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93rd General Assembly Wednesday, March 31, 2021 – Session Day 80

TODAY AT THE CAPITOL

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

Committee Meetings

8:00 a.m. – Joint Budget Committee-Personnel

9:30 a.m. – Senate Judiciary and Tax | House Education and State Agencies

11:00 a.m. – House Management

12:00 p.m. – House Rules

2:00 p.m. – Senate Education and Health | House Agriculture, Aging and City/County/Legal

**** CALL TO ACTION – PLEASE ASK YOUR SENATOR TO VOTE YES ON SB 530 ****

WORKERS' COMPENSATION – State Chamber Priority Agenda Bill

SB 530 by Sen. Dave Wallace and Rep. Jack Ladyman *received 19 yes votes Monday but needed 24. The vote was expunged, and we continue working to gain more votes for a second vote.*

If you asked your State Senator to vote FOR SB 530 and they did, please say thank you.

Please continue to ask your State Senator to vote YES on SB 530.

The purpose of this bill is to reduce employers' workers comp costs by allowing a recovery of payments made to an employee who was injured while on the job and the injury is caused by someone else.

Workers' comp is obligated to pay its benefits regardless of the employee's ability to seek recovery of those benefits and more from the person that caused the injury. Workers' comp must pay all of the injured workers' medical bills and temporary total disability to cover a portion of the employee's lost wages.

Ask your Senator to Vote Yes on SB 530 - It's important to business.

TODAY'S BILLS

PHARMACY BENEFITS MANAGEMENT

HB 1804 by Rep. Brian Evans and Sen. Ron Caldwell seeks to make changes to the Arkansas Pharmacy Benefits Manager Licensure Act.

This bill is an intrusive bill that would severely limit the ability of **self-funded health plans**, usually offered by the state's large employers, to make prescription drugs more affordable for their members.

The bill places self-insured groups and governmental plans under the provisions of the state PBM (pharmacy benefits manager) Licensure Act, which established a single-rate system of reimbursement for each drug dispensed by every pharmacy in the state, regardless of the quality of services provided.

Arkansas Blue Cross and Blue Shield believes HB1804 will negatively impact the employers that sponsor self-funded health plans and the hundreds of thousands of hard-working Arkansans who depend on them. We further believe HB1804 will accelerate the escalation of healthcare costs in Arkansas.

Tools including protocols around prescribing and composition of pharmacy networks are used by most self-funded health plans and have been shown to be effective at helping health plans contain pharmaceutical costs. HB1804 attempts to circumvent these widely accepted and clinically sound cost-containment approaches and injects inappropriate state intervention into private-sector business strategies and free-market dynamics.

HB1804 would drive up the “out-of-pocket” costs of health plan members and ultimately could make the health plans on which they rely much less affordable. Additionally, HB1804 seeks to place an added reporting requirement on self-funded health plans that is burdensome and intrusive. Self-funded health plans would be required to share negotiated contract information including rebate and payment details that, until now, have been considered proprietary and confidential.

This bill is on Wednesday's agenda in the House Insurance and Commerce Committee. We oppose this bill.

CRITICAL INFRASTRUCTURE PROTECTION – State Chamber/AIA Priority Agenda Bill

HB 1321 by Rep. Jimmy Gazaway and Sen. Alan Clark *is on Wednesday's agenda in the Senate Judiciary Committee.*

This bill does three things: a) Defines critical infrastructure, b) adds critical infrastructure to the existing criminal code, and c) sets associated criminal mischief penalties. This is a State Chamber/AIA Priority Agenda bill.

The need for this bill has been especially highlighted in recent days, from the domestic terrorism incident in Nashville that wiped out a telecommunications grid to COVID-19, which has highlighted how important it is to protect our supply chain from those who wish to interrupt it. Oklahoma, Texas, Louisiana, and Tennessee are among several states that have adopted similar legislation.

NEW TAX ON ELECTRONIC MONEY TRANSFERS

SB 545 by Sen. Trent Garner seeks to levy a tax on electronic money transfers of \$5 per transfer plus one percent of amounts transferred that are over \$500. The tax would apply to transfers that are not conducted by an FDIC insured institution. The proceeds would go to a new Immigration Enforcement Training Grant Program. This is a tax increase on businesses that rely on these payment methods to conduct their business. *This bill is on the agenda in today's Senate Revenue and Taxation Committee meeting.*
We oppose this bill.

RELEASE OF TAXPAYER INFORMATION

SB 528 by Sen. Bill Sample seeks to require the Arkansas Department of Finance and Administration to provide reports to counties and cities containing data on sales tax rebates and credits awarded for local sales and use tax rebates, and for purchased property used in construction contracts. It would require the reports to be delivered electronically on a monthly basis and to include the name of the taxpayer and the amount of the credit or rebate awarded.

This bill is on Wednesday's agenda in the Senate Revenue & Taxation Committee.
We oppose the release of the taxpayer information.

COVID CIVIL IMMUNITY

HB 1487 by Rep. Justin Gonzales and Sen. Ben Gilmore would create civil immunity for damages or injuries caused by or resulting from exposure to Covid-19 on business premises.

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

EXTENDED TAX RETURN DEADLINE – State Chamber/AIA Priority Agenda Bill

SB 420 by Sen. Jonathan Dismang and Rep. Joe Jett would set the deadline for state income tax returns following application for a federal extension to one month after the federal deadline for tax returns that have been granted federal extension.

*This bill is on this morning's agenda in the Senate Revenue and Taxation Committee .
The State Chamber/AIA supports this bill.*

PUBLIC ROADS IMPROVEMENT TAX CREDIT– State Chamber/AIA Priority Agenda Bill

SB 481 Allows 100 percent of the public roads improvements tax credit to be taken in a single year, instead of limiting it to 50 percent. Extends the carry-forward period for the credit from three to 10 years.

*This bill is on this morning's agenda in the Senate Revenue and Taxation Committee
The State Chamber/AIA supports this bill.*

YESTERDAY'S BILLS

OCCUPATIONAL LICENSING

HB 1667 by Rep. Tony Furman would require all occupational licensing entities to recognize licenses from other states. The bill defines “applicant” as an individual seeking an occupational or professional license.

This bill did not come up in the House Public Health, Welfare and Labor Committee yesterday. The sponsor plans to try to run it again on Thursday.

The State Chamber/AIA opposes this very broad bill.

INDEPENDENT TAX APPEALS COMMISSION-State Chamber/AIA Priority Agenda bill

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

This bill received a Do Pass recommendation yesterday in the Senate Insurance and Commerce Committee.

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

INDEXING WEEKS OF UNEMPLOYMENT INSURANCE

HB1676 by Rep. Austin McCollum seeks to scale back the duration of unemployment compensation benefits in increments as indexed to the current unemployment rate.

This bill was defeated in the House Public Health, Welfare and Labor Committee yesterday by a vote of 10 to 9.

UNEMPLOYMENT INSURANCE SYSTEM UPDATE

HB 1765 by Rep. Robin Lundstrum would allow a portion of the existing Stabilization Tax revenue to be used to finance a much needed modernization of the unemployment insurance system. These funds could be used from April 1, 2021 through December 31, 2023 but cannot exceed \$35 million.

This bill received a Do Pass yesterday afternoon from the House Public Health, Welfare and Labor Committee.

We support updating the DWS UI system and this bill.

SCIENCE OF READING

SB 349 by Sen. Alan Clark and Rep. Keith Brooks would prohibit schools from using reading programs of instruction that are not aligned with the science of reading.

This bill received a Do Pass recommendation yesterday from the House Education Committee.

We support the science of reading.

ARHOME

SB 410 by Sen. Missy Irving seeks to create the Arkansas Health and Opportunity for Me Act of 2021 (ARHOME), replacing the Arkansas Works Program for expanded Medicaid coverage. It creates incentives for individuals to gain qualified health insurance premium assistance.

This House passed this bill 64 to 34 yesterday afternoon .

NET METERING

HB 1787 by Rep. Lanny Fite and Sen. Blake Johnson would require the Arkansas Public Service Commission to adopt new or revised net-metering rules that require an electric utility to make adjustments to metering practices, customer fees and charges, kilowatt hour measurements, etc.

This bill seeks to correct the situation where the PSC requires utilities to purchase electricity they do not need at two to three times the market price.

This bill was removed from Wednesday's agenda in the House Insurance and Commerce Committee.

We support this bill.

CIVIL EVICTION

HB 1563 by Rep. Jimmy Gazaway would establish a civil eviction process, including provisions on notice, complaint requirements, jurisdiction, civil pleadings, etc. and prohibits certain terms and conditions in rental agreements and also create a duty that the landlord maintain habitable premises.

This bill was passed over yesterday for a fourth time.

The State Chamber/AIA is concerned about this bill.

TOMORROW'S BILLS

LIMITED LIABILITY COMPANY ACT

SB 601 by Senator Jonathan Dismang would create the Uniform Limited Liability Company Act and repeal the Small Business Entity Tax Pass Through Act.

This bill is on Thursday's agenda in the Senate Insurance and Commerce committee.

The backers of this bill are interested in feedback about this bill. If you have any comments, please let us know.

FIREARMS IN VEHICLES ON BUSINESS PARKING LOTS

SB 555 by Sen. Alan Clark seeks to repeal and replace the subsection that prohibits employers from restricting the storage of firearms inside employees' cars in an employer parking lot. It exempts parking lots owned by the Department of Corrections or an entity contracting with a division of the department to provide work release or post-incarceration housing services. It provides that an employer has the right to prohibit firearms for the following circumstances: a person who is not an employee storing a firearm in an employee's vehicle, having a firearm if the employee is using an employer owned vehicle, the employee is the subject of an active or pending employment disciplinary proceeding, and from bringing a firearm on a parking lot if the premises is being used for residential housing.

This bill is on Thursday's agenda in the House Judiciary Committee.

BILLS WE OPPOSE

PROHIBIT MANDATORY COVID IMMUNIZATIONS OR VACCINES

HB 1547 by Rep. Robin Lundstrum and Sen. Breanne Davis proposes an Act to Prohibit Mandatory 2019 (COVID-19) Immunizations or Vaccines for students and employees. A third amendment has been made to the bill.

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

We oppose this bill.

STATE CHAMBER/AIA BILL TRACKING

Total Bills Filed: 1459 | New Bills Filed: Senate 1 | House 4

Bills and resolutions added to State Chamber/AIA Tracking: 1 | Total Tracked: 542

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

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 Session 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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