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## 93rd General Assembly Tuesday, April 13, 2021 – Session Day 93

### TODAY AT THE CAPITOL

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

#### Committee Meetings

8:30 a.m. – Joint Budget

9:30 a.m. – Senate Agriculture and City/County/Local | House Education and Transportation

10:00 a.m. – House Judiciary

10:30 a.m. – Senate Transportation

2:00 p.m. – Senate State Agencies and Insurance/Commerce | House Tax, Judiciary and Health

### YESTERDAY AT THE CAPITOL

#### CLASS PROTECTION BILL – State Chamber/AIA Priority Agenda Bill

**SB 622** by Senate President Pro Tem Jimmy Hickey, House Speaker Matthew Shepherd and the chairs of the Senate and House Judiciary Committees, Sen. Alan Clark and Rep. Carol Dalby **passed in the House** late yesterday afternoon by a vote of 65 yes, 26 no, 5 present and 4 not voting.

To view the vote, click [here](#).

If you asked your Representative to **Vote Yes on SB 622 and they did, please say thank you.**

### TODAY'S BILLS

#### EXTEND MANUFACTURING SALES TAX EXEMPTION TO PRINTING – State Chamber/AIA Priority Agenda Bill

**HB 1596** by Rep. Joe Jett and Sen. Jonathan Dismang seeks to extend the existing sales and use tax exemptions for items sold for resale to include property sold for use in printing. Sets the effective date on the first day of the calendar quarter following the effective date of the act.

*This bill is on this afternoon's agenda in the House Revenue & Taxation Committee.*

**The State Chamber/AIA supports HB 1596.**

#### SOFT DRINK SYRUP EXCISE TAX PHASE OUT – State Chamber/AIA Priority Agenda Bill

**HB 1546** by Rep. Lanny Fite and Sen. David Wallace seeks to sunset the syrup excise tax that was enacted to fill a \$42 million budget shortfall over 28 months. That was over 28 years and \$1.2 billion dollars ago. Removing the tax will provide relief to both consumers and the Arkansas hospitality industry, specifically restaurants and retailers—two of the

hardest hit sectors of our economy as a result of the COVID-19 pandemic.

This bill specifies replacement revenue for the Medicaid Trust Fund and contains triggers tied to growth in revenue from the sales and use tax to provide assurance that revenue for the Trust Fund will be available. The triggers mean that if a set amount of sales tax revenue growth is not achieved, the reduction in the tax will be paused. There is no fiscal impact in the next two fiscal years. By eliminating the excise tax and keeping the current sales tax on soft drinks—the state is replacing a declining revenue stream with one that continues to grow.

*This bill is on today's House Calendar.*

**We support this bill.**

### **FUNDING FOR ARHOME**

**SB 55** by the Joint Budget Committee is the DHS funding appropriation that includes funding for the important ARHOME program. This bill needs a 75 percent majority to pass. If this bill fails, it will cost the state hundreds of millions of dollars in lost federal funding.

*This bill is on this afternoon's House Calendar.*

**We support this bill.**

### **PROHIBIT MANDATORY COVID IMMUNIZATIONS OR VACCINES**

**HB 1547** by Rep. Robin Lundstrum and Sen. Breanne Davis seeks to prohibit mandatory 2019 (COVID-19) immunizations or vaccines.

*This bill is on this afternoon's agenda in the House Public Health, Welfare and Labor Committee.*

**We oppose this bill.**

### **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, which was previously defeated in the House Public Health, Welfare and Labor Committee, is back on the committee's agenda this afternoon.*

**We support this bill's goal, but the DWS computer system is running Cobol and using green screens. A new system needs to be in place before attempting a complicated change like this.**

### **REPEAL OF ARKANSAS WORKS**

**HB 1428** by Rep. Josh Miller and Sen. Dan Sullivan seeks to repeal Arkansas Works.

*This bill is on this afternoon's agenda in the House Public Health, Welfare and Labor Committee*

**We oppose this bill.**

### **RIGHT TO REPAIR**

**SB 332** by Sen. Missy Irvin and Rep. Jim Dotson seeks to require the original equipment manufacturer of digital medical equipment to make available to an independent repair provider for a medical facility or an owner of digital electronic equipment documentation, parts, service tools, etc.

*This bill is on this afternoon's agenda in the House Public Health, Welfare and Labor Committee.*

### **RELEASE OF TAXPAYER INFORMATION**

**SB 528** by Sen. Bill Sample and Rep. Les Warren seeks to require the 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. The reports would be required 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 this afternoon's agenda in the House Revenue and Taxation Committee.*

**We sympathize with the problems that local governments are having and offered alternatives to provide information that would help. We oppose the release of business taxpayers' confidential tax records.**

### **LOCAL ELECTIONS**

**SB 635** by Sen. Bart Hester and Rep. David Ray 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 elections are held, otherwise on the third Tuesday in May or the Tuesday after the first Monday in November. It requires the calling to set a special election be filed at least 75 days before the date of the election. It exempts special elections to fill vacancies in office, special runoff elections, local option elections, special elections provided for by the Arkansas Constitution, or emergency elections, including if a delay of the election would cause an undue hardship to the governing entity. This bill is identical to **HB 1368**, which was defeated twice on the House floor earlier in the session.

*This bill is on today's agenda in the Senate State Agencies Committee.*

**We oppose this bill, and we view SB 496 as an acceptable approach to changing the local Special Election laws.**

### **MODEL LIMITED LIABILITY COMPANY ACT**

**SB 601** by Sen. Jonathan Dismang is a lengthy bill that would implement a model law regarding Limited Liability Companies. This is an Arkansas Bar Association bill. They have asked that we provide notice of this bill and encourage comments about the bill.

*This bill is on today's Senate Insurance and Commerce Committee agenda.*

### **YESTERDAY'S BILLS**

#### **RELEASE OF TAXPAYER INFORMATION**

**HB 1873** by Rep. Howard Beaty would require DF&A to include the taxpayer identification number and name plus the total amount of sales tax collected for the year by each vendor in a vendor list requested by a county or city and allow requests to be made at any time and removes the authorized fee.

*This bill was defeated on the House floor yesterday afternoon by a vote of 35 yes and 42 no.*

An amendment we offered was not accepted, so we could not support the bill.

### **TOMORROW'S BILLS**

#### **TECHNICAL CORRECTIONS TO MEDICAL MARIJUANA REGULATIONS**

**HB 1851** by Rep. Carlton Wing seeks to clarify the definition of "safety sensitive positions" in medical marijuana regulations. Rep. Wing carried a bill for us in 2017 to set some parameters for employers to follow when they have employees with medical marijuana cards. A comma was left out of the 2017 bill and has created a debate over how to interpret safety sensitive positions regarding employees who work with confidential information or an employer's clients, customers, or others.

*This bill is on tomorrow's House Rules Committee agenda but is being amended to address concerns about the bill's intention, which is simply to clarify the intent of the 2017 bill.*

**We support this bill.**

### **NEW BILL**

#### **ACCESS TO EMPLOYERS' PAYROLL DATA**

**HB 1911** by Rep. Josh Bryant would authorize the Department of Human Services and the Division of

Workforce Services, other laws and regulations notwithstanding, to participate in a no-cost pilot program in which real-time employment and income data is obtained from a consumer reporting agency providing payroll data. It provides that the purpose of the program is to assist with the determination of an individual's eligibility to receive benefits under SNAP, TANF and unemployment.

*This bill has been assigned to the House Public Health, Welfare and Labor Committee.*

**We are interesting in hearing from employers about this bill.**

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

Total Bills Filed: 1584 | New Bills Filed: Senate 6 | House 10

Bills and resolutions added to State Chamber/AIA Tracking: 7 | Total Tracked: 589

To view a list of the new bills added to our tracking today, 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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*The Daily Legislative Update is written by Kenny Hall, reviewed by Randy Zook, then edited and distributed by Jeff Thatcher.*



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### STAY CONNECTED



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