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93rd General Assembly October 4, 2021 – Session Day 267

TODAY AT THE CAPITOL

The Senate convened at 9 a.m. this morning and passed **SB 730**, **SB 732** and **SB 739**.

The House convened at 1 p.m. and did not consider the only bill on its Calendar, **HB 1972**, and amended **HB 1977**.

The House and Senate State Agencies Committees are meeting this afternoon.

TOMORROW AT THE CAPITOL

The House and Senate will convene at 11 a.m.

FRIDAY AT THE CAPITOL

The Senate Public Health, Welfare and Labor Committee met most of the day Friday and sent four bills to the Senate floor. They are mentioned above and described below. State Chamber/AIA President & CEO Randy Zook testified in general against all bills.

ACTIVE BILLS

The Senate calendar includes:

SB 730 by Senator Trent Garner seeks to prohibit disqualification from unemployment benefits on the basis of a person's refusal to be vaccinated against Covid-19 or its variants or based on a person's termination due solely to refusing to be vaccinated against Covid-19 or its variants.

SB 731 by Sen. Bob Ballinger seeks to establish a person's right to not disclose their vaccination status for COVID-19 in an employment setting. It would prohibit employers from requiring disclosure or retaliating against employees who do not disclose their coronavirus 2019 vaccination status. It would authorize civil action and a state program to distribute COVID-19 relief funds, or funds received under the American Rescue Plan Act of 2021, to provide restitution to individuals injured by a violation of the section.

SB 732 by Sen. Blake Johnson seeks to prohibit employers from requiring COVID vaccination if the immunization is medically contraindicated for the individual, or if they assert an objection to the vaccine on religious or philosophical grounds. It would authorize affected employees to seek lost wages

SB 739 by Sen. Kim Hammer and Rep. Joshua Bryant would require employers to provide exemptions from COVID vaccine mandates for employees who provide evidence of recent negative tests or of the presence of COVID antibodies. It would require the cost of testing to be covered through either the employee's health benefit plan or through state or federal funding including relief funds distributed through the American Rescue Plan Act of 2021.

The House calendar includes:

HB 1972 by Rep. Josh Bryant was passed over on the House Calendar Thursday and Friday and is on today's House Calendar. It would require employers to provide exemptions from COVID vaccine mandates for employees who provide evidence of recent negative tests or of the presence of COVID antibodies. The cost of the testing would be covered through the employee's health benefit plan or by the employer by utilizing public funds, including the American Rescue Plan Act of 2021. This bill also seeks to require employers to pay unemployment insurance benefits to employees that refuse to comply with company policy. State Chamber/AIA President & CEO Randy Zook testified against **HB 1972** last Wednesday.

HB 1977 by Rep. Joshua Bryant and Sen. Bob Ballinger seeks to require employers to provide exemptions from COVID vaccine mandates for employees who provide evidence of recent negative tests or of the presence of COVID antibodies. It also would require DF&A to establish rules for reimbursement of cost of testing through federal relief funds distributed through the American Rescue Plan Act of 2021.

STATE CHAMBER CONCERNS

Although the number of bills under consideration has gone down, those that remain under consideration seek to erode employers' freedom to run their own business. If adopted these bill will prevent employers from doing everything they can to provide a safe workplace and in some cases create a conflict between state and federal laws.

Adoption of any of the remaining bills likely will expose some employers to having to choose between obeying state or federal laws. Such conflict can cause employers to lose liability protections, be subject to OSHA fines and penalties, exposure to EEOC violations and generally prevent employers from instituting policies they deem necessary to protect the health and safety of their customers, and to assure their customers and consumers steps are being taken to help keep them safe. Finally, some of these bills could impact the state's ability to collect federal Medicaid funds.

CONGRESSIONAL REDISTRICTING

The House and Senate State Agencies Committee continue to work toward an agreement on new Congressional Districts. A new bill, [SB 742](#) by Sen. Jane English and Rep. Nelda Speaks was filed today.

LEGISLATIVE SESSION INFORMATION

To view schedules, calendars, bill information, and legislator information, click www.arkleg.state.ar.us.

Legislative Message Center

House of Representatives: 501-682-6211

Senate: 501-682-2902

Live Streaming from the Capitol

The House and Senate have links to live streaming of their committee meetings and floor session online.

- House: <https://www.arkansashouse.org/>
- Senate: <http://www.arkansas.gov/senate/>

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