

INDEX OF COUNTY GOVERNMENT ACTS

2011 LEGISLATIVE SESSION



Association of Arkansas Counties
1415 West Third Street
Little Rock, Arkansas 72201
(501) 372-7550
Fax (501) 372-0611
www.arcounties.org



Association of Arkansas Counties

1415 West Third Street
Little Rock, Arkansas 72201
(501) 372-7550
Fax (501) 372-0611
www.arcountries.org

Foreword

The following list of Acts of the 2011 Regular Session of the 88th General Assembly has been compiled for your information by the staff of the Association of Arkansas Counties. We have made every effort to identify all Acts that relate to county government. However if we missed any, we ask you to please let us know.

Of the 2,357 bills filed during the session, 1,242 became Acts. AAC tracked over 500 bills during the session that could affect county government. More than 320 of those bills became law. The full text of each Act is available on the internet at the AAC website, www.arcountries.org or the Arkansas General Assembly website, www.arkleg.state.ar.us

Chris Villines
Executive Director

**ASSOCIATION OF ARKANSAS COUNTIES
BOARD OF DIRECTORS
2011**

PRESIDENT

Mike Jacobs, County Judge..... Johnson County

VICE PRESIDENT

Roger Haney, County Treasurer..... Washington County

SECRETARY/TREASURER

Danny Hickman, County Sheriff..... Boone County

Johnny Rye, Assessor Poinsett County

Gene Raible, Justice of the Peace..... Johnson County

Debra Buckner, County Collector/Treasurer Pulaski County

Jim Crawford, County Assessor..... Saline County

Danny Russell, County Sheriff Little River County

Jimmy Hart, County Judge..... Conway County

Faron Ledbetter, County Clerk..... Madison County

Skippy Leek, Circuit Clerk..... Desha County

Joe Gillenwater, Justice of the Peace..... Miller County

Rita Chandler, County Collector Pope County

Judy Beth Hutcherson, County Treasurer..... Clark County

Leonard Krout, County Coroner..... Pope County

Sherry Bell, County Clerk..... Columbia County

Cheryl Wilson, Circuit Clerk Union County

Association of Arkansas Counties Staff

Chris Villines, Executive Director

Jeff Sikes, Legislative Director

Mark Whitmore, Chief General Counsel

Cindy Posey, Accountant

Brenda Hildebrandt, Accountant

Elizabeth Sullivan, Receptionist

Wes Fowler, Director of Gov't Relations

Jeanne Hunt, Executive Assistant

Randy Kemp, Communications Director

Brenda Emerson, ACE Coordinator

Association of Arkansas Counties Risk Management Services

Debbie Norman, Fund Manager

Debbie Lakey, WCT Claims Manager

Kim Nash, Claims Examiner

Cindy Calvert, Administrative Assistant

Becky Burnett, Administrative Assistant

Freda Taylor, Administrative Assistant

Cathy Perry, Claims Examiner

Barry Burkett, Loss Control Specialist

2011 AAC LEGISLATIVE COMMITTEE

Debbie Wise, Chairperson
(870) 892-5522

County Judges

Jimmy Hart, Conway County (501) 354-9640
Preston Scroggin, Faulkner County (501) 450-4900

County Clerks

Faron Ledbetter, Madison County (479) 738-6721
Sherry Bell, Columbia County (870) 235-3774

Circuit Clerks

Cheryl Cochran-Wilson, Union County (870) 864-1940

County Sheriffs

Marty Moss, Cleburne County (501) 362-8143
Larry Mills, Poinsett County (870) 578-5411

County Collectors

Rita Chandler, Pope County (479) 968-7016
Sue Liles, White County (501) 279-6206

County Treasurers

Debra Buckner, Pulaski County (501) 340-8345
Jim Arnold, Searcy County (870) 448-3828

County Assessors

Harley Bradley, Mississippi County (870) 763-6860
Johnny Rye, Jr., Poinsett County (870) 578-4432

County Coroners

Leonard Krout, Pope County (479) 968-2558

Quorum Court

Gene Raible, Johnson County (479) 754-8637
H. O. Gray, Jefferson County (870) 535-5680

2011
Index of County Government Acts
88th General Assembly

ACT	APPROPRIATION ACTS
31	Appropriation for the Office of the Treasurer of State – Refund of Local Taxes Fund for the 2011/2012 fiscal year.
33	Amendment 74 property tax appropriation for the 2011/2012 fiscal year.
49	Appropriation for Auditor of State – Continuing Education for Local Officials for 2011/2012 fiscal year.
211	Appropriations for the Arkansas State Highway and Transportation Department, Road and Bridge Repair, NOAA Weather Warning System and the Public Transportation Program.
217	Appropriation for the Assessment Coordination Department for 2011/2012 fiscal year.
296	An Act for the Department of Correction County Jail Reimbursement Supplemental Appropriation.
322	An Act for the office of the Treasurer of State – for state turnback for counties and municipalities appropriation for the 2011/2012 fiscal year.
358	Appropriation for the Department of Rural Services Community Enhancement Grant Programs.
368	Appropriation for the Department of Rural Services General Improvement Fund.
578	Appropriation for the State Board of Election Commissioners for the fiscal year of 2011/2012.
581	Appropriation for the Arkansas Department of Emergency Management for the 2011/2012 fiscal year.
641	Appropriation for the Department of Rural Services for the 2011/2012 fiscal year.
642	Appropriation for the Department of Rural Services Community Enhancement Grants General Improvement.
708	Appropriation for the Arkansas State Highway & Transportation Department.
923	Appropriation for the Administrative Office of the Courts for 2011/2012 fiscal year.
926	Appropriation for the Auditor of State – Trial Court Administrative Assistants for the 2011/2012 fiscal year.
927	Appropriation for the Auditor of State – Court Reporters for the 2011/2012 fiscal year.
930	Appropriation for the Arkansas State Police.
932	An Act for the Arkansas State Highway and Transportation Department Appropriation for the 2011/2012 fiscal year.
957	Appropriation for the Arkansas Department of Environmental Quality for 2011/2012 fiscal year.
1098	Appropriation for the Secretary of State for the 2011/2012 fiscal

ACT**APPROPRIATION ACTS (cont.)**

- year.
- 1066 Appropriation for the Arkansas Public Defender Commission for the 2011/2012 fiscal year.
- 1072 Appropriation for the Auditor of State-Deputy Prosecuting Attorney for the 2011/2012 fiscal year.
- 1073 Appropriation for the Auditor of State – Juvenile Probation and Intake Officers for the 2011/2012 fiscal year.
- 1091 Appropriation for the Arkansas Geographic Information Office Statewide Parcel Mapping Grant.
- 1102 Appropriation for the Department of Health for the 2011/2012 fiscal year.
- 1103 Appropriation for the Department of Finance and Administration Disbursing Officer for the 2011/2012 fiscal year.
- 1105 Appropriation for the Department of Community Correction for the 2011/2012 fiscal year.
- 1114 Appropriation for the Department of Correction for the 2011/2012 fiscal year.

ACT**COUNTY ASSESSORS**

- 67 Allows a motor vehicle renewal notification to be sent by email if the vehicle owner consents.
- 175 Amends the dates for payment of property taxes.
- 192 Allows the registration of a fleet of motor vehicles for nonprofit organizations for multiple years.
- 217 Appropriation for the Assessment Coordination Dept. for the 2011/2012 fiscal year.
- 559 Authorizes a statewide parcel mapping grant program. (E)
- 569 Modifies the date for the county equalization board to forward the resolution and abstract to the Assessment Coordination Department.
- 633 Clarifies collections and distributions related to the uniform rate of tax.
- 795 Clarifies the scope of the real property transfer tax.
- 813 Exempts from ad valorem taxation industrial facilities owned and financed by the Arkansas Development Finance Authority and provides for agreements for payments in lieu of taxes as to these industrial facilities.
- 867 Concerns the assessment of mineral interests.
- 870 Allows local county governments to negotiate with commercial interests seeking mass copying of public records.
- 904 Allows the multiyear registration of personal-use motor vehicles.
- 1014 Amends the procedures for the sale of county property.
- 1030 Creates Arts and Cultural Districts.

ACT

COUNTY CIRCUIT CLERKS

- 94 Regarding the carrying of a bail bond license.
- 95 Regarding the notice given upon issuance of a bail bond license.
- 96 Regarding unpaid bond forfeiture judgment limits.
- 159 Adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.
- 168 Concerns the inspection and copying of public records by individuals incarcerated in a correctional facility.
- 170 Provides subpoena power to the Attorney General in criminal matters.
- 172 Regarding a person filing instruments affecting title or interest in real property. (E)
- 175 Amends the dates for payment of property taxes and makes technical corrections.
- 185 Clarifies the requirements for amending covenants restricting the use or development of real property.
- 202 Repeals the Uniform Unincorporated Nonprofit Association Act and enacts the Revised Uniform Unincorporated Nonprofit Association Act.
- 227 Clarifies the requirements to revive a judgment and perfect the judgment lien.
- 274 Regarding the payment of special judges.
- 344 Concerns visitation rights with a minor child for a parent listed on the sex offender registry.
- 570 Improves public safety and slow corrections growth.
- 582 Clarifies who is eligible to administer an oath of office.
- 589 Allows for the issuance of a no contact order by a court in certain circumstances.
- 591 Concerns the Division of Children and Family Services.
- 606 Reduces the penalty related to misuse of a motor vehicle dealers extra license plate.
- 607 Concerns various adoption provisions.
- 610 Amends the procedure for appeal from administrative decisions of the Office of Driver Services.
- 626 Regards the expungement of misdemeanor convictions.
- 700 Authorizes the establishment of alternative real estate transfer tax documentary symbols and electronic affidavits of compliance.
- 717 Regarding the service of subpoenas under the Arkansas Administrative Procedure Act.
- 724 Clarifies the provisions concerning a setoff of debts from state income tax refunds.
- 730 Establishes criminal penalties for the possession of less than four ounces of a schedule VI controlled substance.
- 761 Requires notice and the recording of a deed for a distribute to collect a small estate.
- 792 Concerns provisions related to the Juvenile Code.
- 793 Makes various corrections to Title 9 of the Arkansas Code concerning family law.
- 805 Creates the Uniform Power of Attorney Act.

ACT**COUNTY CIRCUIT CLERKS (cont.)**

- 870 Allows local county governments to negotiate with commercial interests seeking mass copying of public records.
- 885 Requires additional information and encourages loss mitigation and loan modifications before initiating a statutory foreclosure.
- 1012 Increases the service charge for collecting a hot check.
- 1014 Amends the procedures for the sale of county property.
- 1027 Clarifies the law concerning guardianship and expands the range of persons eligible to be guardians.
- 1133 Clarifies the procedure for quieting title to lands forfeited to the State of Arkansas for nonpayment of taxes.
- 1138 Amends the statute regarding installment payments for fines.
- 1145 Reduces the cost of preparing a case record on appeal.
- 1157 Regulates the Electronic Recording Law.
- 1175 Concerns the juvenile code and juvenile court procedures.
- 1218 Makes certain technical amendments to Title 16.
- 1233 Regards first time offender probationers.
- 1235 Ensures the constitutionality of notice and requires that putative fathers be provided notice before an adoption in certain circumstances.

ACT**COUNTY COLLECTORS**

- 67 Allows a motor vehicle renewal notification to be sent by email if the vehicle owner consents.
- 92 Separates the office of sheriff and collector in Drew County.
- 174 Amends the provisions regarding the assessment and collection of fees and service charges by county solid waste management systems. (E)
- 175 Amends the dates for payment of property taxes.
- 192 Allows the registration of a fleet of motor vehicles for nonprofit organizations for multiple years.
- 210 The Improvement District Transparency Act.
- 264 Concerns the time for payment of annual assessments in fire protection districts.
- 605 Amends the law concerning audits of certain entities that provide water or sewage services.
- 617 Concerning County Collectors.
- 785 Allows delinquent taxes penalty and interest owed to the Department of Finance and Administration to be paid from the proceeds of tax delinquent land sales.
- 813 Exempts from ad valorem taxation industrial facilities owned and financed by the Arkansas Development Finance Authority and provides for agreements for payments in lieu of taxes as to these industrial facilities.
- 821 Amends the statutes relating to the collection, payment and enforcement of property taxes and amends the installment

ACT**COUNTY COLLECTORS (cont.)**

- payment provisions for property taxes.
- 862 Clarifies the grounds and procedures for setting aside a sale of tax delinquent lands.
- 864 Clarifies payment requirements for the redemption of tax delinquent lands.
- 870 Allows local county governments to negotiate with commercial interests seeking mass copying of public records.
- 904 Allows the multi-year registration of personal-use motor vehicles.
- 963 Clarifies the notice requirements and remedies for defective notice in the sale of tax delinquent lands.
- 1030 Creates Arts and Cultural Districts
- 1133 Clarifies the procedure for quieting title to lands forfeited to the State of Arkansas for nonpayment of taxes.

ACT**COUNTY CLERKS**

- 9 Allows a court to extend duration of a temporary guardianship in certain situations.
- 12 Allows a veteran designation on drivers licenses and id cards. (E)
- 135 Repeals the statute concerning the process of reactivation of an inactive city or incorporated town.
- 159 Adopts the Uniform Adult Guardianship and Protection Proceedings Jurisdiction act.
- 174 Amends the provisions regarding the assessment and collection of fees and service charges by county solid waste management systems. (E)
- 187 Increases the amount of compensation of Directors and Assessors of Levee Improvement Districts.
- 206 Amends various provisions of the Arkansas Code regarding authority of the Department of Human Services to protect maltreated adults.
- 210 The Improvement District Transparency Act.
- 289 Amends Arkansas Code 28-41-101 to adjust the fee for certified copies of the affidavit required for the collection of small estates by a distributee.
- 345 Amends the law concerning the salary of county emergency management personnel.
- 582 Clarifies who is eligible to administer an oath of office.
- 591 Concerns the Division of Children and Family Services.
- 607 Concerns various adoption provisions.
- 612 Concerns who may administer an oath of office.
- 614 Amends laws concerning county monetary matters.
- 617 Concerns County Collectors.
- 761 Requires notice and the recording of a deed for a distributee to collect a small estate.
- 823 Adds the definition of involuntary admission to the laws on

ACT**COUNTY CLERKS (cont.)**

- commitment and treatment and clarifies who may request additional periods of involuntary treatment.
- 861 Specifies minimum and maximum unemployment benefits, amends requirements for receiving unemployment benefits for discharge for absenteeism, misconduct and failure to accept suitable work.
- 870 Allows local county governments to negotiate with commercial interests seeking mass copying of public records.
- 880 Prohibits the distribution of insurance premium tax moneys to inactive fire departments.
- 989 Amends various provisions of Arkansas Code Title 6 concerning public education.
- 1125 Creates the Unemployment Trust Fund Financing Act of 2011. (E)
- 1140 Amends Arkansas law concerning involuntary commitments of persons addicted to alcohol and drugs.
- 1164 Relates to the leaves of absence and re-employment of military personnel called to active duty.
- 1229 Extends the time for employers to respond to applications for unemployment benefits and provides for online notice of applications for unemployment benefits.

ACT**COUNTY CORONERS**

- 29 Clarifies the Arkansas Final Disposition Rights Act of 2009 regarding members of the United States Armed Forces, the National Guard and the Reserve Components.
- 199 Concerns the withholding of an elected officials salary and benefits upon the suspension of a required professional license or registration.

ACT**COUNTY JUDGES**

- 10 Authorizes extensions of deadlines for the burning of storm debris after a county is declared a disaster area.
- 135 Repeals the statute concerning the process of reactivation of an inactive city or incorporated town.
- 156 An Act to transfer funds to provide for the payment of reimbursement to counties housing state inmates.
- 173 To amend Arkansas law to impose surcharges upon commercial mobile radio service providers to support the Telecommunications Equipment Fund. (E)
- 174 Amends the provisions regarding the assessment and collection of fees and service charges by county solid waste management systems to make technical corrections. (E)
- 209 To clarify the power of Regional Solid Waste Management Boards

ACT**COUNTY JUDGES (cont.)**

- 271 to charge and collect a fee for management of solid waste. (E)
Makes various corrections to Title 18 of the Arkansas Code concerning property.
- 276 Restricts the use of a countywide sales and use tax to retire capital improvement bonds.
- 279 Amends various provisions of the Arkansas Surface Coal Mining and Reclamation Act of 1979.
- 282 Amends the powers included in the public corporations for economic development act.
- 284 Authorizes a public water system to terminate water service for delinquent water, wastewater or sewer service payment.
- 287 Removes the interest rate limitation for bonds issued under the authority of Amendment 62 to the Arkansas Constitution. (E)
- 342 Exempts incinerator ash derived from yard waste or other natural vegetative debris from the monofill or separate waste cell requirement.
- 345 Amends the law concerning the salary of county emergency management personnel.
- 524 Clarifies that a Regional Mobility Authority may enter into public-private partnership agreements for rail waterways and trail projects.
- 561 Clarifies the responsibilities of counties with regard to salary expenses and other compensation of township officers.
- 582 Clarifies who is eligible to administer an oath of office.
- 602 Places limitations on the collection of landfill fees.
- 604 Regulates commercial liability policies and practices.
- 605 Amends the law concerning audits of certain entities that provide water or sewage services.
- 614 Amends laws concerning county monetary matters.
- 618 An Act concerning the award of contracts on public property.
- 629 Regulates the investment of public funds.
- 640 An Act concerning minimum training standards for 911 public safety communication center personnel.
- 695 Establishes the Arkansas Arbitration Act.
- 703 Provides the Arkansas Natural Resources Commission with authority to act as or appoint a receiver for public water or sewer systems that fail to comply with public health laws or adequately operate their systems.
- 734 Amends certain definitions used in the Arkansas Alternative Fuels Development Act.
- 737 Clarifies that health care facilities owned but not operated by counties shall have equal treatment as hospitals under the Arkansas Public Employees Retirement System laws. (E)
- 740 Extends the time in which certain lands may be detached after an annexation proceeding.
- 744 Amends the law concerning waste tires.
- 752 Defines public transportation related to city and county turnback funds under the Arkansas Highway Revenue Distribution law.

ACT**COUNTY JUDGES (cont.)**

- 773 The Arkansas Highway Financing Act of 2011.
- 780 Makes various corrections to Title 27 of the Arkansas Code concerning Transportation.
- 813 Exempts from Ad Valorem Taxation industrial facilities owned and financed by the Arkansas Development Finance Authority and provides for agreements for payments in lieu of taxes as to these industrial facilities.
- 819 Amends various provisions of the Solid Waste Management and Recycling Fund Act.
- 828 Keeps Arkansas competitive by promoting funding for economic development projects and authorizes the levy of local sales and use taxes to fund economic development projects.
- 837 Modernizes certain procedures for counties.
- 880 Prohibits the distribution of insurance premium tax moneys to inactive fire departments.
- 882 Authorizes a preference for service disabled veterans in the awarding of state contracts.
- 884 An Act concerning the membership of a regional solid waste management board.
- 888 Regards the damaging or defacing of property by a minor.
- 895 Authorizes the creation and regulation of regional economic development partnerships.
- 981 Makes various corrections to Title 6 of the Arkansas Code concerning Education.
- 1014 Amends the procedures for the sale of county property.
- 1032 An Act concerning transportation funding that amends the State Aid Streets law.
- 1038 Allows an exception to a burn ban to burn off a crop following harvest.
- 1041 An Act concerning the Wildlife Observation Trails Pilot Program and the Wildlife Recreation Facilities Pilot Program.
- 1044 Authorizes an additional exemption from the county bidding requirements under ACA 14-2-106.
- 1148 Amends Section 5 of Act 590 of 2011 to authorize the federal savings bank to serve as Trustees of cemetery maintenance funds.
- 1153 Amends the Solid Waste Management Act and regulates household hazardous waste storage and processing centers.
- 1189 Amends Arkansas law concerning funds for voting systems.
- 1201 Regards the funding of public defenders.
- 1219 Creates State District Courts.
- 1225 An Act concerning the affairs of certain improvement districts.

ACT**COUNTY SHERIFFS**

- 5 Concerns the membership of the Drug Court Advisory Committee.
(E)

ACT

COUNTY SHERIFFS (cont.)

- 12 The Nick Bacon Remembrance Act to allow veteran designation on drivers licenses and ID cards. (E)
- 13 Allows an on-duty law enforcement officer or a person performing an official law enforcement function to operate an all-terrain vehicle on a public street or highway.
- 14 Increases the probationary period of police officers selected for the Arkansas State Police.
- 37 Prohibits the use of wireless telephones in school zones and highway work zones.
- 43 Establishes a sheriff's office records retention schedule.
- 64 Requires sex offenders to verify registration in person at a local law enforcement agency and requires electronic filing of the verification.
- 70 Clarifies that a liquor permit applies to one location and a person, firm or corporation shall not use a liquor permit for multiple locations. (E)
- 92 Separates the offices of Sheriff and Collector in Drew County.
- 94 Regards the carrying of a bail bond license.
- 95 Regards the notice given upon issuance of a bail bond license.
- 96 Regards unpaid bond forfeiture judgment limits.
- 97 Regards the administrative penalty issued by the professional bail bond company and professional bail bondsman licensing board.
- 100 Provides for public notification of sex offenders registered in another state.
- 142 Amends the distance from which a person can protest a funeral.
- 143 Regards sex offender verification email addresses and internet identities.
- 146 Requires low voltage carbon monoxide detectors in new home construction.
- 156 Transfers funds to provide for the payment of reimbursement to counties housing state inmates.
- 161 Concerns criminal penalties for the possession of certain prohibited weapons.
- 165 Regards the regulation of firearms by a local government.
- 170 Provides subpoena power to the Attorney General in criminal matters.
- 171 Allows the donation of certain items including bicycles seized and forfeited by law enforcement agencies.
- 172 Regards a person filing instruments affecting title or interest in real property. (E)
- 178 Allows the Arkansas Department of Health to utilize radio encryption to protect confidential patient data.
- 180 Regards parole releases when an inmate's parole date falls on a weekend or holiday.
- 183 Allows inmates in rehabilitative programs to be housed at the Arkansas Health Center.
- 184 Regards the function powers and duties of the Department of Correction.

ACT**COUNTY SHERIFFS (cont.)**

- 188 Regards training and instruction by the Arkansas Commission on Law Enforcement Standards and Training.
- 194 Amends the statutes regarding the suspension or revocation of a driver's license, and amends the law regarding the penalties for unlawful use of a license.
- 198 Prohibits the sale of herbal snuff to persons under eighteen (18) years of age.
- 205 Prohibits the use of false academic credentials.
- 206 Amends various provisions of the Arkansas Code regarding the authority of the Department of Human Services to protect maltreated adults.
- 207 Amends the Arkansas Scholarship Lottery Act. (E)
- 218 Regards the procedures of a hearing in front of the professional bail bond company and professional bail bondsman licensing board.
- 219 Removes the Dean of the University of Arkansas Medical Sciences from the State Crime Laboratory Board.
- 220 Regards the prosecuting attorneys for the Ninth Judicial District West and the Eight Judicial District North.
- 223 Eliminates duplications of statutes regarding the Adult Maltreatment Act and the Medicaid Fraud Act.
- 270 Mandates that law enforcement be notified in the event that a health care provider treats a burn that reasonably could be connected to criminal activity.
- 272 Designates certain law enforcement training academies as law enforcement agencies.
- 277 Amends 5-13-211 to include all certified law enforcement officers.
- 286 Amends the procedures for an administrative appeal of a sex offender assessment of a sexually violent predator.
- 304 Establishes a prescription drug monitoring program.
- 343 Repeals Arkansas Code 17-19-304.
- 344 Concerning visitation rights with a minor child for a parent listed on the sex offender registry.
- 348 Concerns the sale of air conditioning parts to scrap metal recyclers.
- 351 Amends the law regarding temporary preprinted paper buyers tags and defines dealer. (E)
- 352 Amends the Arkansas Uniform Commercial Driver License Act to comply with federal commercial driver license regulations.
- 514 Amends the penalties for failure to appear. (E)
- 567 Regulates the release of hogs into the wild and increases the penalty for releasing a hog into the wild.
- 570 Improves public safety and slow corrections growth.
- 571 Jesse's law to ensure the safety of boat docks and marinas by establishing minimum electrical standards and signage requirements.
- 583 Amends the definition of all-terrain vehicles and defines recreational off-highway vehicles.

ACT**COUNTY SHERIFFS (cont.)**

- 588 Clarifies the role of pharmacists with regard to ephedrine pseudoephedrine or phenylpropanolamine.
- 589 Allows for the issuance of a no contact order by a court in certain circumstances.
- 590 Revises and makes technical corrections to the Cemetery Act for perpetually maintained cemeteries and enhances the regulation of cemeteries and provides for infant interment gardens.
- 591 Concerns the Division of Children and Family Services.
- 598 Ensures that missing child information will be entered into the Missing Persons Information Clearinghouse.
- 601 Authorizes a medical exemption designation for seat belt use to be placed on a driver's license or ID card.
- 613 Concerns parental notification by a school district of law enforcement involvement.
- 626 Regards the expungement of misdemeanor convictions.
- 640 Concerns minimum training standards for 911 public safety communication center personnel.
- 697 Makes it illegal to defraud prospective adoptive parents.
- 698 Extends the statute of limitations for municipal code violations.
- 699 Amends Julie's Law to require that a DNA sample be taken from a person arrested for rape. (E)
- 704 Allows an employee of a utility telecommunications or cable company working during a time of emergency or severe weather to operate an all-terrain vehicle on a public street or highway.
- 717 Regards the service of subpoenas under the Arkansas Administrative Procedure Act.
- 723 Amends Act 1366 of 2003 concerning homeland security and threat assessment plans. (E)
- 724 Clarifies the provisions concerning a setoff of debts from state income tax refunds.
- 741 Regards which law enforcement officers are allowed to patrol controlled access facilities.
- 745 Increases the penalty for violating a rule of the State Parks Recreational and Travel Commission.
- 748 Regards the award of meritorious good time to Department of Correction Inmates.
- 751 Regards substances in Schedule I and Schedule VI. (E)
- 758 Regards the possession of handguns.
- 759 Requires motorcycles to have turn signals.
- 779 Makes various corrections to Title 12 of the Arkansas Code concerning law enforcement and emergency management.
- 781 Limits the use of motorcycle headlamp modulation systems to daytime use only.
- 783 Limits forensic examinations of allegedly abused children to child safety centers.
- 792 Concerns provisions related to the juvenile code.
- 810 Amends the laws regarding the violation of orders of protection
- 811 Raises the age of children for whom smoking is prohibited in motor

ACT**COUNTY SHERIFFS (cont.)**

- vehicles.
- 812 Mandates an additional fine for any person convicted of a felony sex offense.
- 816 Prohibits a Level 3 or Level 4 sex offender from being at a water park owned or operated by a local government. (E)
- 820 Amends the military code of Arkansas to make wrongful use or possession of a controlled substance punishable by court martial.
- 859 Makes various corrections to Title 17 of the Arkansas Code concerning the regulation of professions, occupations and business.
- 865 Clarifies the civil jurisdiction penalties and scope of the real estate license law.
- 866 Regards the forfeiture of conveyances and the restitution to victims of certain crimes.
- 870 Allows local county governments to negotiate with commercial interests seeking mass copying of public records.
- 872 Modifies the waiting period concerning excess proceeds from a nonjudicial public sale.
- 873 Regards a delinquency proceeding.
- 874 Amends law concerning embalmers, funeral directors and funeral establishments.
- 875 Amends law concerning burial associations.
- 876 Reinstates the penalties that were in effect from 1991 to 2009 for a person driving an unregistered motor vehicle.
- 888 Regards the damaging or defacing of property by a minor.
- 892 Regards records kept by the State Crime Laboratory.
- 905 Establishes the crime of cyberbullying.
- 908 Authorizes electronic traffic tickets.
- 930 Re-appropriation for the Department of Arkansas State Police.
- 980 Makes various corrections to Title 11 of the Arkansas Code concerning labor and industrial relations.
- 990 Regards the release of an acquittee for mental disease or defect.
- 991 Regards a mental health examination of a defendant.
- 995 Clarifies the right of owners preference in removal of a disabled or inoperative vehicle.
- 997 Concerns fees collected for violations of the Arkansas Hot Check Law.
- 1003 Prohibits the concealing of a corpse in an offensive manner.
- 1004 Provides for adult abuse and domestic violence reporting.
- 1009 Concerns the registration of sex offenders to require registration payments to be made.
- 1012 Increases the service charge for collecting a hot check.
- 1022 Allows the Department of Arkansas State Police to promulgate rules to implement, administer and enforce laws related to driver's license examinations.
- 1023 Regards the prohibition against a sex offender working with children.

ACT**COUNTY SHERIFFS (cont.)**

- 1037 Amends the law concerning pawnbrokers precious metal dealer licensing and the purchase of gold, silver and other precious metals.
- 1043 Concerns the receipt of absentee ballots by designated bearers.
- 1046 Allows law enforcement to impound a motor vehicle that does not have the minimum liability insurance required by law or a certificate of self-insurance.
- 1120 Makes various corrections to Title 5 of the Arkansas Code concerning criminal offenses.
- 1126 Creates criminal penalties for disclosure of records of a children's advocacy center.
- 1127 Extends the statute of limitations on sexual offenses.
- 1129 Includes school principals, athletic coaches and counselors among persons who are guilty of sexual assault in the second degree for sexual contact with a student less than twenty-one (21) years of age.
- 1137 Allows a district court to administer a drug court program, preside over a probation supervision program or preside over a parole supervision program in certain circumstances.
- 1138 Amends the statute regarding installment payments for fines.
- 1143 Amends the Child Maltreatment Act.
- 1151 The Arkansas Restorative Justice Responsibility Act.
- 1152 Amends the laws regarding the purchase or possession of intoxicating liquor, wine or beer by a minor.
- 1158 Increases the penalty for abuse of a corpse.
- 1168 Amends the law concerning the use of tear gas or pepper spray.
- 1169 Regards the time period after which a person may file for executive clemency.
- 1175 Concerns the juvenile code and juvenile court procedures.
- 1177 Clarifies the offense of interference with custody.
- 1186 Requires HIV testing for all defendants charged with certain sex offenses.
- 1190 Amends the definition of child in certain child exploitation statutes.
- 1193 Regards scrap metal dealers and sales.
- 1194 Amends the laws regarding private club permits.
- 1199 Requires a law enforcement officer to complete continuing education and training relating to persons with disabilities in a law enforcement context.
- 1218 Makes certain technical amendments to Title 16.
- 1219 Creates state district courts.
- 1224 Amends the laws concerning access to information held by the Arkansas Crime Information Center.
- 1227 Regards the theft of utility property.
- 1233 Regards first-time offender probationers.
- 1240 Allows an auxiliary law enforcement officer appointed as a reserve law enforcement officer to administer blood alcohol tests and to operate a device to detect excessive speeding.

ACT**COUNTY TREASURERS**

- 156 Transfers funds to provide for the payment of reimbursement to counties housing state inmates.
- 174 Amends the provisions regarding the assessment and collection of fees and service charges by county solid waste management systems. (E)
- 175 Amends the dates for payment of property taxes.
- 210 The Improvement District Transparency Act.
- 345 Amends the law concerning the salary of county emergency management personnel.
- 570 Improves public safety and slow corrections growth.
- 614 Amends laws concerning county monetary matters.
- 616 Amends the law concerning unclaimed property.
- 617 Concerning County Collectors.
- 618 Concerning the awarding of contracts on public property.
- 619 Amends the law concerning municipal depository boards and depository agreements.
- 629 Regulates the investment of public funds.
- 633 Clarifies collections and distributions related to the uniform rate of tax.
- 718 Increases title and replacement title fees to fund the Arkansas State Police Retirement System. (E)
- 752 Defines public transportation related to city and county turnback funds under the Arkansas Highway Revenue Distribution law.
- 773 The Arkansas Highway Financing Act of 2011.
- 813 Exempts from ad valorem taxation industrial facilities owned and financed by the Arkansas Development Finance Authority and provides for agreements for payments in lieu of taxes to these industrial facilities.
- 870 Allows local county governments to negotiate with commercial interests seeking mass copying of public records.
- 876 Reinstates the penalties that were in effect from 1991 to 2009 for a person who drives an unregistered motor vehicle.
- 989 Amends various provisions of Arkansas Code Title 6 concerning public education.
- 1014 Amends the procedures for the sale of county property.
- 1138 Amends the statute regarding installment payments for fines.
- 1175 Concerns the juvenile code and juvenile court procedures.
- 1189 Amends Arkansas law concerning funds for voting systems.
- 1201 Regards the funding of public defenders.
- 1218 Makes certain technical amendments to Title 16.
- 1219 Creates state district courts.

ACT**ELECTIONS**

- 134 Clarifies the election procedure for a vacancy in certain elected municipal offices.

ACT**ELECTIONS (cont.)**

- 203 Concerns the votes occurring at general primary elections.
519 Creates consistency in nominating petitions in certain municipal elections.
- 721 Clarifies Arkansas ethics laws.
828 Promotes funding for economic development projects and authorizes the levy of local sales and use taxes to fund economic development projects.
- 890 Amends the law concerning certain elections for local boards of community colleges.
- 1020 Concerns the form of paper ballots.
1028 Amends the law concerning removal of certain elected municipal officials.
- 1033 Amends the law concerning the number of voting booths at polling sites.
- 1036 Concerns the requirements for new political parties.
1043 Concerns the receipt of absentee ballots by designated bearers.
1056 Revises the law concerning members of the county board of election commissioners.
- 1185 Amends Arkansas law concerning deadlines applicable to certain elections.
- 1188 Amends Arkansas law concerning the transmission of absentee ballot applications.
- 1189 Amends Arkansas law concerning funds for 8 voting systems.
1211 Modifies the amount of votes required to be elected to a municipal position without a runoff.
- 1216 Amends the law concerning certain disclosures by a member of a member of a county board of election commissioners.
- 1217 Amends the requirements for forming a school board of directors after annexation or consolidation.
- 1238 Amends the law concerning the transmission of election information.

ACT**GENERAL AND JUSTICES OF THE PEACE**

- 37 Prohibits wireless telephone use in school zones and highway work zones.
- 39 Prohibits the payment of attorney fees of privately retained attorneys for indigent persons.
- 67 Allows a motor vehicle renewal notification to be sent by email if the vehicle owner consents.
- 72 Exempts cottage food operations, farmers markets and other similar food sales entities from permits required. (E)
- 92 Separates the offices of sheriff and collector in Drew County.
96 Regards unpaid bond forfeiture judgment limits.
99 Continues the Freedom of Information Act provisions affecting the records and meetings of public water systems.
- 165 Regards the regulation of firearms by a local government.

ACT**GENERAL AND JUSTICES OF THE PEACE (cont.)**

- 169 Modifies the quarterly payment schedule for royalties on additional substances declared by the oil and gas commission to be profitably extracted from brine.
- 174 Amends the provisions regarding the assessment and collection of fees and service charges by county solid waste management systems. (E)
- 175 Amends the dates for payment of property taxes.
- 187 Increases the amount of compensation of directors and assessors of levee improvement districts.
- 197 Provides for certain water systems to maintain a level of fluoride to prevent tooth decay.
- 200 Eliminates the authorized probation officer from the Fourth Division of the circuit courts of the Sixth Judicial District.
- 210 The Improvement District Transparency Act.
- 263 Provides an exemption for recreational vehicle special events.
- 276 Restricts the use of a countywide sales and use tax to retire capital improvement bonds.
- 282 Amends the powers included in the public corporations for economic development act.
- 287 Removes the interest rate limitation for bonds issued under the authority of Amendment 62 to the Arkansas Constitution. (E)
- 303 The Arkansas Financial Transparency Act.
- 345 Amends the law concerning the salary of county emergency management personnel.
- 349 Amends statutes concerning audits performed by the Division of Legislative Audit.
- 559 Authorizes a statewide parcel mapping grant program. (E)
- 561 Clarifies the responsibilities of counties with regard to salary expenses and other compensation of township officers.
- 582 Clarifies who is eligible to administer an oath of office
- 605 Amends the law concerning audits of certain entities that provide water or sewage services.
- 614 Amends laws concerning county monetary matters.
- 628 Amends the Research Park Authority Act.
- 695 Establishes the Arkansas Arbitration Act.
- 718 Increase title and replacement title fees to fund the Arkansas State Police Retirement System. (E)
- 721 Clarifies Arkansas Ethics Laws.
- 736 Provides additional income tax relief to Head of Household taxpayers with two (2) or more dependents.
- 798 Defines red counties, to request collaborative initiatives and to report on collaborative initiatives established.
- 837 Modernizes certain procedures for counties.
- 861 Specifies minimum and maximum unemployment benefits and amends requirements for receiving unemployment benefits for discharge for absenteeism, misconduct and failure to accept suitable work.
- 870 Allows local county governments to negotiate with commercial

ACT**GENERAL AND JUSTICES OF THE PEACE (cont.)**

- interests seeking mass copying of public records.
- 880 Prohibits the distribution of insurance premium tax moneys to inactive fire departments.
- 904 Allows the multiyear registration of personal-use motor vehicles.
- 1044 Authorizes an additional exemption from the county bidding requirements under ACA 14-22-106.
- 1132 Makes various corrections to Title 16 of the Arkansas Code concerning courts.
- 1164 Relates to the leaves of absence and reemployment of military personnel called to active duty.
- 1171 Regards revenue allocation in counties with more than one judicial district.
- 1191 Regards the salaries of personnel and other requirements of various district courts.
- 1219 Creates state district courts.
- 1225 Concerns the affairs of certain improvement districts.
- 1241 Concerning the establishment of the four congressional districts.
- 1242 Concerning the establishment of the four congressional districts.

ACT**RETIREMENT**

- 38 Makes technical corrections to the public retirement systems to bring the public retirement systems into compliance with federal law. (E)
- 40 Defines "terminate" as that term applies to eligibility for retirement under the Arkansas Public Employees Retirement System.
- 140 Allows additional time for members of the Arkansas Public Employees Retirement System to select contributory service.
- 558 Provides that employers in the Arkansas Public Employees Retirement System must make contributions for both active and retired members who have returned to work.
- 563 Restricts the amount of credited service earned by a local elected public official unless additional contributions are provided. (E)
- 737 Clarifies that health care facilities owned but not operated by counties shall have equal treatment as hospitals under the Arkansas Public Employees Retirement System laws. (E)
- 774 Extends the termination period required for retirement for individuals who receive at least two for one service credit. (E)
- 978 Provides that civilian firefighters of the state military department are to be regarded as public safety members for enhanced credited service in the state retirement system.

ACT**TAX ISSUES**

- 169 Modifies the quarterly payment schedule for royalties on additional substances declared by the oil and gas commission to be

ACT**TAX ISSUES (cont.)**

- profitably extracted from brine.
- 175 Amends the dates for payment of property taxes.
- 278 Allows taxpayers paying minimum amounts of severance tax to report and pay quarterly or annually.
- 631 Amends the Water Resource Conservation and Development Incentives Act. (E)
- 736 Provides additional income tax relief to Head of Household taxpayers with two (2) or more dependents.
- 738 Extends the expiration date of the Delta Geotourism Incentive Act of 2007 and increases the maximum Geotourism income tax credit.
- 753 Increases the amount below which sales and use tax is not due on the purchase of a motor vehicle trailer or semi-trailer.
- 754 Decreases the sales and use tax on natural gas and electricity used by manufactures. (E)
- 755 Amends the state sales and use tax rate on food and food ingredients. (E)
- 773 The Arkansas Highway Financing Act of 2011.
- 791 Clarifies the provisions concerning salt water disposal system tax credit.
- 824 Concerns agricultural exemptions for sales and use tax.
- 828 Keeps Arkansas competitive by promoting funding for economic development projects and authorizes the levy of local sales and use taxes to fund economic development projects.
- 831 Extends the tax credit for the rehabilitation of historic structures located in Arkansas.
- 998 Provides a sales and use tax exemption for the Arkansas Black Hall of Fame Foundation.
- 1030 Creates Arts and Cultural Districts.
- 1058 Exempts from the sales and use tax the gross receipts derived from the sale of class six and seven trucks and semi-trailers and offsets general revenues lost with revenues from distillate motor fuel taxes.

WHEN AN ACT BECOMES LAW

- (1) Specific Effective Dates – a few Acts have a specified effective date in the law, if so, these are effective on that date.
- (2) Emergency Clauses – Many Acts have emergency clauses which make the Act effective on the date it is signed by the Governor or becomes law without signature.
- (3) Appropriation Acts – These Acts are effective July 1, 2011 or the first day of the fiscal year. The fiscal year for the State of Arkansas is July 1 – June 30.
- (4) General Acts – Acts which contain none of the above are effective 90 days after the General Assembly adjourns. (Amendment 7 to the Arkansas Constitution, as interpreted by Attorney General’s Opinion #83-74.) The General Assembly adjourned sine die on April 27th, therefore, the effective date of the Acts, without emergency clause or built-in effective date, passed by the 88th General Assembly will be July 27, 2011.

PROPOSED CONSTITUTIONAL AMENDMENTS

- | | |
|----------|---|
| HJR 1001 | Proposed Constitutional amendment to enact a temporary one-half percent sales and use tax for state highways and bridges and county and city roads, bridges and other surface transportation with state revenues securing four lane highway construction and improvement bonds. |
| SJR 5 | Proposed Constitutional amendment concerning financial reform for counties and municipalities. |

NOTES