ARKANSAS’ 2019
SENATE BILL 336:

A case study by the American Road and Transportation Builder’s Transportation Investment Advocacy Center™.

TIAC staff researches and prepares detailed case studies on recent successful, and unsuccessful, state and local legislative and ballot initiative campaigns aimed at increasing transportation infrastructure investment. Each study examines the politics, issues, media, and key players involved in the effort.

Report Contact Information:
Quintin McClellan
Research Specialist
qmcceillan@artba.org
202.683.1016
About the Transportation Investment Advocacy Center

The Transportation Investment Advocacy Center ™ (TIAC) is a first-of-its kind, dynamic education program and Internet-based information resource designed to help private citizens, legislators, organizations and businesses successfully grow transportation investment at the state and local levels through the legislative and ballot initiative processes.

The TIAC website, www.transportationinvestment.org, helps transportation investment advocates to mount successful campaigns. It exists to put in one place—and promote the sharing of—strategies... sample political and communications tools... legislative and ballot initiative language... and information on where to obtain professional campaign advice, research and help. TIAC staff produces regular research reports and analyses, hosts an annual workshop in Washington, D.C., and holds ongoing webinars for transportation investment advocates featuring case studies, best practices, and the latest in political and media strategies.

State and local chamber of commerce executives, state legislators, state and local transportation officials, “Better Roads & Transportation” group members, industry and labor executives, and leaders of state and local chapters of national organizations who have an interest in transportation development programs are welcomed to participate.

The Center’s program of work is also guided by a Transportation Investment Advocates Council, a national network of business professionals and public officials who share a common interest in building support for transportation infrastructure investments in their state or local community—roads, bridges, public transit, pedestrian walkways and cycling paths, airports, waterways, ports and rail facilities.

TIAC is a project of the American Road and Transportation Builders Association’s “Transportation Makes America Work!”™ and supported through voluntary contributions and sponsorships. To become a sponsor or to make a contribution, contact TIAC Director Carolyn Kramer. Also contact Ms. Kramer or Mr. McClellan if you have questions or comments about any reports or case studies published through TIAC or would like more information on the program and the Council.

Contributions to this report were made by: Corey Runkel (American Road and Transportation Builders Association)
INTRODUCTION

TITLE OF LEGISLATION
Arkansas Senate Bill 336

RESULT
Signed into law by Gov. Asa Hutchinson (R) on March 12, 2019.\(^1\)

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PURPOSE OF LEGISLATION
Effective Oct. 1 2019, Senate Bill 336 (SB 336), which is now Act 416, increased the state gas tax by 3 cents per gallon and increased the diesel tax by 6 cents per gallon (to totals of 24.5 cents and 28.5 cents, respectively). This flat tax is accompanied by a new variable-rate sales tax of 1.6 percent of the average wholesale price of gas and 2.9 percent of the average wholesale price for diesel, as published by the Energy Information Administration. This sales tax will be adjusted annually beginning in July 2020, but is prevented from increasing more than 0.1 cents each year. If the average wholesale price of fuel is less than the previous year the tax will not decrease. In addition, this measure levied annual registration fees of $200 for electric vehicles and $100 for hybrid vehicles and instituted a $35 million annual transfer of casino revenue to the transportation fund.

SB 336 is predicted to raise an additional $95 million annually for the state Department of Transportation and $13 million annually for cities and counties to use on local transportation projects such as the maintenance and repair of highways, streets, and bridges in the state.\(^5\) This total annual revenue will be comprised of almost $2 million from hybrid and electric vehicle registration fees, $58 million from the indexed sales tax and fuel tax increase, and a $35 million in casino revenue transfer.\(^6\)

In brief, the approved text of SB 336 also made the following additional adjustments:
- To make the collection of the wholesale sales tax more efficient, the Director of the Department of Finance and Administration shall convert the wholesale sales tax to a cent-per-gallon amount rounded to the nearest one-tenth of one cent.
- If the twelve-month average wholesale selling price is more than the twelve-month average wholesale selling price of the year preceding that calculation, the director shall convert the resulting wholesale sales tax to a cent-per gallon amount rounded to the nearest one-tenth of one cent.
• If the wholesale sales tax rate would result in an increase in the wholesale sales tax of more than one-tenth of one cent per gallon of motor fuel when converted to a cent-per-gallon amount and rounded to the nearest one-tenth of one cent, the percentage used in the calculation of the wholesale sales tax rate shall be limited to the highest percentage that results in a cents-per-gallon amount that does not exceed one-tenth of one cent for that twelve month period when rounded to the nearest one-tenth of one cent.

• Any revenue deposited into the General Revenue Fund Account from the net casino gaming receipts tax that exceeds thirty $31.2 million in a fiscal year shall be transferred from the General Revenue Fund Account of the State Apportionment Fund to the State Highway and Transportation Department Fund.

• The Chief Fiscal Officer of the State shall transfer an amount not to exceed $35 million from the funds available in the Restricted Reserve Fund and from any other funds designated by the Governor to the State Highway and Transportation Department Fund.
  o The amount to be transferred under shall be calculated to provide the total sum of $35 million to the State Highway and Transportation Department Fund when combined with the funds transferred in that fiscal year from the General Revenue Fund Account of the State Apportionment Fund.
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ARKANSAS’ TRANSPORTATION FUNDING CONTEXT

FUNDING EFFECTIVENESS PRIOR TO SB 336

As seen in other states, Arkansas’ transportation funding mechanisms have lost and continue to lose effectiveness due to increased fuel efficiency, fleet makeup, and inflation. Prior to SB 336, Arkansas’ 21.5 cents-per-gallon gas tax and 22.5 cents-per-gallon diesel tax was last raised in 1999. At the time the gas tax was increased by three cents over a three-year period and the diesel tax by four cents over a two-year period. Voters approved a 2012 bill enacting a 10-year half-percent sales tax increase to cover a $1.3 billion bond issue for roads and bridges. In 2016, the Legislature enacted Gov. Hutchinson's plan to raise about $50 million a year through a in state funds to match $200 million in federal highway funds. This highway improvement plan heavily depended upon $20 million a year in interest earnings from the state treasury and surplus general revenue funds. Legislators have continually needed to revisit funding shortages as vehicles become more fuel efficient, inflation rises, and transportation maintenance costs increase.

When adjusted by the Producer Price Index (PPI) as set by the Federal Reserve, Arkansas’ gas tax has lost 37 percent of the purchasing power it had in 1999.

In recent years, the ARDOT has used much of its state funding as match funds for federal revenue it receives, leaving little or no state money available for its “overlay program.” Projects in that program include sections of roads due for “overlay,” new pavement designed to extend the life of the roadway and delay more intensive and expensive rebuilds. Lacking state money, the department has used some of its regular federal money for the overlay program, revenue which must be spent under specific conditions which can be costly to meet. However, the SB 336 increase in state revenue will allow more flexibility in how and where funds can be allocated.

In 2018, a legislative audit report confirmed ARDOT’s estimate that an extra $478 million is needed annually to improve the state’s road system, preserve the system and increase capacity.
FUNDING ALLOCATION

In 2017, most transportation disbursements reported through ARDOT were state road outlays which funded roads and streets under State jurisdiction but not on the State system. State road outlay disbursement has been inconsistent since the most recent gas tax increase. Maintenance on roads, highways, and streets that are part of the State highway system is the second most significant allocation of revenue. In 2017 state highways received $207,000 in maintenance revenue while local roads received $92,000. The next largest allocation of funds was in administration and research, which encompasses technical studies, planning and research, program administration, and demonstration of mass transit projects. This trend of funding these three divisions has held constant since 2012, before which bond and law enforcement disbursements were more significant.\(^{13}\)

ARDOT has also implemented two programs of note: the Interstate Rehabilitation Program (IRP) and the Connecting Arkansas Program (CAP). In 2011, citizens of Arkansas voted to allow the
Arkansas Highway Commission to issue up to $575 million in Grant Anticipation Revenue Vehicle bonds to help accelerate improvements and repairs to existing Arkansas Interstates as part of the IRP. In combination with existing Federal and State revenues this IRP is expected to support more than $1 billion in construction on Interstate highways by the end of the program. By 2018, a total of 36 IRP projects had been completed over 223 miles totaling $761 million.\(^{14}\)

One of the largest highway construction programs undertaken by ARDOT, the CAP is a voter approved 10-year, half-percent sales tax to improve highway and infrastructure projects throughout the State. In 2017, nine projects were under construction to improve 50 miles of highway at a cost of $403 million.\(^{15}\)

### LEGISLATIVE EFFORTS PRIOR TO SB 336

#### PREVIOUS ATTEMPTS

Since 2015, the Arkansas Legislature repeatedly attempted to pass forms of legislation to generate transportation revenue through various means. Most efforts were unsuccessful due to a lack of support. In summary:

#### Failed

- Two bills attempted to authorize the Arkansas Highway Commission to issue bonds and transfer a portion of revenue from the general sales and use tax, motor vehicle sales tax, and motor vehicle use tax to fund transportation purposes.
- At least five bills attempted to levy a wholesale sales tax on fuel, a variable sales tax on motor fuel, a sales tax on online project purchases, alternative fuel and electric vehicle registration fees, or raise the flat excise tax on fuel.
- Three bills attempted to sequester transportation revenue from income tax deductions on gambling losses or from the sales tax on vehicles and trailers.\(^{16}\)

#### Approved

- A bill to divert a half-percent sales tax and a portion of Arkansas’s general revenue to the Arkansas Highway Transfer Fund, secure one-time payments totaling $65.5 million from various government funds to the Arkansas Highway Transfer Fund, and establish the Highway Commission Review and Advisory Subcommittee to oversee several infrastructure projects.\(^{17}\)
- A bill to make a half-percent increase to the state’s sales and use tax permanent was passed and placed on the 2020 ballot for voter approval. The revenue from this sales tax would fund the state highway system, county roads, and city streets.\(^{18}\)
SB 336 AND ONWARD

POLICY DETAILS
On Feb. 11, 2019, Gov. Hutchinson presented a $300 million annual highway funding plan to expand and improve the most trafficked parts of Arkansas’ highway system. The proposal’s policies were eventually split into two bills: SB 336 and House Joint Resolution 1018 (HJR 1018), which both passed. SB 336 contained Hutchinson’s proposal to raise the fuel tax, levy hybrid and electric vehicle registration fees, and draw dedicated revenue from casinos for highway construction. HJR 1018 placed a measure to extend a half-percent sales tax increase on the 2020 ballot for voter approval. Originally approved by voters in 2012, this half-percent increase to the state sales tax supports highway construction bonds and will expire in 2023 if not extended for another 10-year period.\(^\text{19}\)

LEGISLATIVE DETAILS
Approved by the Legislature on March 5, SB 336 was sponsored by Senator Terry Rice (R – 9) and Representative Mike Holcomb (R – 10) who were eventually accompanied by 39 co-sponsors.\(^\text{20}\) Gov. Hutchinson signed the bill six days later, praising the plan for being passed “with the broadest bipartisan support that can be imagined in funding a highway program.”\(^\text{21}\) It should be noted that a super majority is required to pass a gas tax, however a simple majority is needed to pass a sales tax. The legislature purposely included a variable-rate sales tax to pass SB 336 with a simple majority.

When the bill was approved, Gov. Asa Hutchinson (R) held office and Republicans held a majority in the State House and Senate. Of the 135 legislators, 71.1 percent voted to pass the bill, while 25.2 percent voted against it (five legislators did not vote).
- 71 representatives voted in favor of SB 336 while 26 opposed it. Three representatives did not vote.\(^\text{22}\)
- 25 senators voted in favor of SB 336 while eight opposed it. Two senators did not vote.\(^\text{23}\)

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POTENTIAL ECONOMIC BENEFITS

Arkansas transportation network and economy would significantly benefit if Gov. Hutchinson’s investment plane is fully implemented. With SB 336 already passed, the second part of the plan is still pending after the General Assembly passed HJR 1018. If voters approve the half-percent sales tax extension at the 2020 ballot, it will raise an estimated $205 million annually for state highways and $44 million annually for localities.  

ARDOT estimated that the successful enactment of SB 336 voter and approval of HJR 1018, would generate $300 million more a year for highways as the largest transportation funding program in state history. This would provide enough revenue for the department to improve 92 percent of the 7,900 miles of highway that supports most of Arkansas’ traffic, creating an estimated 3,900 jobs annually, and generating $8 billion in economic activity.

CONCLUSION

A 3-cents-per-gallon gas tax increase provides more revenue for future projects; however, it cannot yield a substantial increase in revenue. More significantly, the law limits future increases to the indexed wholesale sales tax on fuel to a maximum of 0.1 cents each year. State officials project that by 2021 (the first full fiscal year of being implemented) this the program will raise $95 million for ARDOT annually and about $13 million annually for cities and counties. SB 336 alone does not adequately equip Arkansas with reliable tools to sustainably fund and adapt its transportation infrastructure network.

It is important to note that SB 336 is only half of Gov. Hutchinson’s proposal to address Arkansas’ transportation needs. The other portion was supported by HJR 1018, which recently placed a measure to renew a half-percent sales tax increase on the 2020 ballot for voter approval. If approved, the state constitution would be amended to continue this tax and make it permanent. Revenue would be directed to state and local transportation, including highways, roads, and bridges. Efforts to renew this tax will be met by a host of campaign challenges, however if approved the tax will continue indefinitely and the revenue generated will be securely reserved for transportation purposes.
**ANALYSIS**

**WHY SB 336 SUCCEEDED**

The gradual decline in purchasing power and increase in traffic volume has taken its toll on Arkansas’ transportation network for years. This begs the question: why did funding legislation pass now? A broad spectrum of old and new factors contributed to SB 336’s success, however more recent developments may offer some insight on why the Arkansas General Assembly was so receptive to SB 336.

**ORGANIZATIONS SUPPORTING SB 336**

As Arkansas’ transportation deteriorated and the need for spending increased, numerous organizations, businesses, and advocacy groups lobbied legislators to pass comprehensive funding measures. In a Feb. 2019 letter to the legislature, the Arkansas Roads and Bridges Funding Coalition urged the state legislature to “find meaningful [transportation] funding now, rather than engage in a fragmented discussion every two years.”29 The letter cited ARDOT’s estimate that an extra $478 million annually is needed to improve, preserve, and expand the road system.30 The coalition’s member list includes:

- American Traffic and Safety Services Association
- Arkansas Asphalt Paving Association
- Arkansas Good Roads Foundation
- Arkansas Municipal League
- Arkansas State Chamber of Commerce (representing 1,200 businesses and organizations)
- Arkansas Farm Bureau
- Arkansas Trucking Association
- Association of Arkansas Counties
- Associated Builders and Contractors
- Poultry Federation
- And four organizations that count road contractors among their members.31

This letter also referenced a poll which found that 90 percent of Arkansans said roads need repair, 89 percent believed improving roads would supplement job growth, and 51 percent would be willing to pay between $1 and $10 monthly to improve Arkansas roads.32 At the request of the Good Roads Foundation this poll was taken by the Gilmore Strategy Group to provide information to commissioners, legislators, the governor, and other stakeholders.33 Referring to the current half-percent sales tax voters approved in 2012 to widen and improve about 200 miles of highways and interstates, the poll indicates that “most Arkansans don’t see the extension of a tax they are already paying as a new tax, rather they think of this as a reallocation of existing resources for a worthwhile effort.”34 Further supporting its position, the coalition said that a quarter of state roads are in failing condition, 765 bridges are structurally deficient, and only 22,000 of Arkansas’ 102,000 miles of roadways are eligible for federal aid. It argued that the longer the state waits to make road and bridge repairs, the more expensive the repairs will be.35
The coalition letter was accompanied by an outpouring of support from Associated General Contractors Arkansas (AGC), which called on Arkansans to voice their support by contacting committee members. AGC highlighted many of SB 336’s features asserting they would be a boon to Arkansas’ economy and quality of life. Most importantly, the advocacy group argued the bill would:

- Positively impact virtually every state highway, county road, bridge, and city street in Arkansas, making roads safer and smoother as well as reducing traffic congestion.
- Dedicate nearly half-a-billion dollars to safety upgrades such as new rumble strips and cable roadway dividers over the next decade.
- Maintain the highway system.
- Act as a large and long-term plan to help the state address the 25 percent of Arkansas roads in failing condition.
- Create 3,500 new jobs in Arkansas and $8.2 billion in economic activity over the next ten years.
- Dedicate more than $1 billion to repair every structurally deficient and posted bridge in Arkansas.
- Enable Arkansas to better keep up with 14 nearby states that have spent $37 billion in new highway funding in the past decade and prevent Arkansas from falling further behind other states.
- Offer the opportunity for future growth from casino gaming and the half-percent sales tax.
- Request a small and reasonable contribution from the taxpayer.36

Randy Zook, president and chief executive officer of the Arkansas State Chamber of Commerce, said, "I can think of very few, if any issues, that can have a more positive and short-term and near-term, as well as long-term, positive impact on the business climate of Arkansas than to have a satisfactory and comprehensive funding program for the highways … This bill gives a long-term solution to helping to meet the needs of the highway department in funding their program, for maintenance especially, and allowing for planned expansions for the highway system in both multi-lane and two-lane systems."37

This wave of support pouring from numerous organizations highlighted the far-reaching implications of transportation policy. The massive call for effective funding displayed the topic’s popularity amongst Arkansas businesses and bolstered SB 336’s image in the legislature.

**FACTORS FAVORING SB 336**

One factor that lent to the assenting opinion should especially be noted. Sen. Jason Rapert (R – 35) favored the bill because the Legislature previously enacted about $500 million in tax cuts since 2011, offsetting the impact of the taxes SB 336 levied and increased.38 Similarly, Gov. Hutchinson credited the middle-income tax cut he signed in 2015, which mandated: Arkansans who earn $35,000 a year save $110 in taxes; those who earn $50,000 save $246 in taxes; and those who earn $75,000 save $470 a year. While his transportation investment plan does include a necessary increase in user fees, the tax cuts for low-income earners combined with a decrease
in the state’s sales taxes on groceries will be worth $110 million in 2019. While hard to gauge and quantify, a state’s legislative history is an important contextual factor that contributes to a bill’s reception from the legislature and electorate.

Along these lines, a great deal of SB 336’s success is attributed to steady leadership from Gov. Hutchinson as well as Senate and House leaders, namely House Speaker Matthew Shepherd (R – 6) and Senate President Pro Tempore Jim Hendren (R – 2). Hutchinson championed the bill and provided the necessary political clout for the bill advance.

Lastly, there has been a significant amount of regional momentum generated by other states working to modernize their transportation networks and transportation funding mechanisms. Since 2013, seven other southern states have passed transportation funding legislation in effort to address many of the same problems seen in Arkansas.

Pressure, time, and a culmination of these factors drove most legislators to take interest and support SB 336 in both chambers.

**ORGANIZATIONS OPPOSING SB 336**

In contrast to the number of organizations supporting the bill, only several organizations opposed SB 336 for various reasons. Perhaps the most vocal of opponents, Americans for Prosperity–Arkansas asked legislators to oppose SB 336 over every transportation-related policy it contained. The organization contended that the proposed taxes will disproportionately burden the middle and lower class, increase the cost of goods and services as freight costs are passed to consumers, and raise the Arkansas gas tax to one of the highest in the region. The advocacy group also testified against HJR 1018, arguing that Arkansas has the seventh-largest road system but the 32nd-largest population and that it will increase Arkansas already high sales tax.

In addition, Americans for Tax Reform urged legislators to oppose SB 336 over its goal to raise taxes and a concern it would undermine Act 182, a pro-growth tax reform law to lower the top individual income tax rate. The Sierra Club and numerous hybrid and electric car owners vehemently protested the registration fees the vehicles as excessive, unfair, discouraging, and punitive.

One factor that lent to the dissenting opinion should be noted. Rep. Les Eaves (R – 46) voted against SB 336 over opposition to “putting a guaranteed $35 million in front” of the Revenue Stabilization Act that distributes state general revenue to various state-supported programs. "If we have a downturn in the economy or if we have a big shortfall, we are going to have to cut somewhere. You are going to put that fund ahead" of higher education, pre-kindergarten, the Department of Human Services and others, said Eaves.
APPENDIX A: SB 336 LEGISLATIVE VOTES

HOUSE

“Yes” Votes
Rep. Fred Allen (D – 30)
Rep. Sonia Eubanks Barker (R – 7)
Rep. Mary Bentley (R – 73)
Rep. Charles Blake (D – 35)
Rep. Justin Boyd (R – 77)
Rep. Harlan Breaux (R – 97)
Rep. Karilyn Brown (R – 41)
Rep. LeAnne Burch (D – 9)
Rep. Sarah Capp (R – 82)
Rep. Craig Christiansen (R – 47)
Rep. Joe Cloud (R – 71)
Rep. Nicole Clowney (D – 86)
Rep. Bruce Coleman (R – 81)
Rep. Andrew Collins (D – 35)
Rep. Bruce Cozart (R – 24)
Rep. Cindy Crawford (R – 76)
Rep. Carol Dalby (R – 1)
Rep. Andy Davis (R – 31)
Rep. Gary Deffenbaugh (R – 79)
Rep. Jana Della Rosa (R – 90)
Rep. Jon Eubanks (R – 74)
Rep. Brian S. Evans (R – 43)
Rep. Deborah Ferguson (D – 51)
Rep. Kenneth B. Ferguson (D – 16)
Rep. David Fielding (D – 5)
Rep. Charlene Fite (R – 80)
Rep. Lanny Fite (R – 23)
Rep. Vivian Flowers (D – 17)
Rep. Jack Fortner (R – 99)
Rep. Denise Garner (D – 84)
Rep. Jimmy Gazaway (R – 57)
Rep. Don Glover (D – 11)
Rep. Megan Godfrey (D – 89)
Rep. Spencer Hawks (R – 70)
Rep. David Hillman (R – 13)
Rep. Monte Hodges (D – 55)
Rep. Mike Holcomb (R – 10)
Rep. Steve Hollowell (R – 49)
Rep. Douglas House (R – 40)
Rep. Lane Jean (R – 2)
Rep. Lee Johnson (R – 75)
Rep. Jasen Kelly (R – 28)
Rep. Fredrick Love (D – 29)
Rep. Roger D. Lynch (R – 14)
Rep. Stephen Magie (D – 72)
Rep. Tippi McCullough (D – 33)
Rep. Ron McNair (R – 98)
Rep. Reginald Murdock (D – 48)
Rep. Milton Nicks, Jr. (D – 50)
Rep. Mark Perry (D – 42)
Rep. Jay Richardson (D – 78)
Rep. Chris Richey (D – 11)
Rep. Marcus Richmond (R – 21)
Rep. Laurie Rushing (R – 26)
Rep. Johnny Rye (R – 54)
Rep. Jamie Scott (D – 37)
Rep. Matthew Shepherd (R – 6)
Rep. Brandt Smith (R – 58)
Rep. Stu Smith (R – 63)
Rep. James Sorvillo (R – 32)
Rep. Jeff Wardlaw (R – 8)
Rep. Danny Watson (R – 3)
Rep. David Whitaker (D – 85)
Rep. Carlton Wing (R – 38)
Rep. Jim Wooten (R – 45)

“No” Vote
Rep. Rick Beck (R – 65)
Rep. Stan Berry (R – 68)
Rep. Cameron Cooper (R – 44)
Rep. Marsh Davis (R – 61)
Rep. Jim Dotson (R – 93)
Rep. Les Eaves (R – 46)
Rep. Mickey Gates (R – 22)
Rep. Justin Gonzales (R – 19)
Rep. Grant Hodges (R – 96)
Rep. Mark Lowery (R – 39)
Rep. Robin Lundstrum (R – 87)
Rep. John Maddox (R – 20)
Rep. Julie Mayberry (R – 27)
Rep. Austin McCollum (R – 95)
Rep. Stephen Meeks (R – 67)
Rep. Josh Miller (R – 66)
Rep. John Payton (R – 64)
Rep. Clint Penzo (R – 88)
Rep. Rebecca Petty (R – 94)
Rep. Aaron Pilkington (R – 69)
Rep. Keith Slape (R – 83)
Rep. Nelda Speaks (R – 100)
Rep. Dan Sullivan (R – 53)
Rep. Dwight Tosh (R – 52)
Rep. DeAnn Vaught (R – 4)

Didn’t Vote
Rep. Frances Cavenaugh (R – 60)
Rep. Michelle Gray (R – 62)
Rep. John W. Walker (D – 34)

SENATE

“Yes” votes
Sen. Cecile Bledsoe (R – 3)
Sen. Will Bond (D – 32)
Sen. Ronald Caldwell (R – 23)
Sen. Eddie L. Cheatham (D – 26)

Sen. Linda Chesterfield (D – 30)
Sen. John Cooper (R – 21)
Sen. Lance Eads (R – 7)
Sen. Joyce Elliott (D – 31)
Sen. Scott Flippo (R – 17)
Sen. Stephanie Flowers (D – 25)
Sen. Jim Hendren (R – 2)
Sen. Jimmy Hickey, Jr (R – 11)
Sen. Keith M. Ingram (D – 24)
Sen. Blake Johnson (R – 20)
Sen. Mark Johnson (R – 15)
Sen. Greg Leding (D – 86)
Sen. Bruce Maloch (D – 12)
Sen. Mathew Pitsch (R – 8)
Sen. Jason Rapert (R – 35)
Sen. Terry Rice (R – 9)
Sen. Bill Sample (R – 14)
Sen. Gary Stubblefield (R – 6)
Sen. James Sturch (R – 19)
Sen. Larry Teague (D – 10)
Sen. David Wallace (R – 22)

“No” Votes
Sen. Bob Ballinger (R – 97)
Sen. Alan Clark (R – 13)
Sen. Breanne Davis (R – 16)
Sen. Jonathan Dismang (R – 28)
Sen. Trent Garner (R – 27)
Sen. Kim Hammer (R – 28)
Sen. Bart Hester (R – 1)
Sen. Ricky Hill (R – 29)

Didn’t Vote
Sen. Missy Irvin (R – 18)
Sen. Jane English (R – 34)
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