

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative McCuiston**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 17-47-104 TO REQUIRE ANY
9 COUNTY, INCORPORATED CITY OR TOWN ADOPTING AN ORDINANCE
10 PURSUANT TO THE HOME BUILDERS REGISTRATION ACT TO NOTIFY
11 THE SECRETARY OF STATE OF THE ACTION; TO AMEND ARKANSAS
12 CODE 17-47-106 REQUIRE THE SECRETARY OF STATE TO PROVIDE
13 ANNUALLY A ROSTER OF ALL PERSONS CURRENTLY REGISTERED
14 UNDER THE HOMEBUILDERS REGISTRATION ACT; AND FOR OTHER
15 PURPOSES."

Subtitle

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18 "REQUIRE NOTIFICATION TO THE SECRETARY OF STATE OF ANY
19 ORDINANCE PASSED PURSUANT TO THE HOMEBUILDERS REGISTRATION
20 ACT."

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code 17-47-104 is amended to read as follows:

25 "17-47-104. Requiring proof of inspection.

26 (a) Any county or incorporated city or town in Arkansas, at its option,
27 may adopt an ordinance or ordinances requiring that person, upon making
28 application to the building inspector or another authority of any county or
29 incorporated city or town in Arkansas charged with the duty of issuing
30 building or other permits for the construction of any residence, before being
31 entitled to the issuance of those permits, to furnish satisfactory proof to
32 the inspector or authority that the person is registered under the terms of
33 this chapter.

34 (b) It shall be unlawful for the building inspector or other authority
35 to issue or allow the issuance of a building permit unless and until the

1 applicant has furnished evidence that he is either exempt from the provisions
2 of this chapter or is registered under this chapter to carry out or
3 superintend the work to which the permit relates. A partnership or joint
4 venture shall be deemed registered in accordance with this chapter if any one
5 (1) or more of the general partners or venturers whose names appear in the
6 name under which the partnership or venture does business shall be registered.

7 (c) Any county or incorporated city or town in Arkansas adopting an
8 ordinance or ordinances pursuant to this chapter shall notify the Secretary of
9 State of the action. Within thirty (30) days after the adoption of the
10 ordinance or ordinances, the county or incorporated city or town shall furnish
11 to the Secretary of State, the following information:

12 (1) The full name and address of the county or incorporated city
13 or town adopting such ordinance or ordinances; and

14 (2) The name and telephone number of any person designated by the
15 county or incorporated city or town to be a contact person for information
16 regarding this chapter."

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18 SECTION 2. Arkansas Code 17-47-106 is amended to read as follows:

19 "17-47-106. Certificate of registration - Renewal.

20 (a) A certificate of registration shall be initially issued for a
21 period commencing on the date of issue and expiring on November 30 of the year
22 following the year in which issued. Certificates of registration shall be
23 renewed for a term of one (1) year beginning on December 1 of the year in
24 which renewed and expiring on November 30 of the following year.

25 (b) Certificates of registration shall be renewed on or before sixty
26 (60) days prior to the expiration date.

27 (c) The Secretary of State shall issue certificates of registration to
28 applicants upon the applicants' compliance with the registration requirements
29 of this chapter. The certificates and any renewals thereof shall be filed by
30 the Secretary of State in accordance with the Arkansas Administrative
31 Procedure Act, § 25-15-201 et seq.

32 (d) Upon request, the Secretary of State shall provide annually a
33 roster of all persons currently registered under the terms of this chapter to
34 any county or incorporated city or town that has adopted an ordinance or
35 ordinances pursuant to Arkansas Code § 17-47-104."

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SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

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