based on medical decisions made due to religious, moral, ethical, or philosophical principles with limited exceptions.

This bill was amended March 9, received a Do Pass recommendation from the House Public Health, Welfare and Labor Committee on March 11 and is on this afternoon's House Calendar.

POTENTIAL BALLOT REFERRALS

This afternoon, the House State Agencies Committee will hear presentations on 11 House Joint Resolutions that seek to be referred to the 2022 General Election ballot. To see a summary of all 43 Joint Resolutions filed by the House and Senate, click [here](#).

IN COMMITTEES ON TUESDAY

HOUSE TRANSPORTATION COMMITTEE

HB 1562 that addresses autonomous vehicles is on House Transportation's agenda Tuesday morning. We support this bill.

HOUSE PUBLIC HEALTH, WELFARE AND LABOR COMMITTEE

Four bills we have concerns about are on the House Health Committee agenda Tuesday afternoon.

HB 1553 proposes to Create the 2021 Earn and Learn Act. This bill has been amended since it was filed.

HB 1547 proposes an Act to Prohibit Mandatory 2019 (COVID-19) Immunizations or Vaccines for students and employees. This bill has been amended since it was filed.

HB 1584 proposes the Arkansas Nighttime Environment Protection Act. This bill has been amended since it was filed.

We have concerns about these bills.

HOUSE JUDICIARY COMMITTEE

HB 1486 that seeks to repeal and replace the law concerning possession of a firearm in a private employer parking lot is on the House Judiciary Committee agenda Tuesday afternoon.

We have concerns about this bill.

SENATE INSURANCE AND COMMERCE COMMITTEE

SB 475 is on the Senate Insurance and Commerce Committee agenda Tuesday afternoon. It seeks to change the board composition and appointment process of the Arkansas Development Finance Authority and require house-related tax credits to be awarded equally among the four congressional districts each year.

SENATE STATE AGENCIES COMMITTEE

SB 496 is on the Senate State Agencies Committee Tuesday afternoon. It seeks to make

various changes to special election laws.

BILLS WE OPPOSE

OCCUPATIONAL LICENSING

HB 1667 by Rep. Tony Furman would require all occupational licensing entities to recognize licenses from other states and grant licenses based on work experience in other states if that state does not require a license. The bill defines “applicant” as an individual seeking an occupational or professional license.

We hosted a meeting of our Occupational Licensing Working Group on March 11 and approximately 50 people participated. The group agreed that this bill will apply to all professional licenses as well as the trade licenses. The group was unanimous in its opposition to this bill.

Similar issues came up a few years ago that led to the formation of our group. Bills were defeated in two consecutive legislative sessions. In the session with the second overly broad anti-licensing bill, the Governor created the Red Tape Reduction Working Group, which spent almost two years studying the licensing laws and rules in Arkansas. The Occupational Licensing Advisory Group (OLAG) was formed to provide information to the Red Tape Group. The Red Tape group’s charter expired but a subsequent group was formed to which OLAG continues to report its work. OLAG consists of most of the licensing agencies in the state, along with some interest groups that include the State Chamber of Commerce. Every agency in OLAG has reviewed their licensing and reported on updates. A subsequent Act requires a set number of agencies to report to the legislature every year.

Our group believes it would be best if the issues **HB 1667** addresses would follow the process that was created by past legislatures, which are working well.

We are collecting a list of businesses and organizations that are opposed to **HB 1667**. If you’d like to add your name to the list, please let us know.

This bill awaits consideration in the House Public Health, Welfare and Labor Committee. The State Chamber/AIA opposes this very broad bill.

RETIREMENT PLAN

HB 1349 by Rep. Les Warren and Sen. Kim Hammer seeks to create the Every Arkansas Retirement Plan Opportunity, which allows employees of participating employers to enroll in the proposed retirement system. This bill received a Do Pass from the Joint Budget Committee on March 8 and passed the House 93 to 3 on March 10. It was defeated in the Senate 9 to 15 on March 11. A clincher motion failed and a motion to expunge the vote by which the bill passed was adopted. So, it is possible this bill could come up for reconsideration.

Some concerns about this bill have been communicated to us since Friday morning. The primary concerns are this bill puts the state in the private retirement plan business. Existing financial institutions are better suited to provide this service and do so without putting the state at risk if a plan failed. As of January 1, pooled multiple employer 401k plans to non-affiliated small employers can be done under the 2019 SECURE Act. Such plans are popping up across the country. The state’s fiscal statement does not include marketing costs and has no information on fees. Finally, only two states, Massachusetts and Vermont, have adopted such plans, and both were done before the SECURE Act. Vermont has not moved forward with their plan. The Massachusetts plan took four years to set up and after three years of operation has only 80 participants.

STATE CHAMBER/AIA BILL TRACKING

Total Bills Filed: 1253 | New Bills Filed: Senate 0 | House 0

Bills and resolutions added to State Chamber/AIA Tracking: 0 | Total Tracked: 464

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

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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