

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

A Bill

ACT 158 OF 1993
HOUSE BILL 1298

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

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

21
22 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

23
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, may adopt an**
27 **ordinance or ordinances requiring that person, upon making application to the building**
28 **inspector or another authority of any county or incorporated city or town in Arkansas charged**
29 **with the duty of issuing building or other permits for the construction of any residence, before**
30 **being entitled to the issuance of those permits, to furnish satisfactory proof to the inspector or**
31 **authority that the person is registered under the terms of this chapter.**

32 **(b) It shall be unlawful for the building inspector or other authority to issue or allow**
33 **the issuance of a building permit unless and until the applicant has furnished evidence that he**
34 **is either exempt from the provisions of this chapter or is registered under this chapter to carry**
35 **out or superintend the work to which the permit relates. A partnership or joint venture shall be**
36 **deemed registered in accordance with this chapter if any one (1) or more of the general**

1 partners or venturers whose names appear in the name under which the partnership or
2 venture does business shall be registered. (c) Any county or incorporated city or town in
3 Arkansas adopting an ordinance or ordinances pursuant to this chapter shall notify the
4 Secretary of State of the action. Within thirty (30) days after the adoption of the ordinance or
5 ordinances, the county or incorporated city or town shall furnish to the Secretary of State, the
6 following information:

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

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

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

13 **"17-47-106. Certificate of registration - Renewal.**

14 (a) A certificate of registration shall be initially issued for a period commencing on the
15 date of issue and expiring on November 30 of the year following the year in which issued.

16 Certificates of registration shall be renewed for a term of one (1) year beginning on December
17 1 of the year in which renewed and expiring on November 30 of the following year.

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

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

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

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

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

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

APPROVED: 2/17/93