

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1624

4
5 By: Representative D. Johnson
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For An Act To Be Entitled

8
9 AN ACT TO INCREASE THE CIVIL PENALTIES FOR
10 VIOLATIONS OF ANY STATUTE OR RULE OF THE HVACR
11 LICENSING BOARD; TO ADD CRIMINAL PENALTIES FOR
12 PERFORMING WORK WITHOUT A LICENSE; TO REQUIRE
13 GENERAL LIABILITY INSURANCE; AND FOR OTHER
14 PURPOSES.

Subtitle

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16
17 TO ENHANCE THE PENALTIES FOR VIOLATING
18 THE STATUTES OR RULES OF THE HVACR
19 LICENSING BOARD AND TO REQUIRE THAT
20 LICENSEES CARRY GENERAL LIABILITY
21 INSURANCE.
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 17-33-105(a)(1), concerning the civil
27 penalties for violations of any rule, regulation, or order of the HVACR
28 Licensing Board, is amended to read as follows:

29 (a)(1)(A)(i) Any person who violates any provision of this chapter or
30 violates any rule, ~~regulation~~, or order of the HVACR Licensing Board or any
31 permit, license, or certification may be assessed a civil penalty by the
32 board in accordance with the regulations issued by the board.

33 (ii) The penalty shall not exceed ~~two hundred fifty~~
34 ~~dollars (\$250)~~ five hundred dollars (\$500) for each violation, and each day
35 of a continuing violation may be deemed a separate violation for purposes of
36 penalty assessments.



1 (B) However, no civil penalty may be assessed until the
2 person charged with the violation has been given the opportunity for a
3 hearing on the violation.
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5 SECTION 2. Arkansas Code § 17-33-105, concerning the penalties for
6 violations of any rule, regulation, or order of the HVACR Licensing Board, is
7 amended to add an additional subsection to read as follows:

8 (d)(1) A person who performs HVACR work without the appropriate
9 license is guilty of a Class B misdemeanor.

10 (2) Each day a violation of subdivision (d)(1) of this section
11 continues is a separate offense.
12

13 SECTION 3. Arkansas Code § 17-33-302(a), concerning the qualifications of an
14 applicant for an HVACR license, is amended to read as follows:

15 (a) An applicant for an HVACR license ~~must meet the following minimum~~
16 ~~requirements. The applicant must~~ shall:

17 (1) ~~Be an individual of~~ at least eighteen (18) years of age;

18 (2) Make application to the ~~Department of Health~~ Division of
19 Health of the Department of Health and Human Services on forms prescribed by
20 the HVACR Licensing Board;

21 (3) Specify the class of license desired;

22 (4) If applying for a Class A, Class B, or Class E license,
23 provide a current certificate of insurance issued by an insurance company
24 licensed to do business in this state that states that the applicant has
25 procured general liability insurance of at least two hundred fifty thousand
26 dollars (\$250,000);

27 (5) If applying for a Class C license, provide a current
28 certificate of insurance issued by an insurance company licensed to do
29 business in this state that states that the applicant has procured general
30 liability insurance of at least one hundred fifty thousand dollars
31 (\$150,000);

32 (6) If applying for a Class D license, provide a current
33 certificate of insurance issued by an insurance company licensed to do
34 business in this state that states that the applicant has procured general
35 liability insurance of at least one hundred thousand dollars (\$100,000);

36 (7)(A) Provide proof of fulfilling continuing education

1 requirements as required by the board.

2 (B) The board shall adopt rules mandating continuing
3 education for an HVACR licensee;

4 ~~(4)(8)~~ Meet all requirements specified by ~~rule and regulation~~
5 rules promulgated by the board;

6 ~~(5)(9)~~ Pay the appropriate examination and license fees required
7 by the board; and

8 ~~(6)(10)~~ Pass the appropriate examinations specified by the
9 board.

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