

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.

Act 808 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/8/07

A Bill

HOUSE BILL 1531

5 By: Representative Harrelson
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7

For An Act To Be Entitled

8 AN ACT TO CREATE THE "ARKANSAS RETIREMENT
9 COMMUNITY PROGRAM ACT"; AND FOR OTHER PURPOSES.
10
11

Subtitle

12 TO CREATE THE "ARKANSAS RETIREMENT
13 COMMUNITY PROGRAM ACT".
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 15, Chapter 13 is amended to add an
21 additional subchapter to read as follows:

22 15-13-101. Title.

23 This subchapter shall be known and may be cited as the "Arkansas
24 Retirement Community Program Act".
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26 15-13-102. Definitions.

27 As used in this subchapter:

28 (1) "Department" means the Department of Economic Development;

29 and

30 (2) "Program" means the Arkansas Retirement Community Program.
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32 15-13-103. Arkansas Retirement Community Program -- Creation.

33 (a) The Department of Economic Development shall establish and
34 maintain an Arkansas Retirement Community Program under which retirees and
35 potential retirees are encouraged to make their homes in Arkansas communities



1 that have met the criteria for certification by the department as an Arkansas
2 retirement community.

3 (b) The mission of the program is to:

4 (1) Promote Arkansas as a retirement destination to retirees and
5 potential retirees both inside and outside Arkansas;

6 (2) Assist Arkansas communities in their efforts to market
7 themselves as desirable retirement locations and to develop communities that
8 retirees would find attractive for a retirement lifestyle;

9 (3) Assist in the development of retirement communities for
10 economic development purposes and as a means of providing a potential
11 workforce and enriching Arkansas communities; and

12 (4) Encourage tourism to Arkansas.

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14 15-13-104. Eligibility.

15 (a) To be eligible to be an Arkansas retirement community, an
16 applicant community, acting through a board or panel that serves as the
17 applicant community's official program sponsor, shall:

18 (1) Complete a retiree desirability assessment, as developed by
19 the Department of Economic Development, to include facts regarding crime
20 statistics, tax information, recreational opportunities, housing
21 availability, and other appropriate factors, including criteria listed in
22 subsection (b) of this section;

23 (2) Work to gain the support of churches, clubs, businesses,
24 media, and other entities, as necessary for the success of the Arkansas
25 Retirement Community Program in the applicant community;

26 (3) Identify emergency medical services and hospitals within a
27 seventy-five-mile radius of the community; and

28 (4) Submit to the department:

29 (A) An application fee in an amount equal to the greater
30 of:

31 (i) Five thousand dollars (\$5,000); or

32 (ii) Twenty-five cents (25¢) multiplied by the
33 population of the applicant community, as determined by the most recent
34 federal decennial census;

35 (B) A marketing plan detailing the mission as applied to
36 the applicant community, the target market, the competition, an analysis of

1 the applicant community's strengths, weaknesses, opportunities and dangers,
2 and the strategies the applicant community will employ to attain the goals of
3 the program; and

4 (C) A long-term plan outlining the steps the applicant
5 community will undertake to maintain its desirability as a destination for
6 retirees, including an outline of plans to correct any facility and service
7 deficiencies identified in the retiree desirability assessment required by
8 subdivision (a)(1) of this section.

9 (b) The department shall develop and use a scoring system to determine
10 whether an applicant community will qualify as an Arkansas retirement
11 community. In addition to the requirements of subsection (a) of this
12 section, the department shall consider as part of the scoring system the
13 applicant community in relation to the following criteria:

- 14 (1) Arkansas' state and local tax structure;
15 (2) Housing opportunities and cost;
16 (3) Climate;
17 (4) Personal safety;
18 (5) Working opportunities;
19 (6) Health care services and other services along the continuum
20 of care, including home-based services and community-based services, housing
21 for the elderly, assisted living, personal care, and nursing care facilities;
22 (7) Transportation;
23 (8) Continuing education;
24 (9) Leisure living;
25 (10) Recreation;
26 (11) Performing arts;
27 (12) Festivals and events;
28 (13) Sports at all levels; and
29 (14) Other services and facilities in the applicant community
30 that are necessary to enable persons to age and in the least restrictive
31 environment, as may be identified by the Department of Health and Human
32 Services.

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34 15-13-105. Services provided.

35 (a) If the Department of Economic Development finds that an applicant
36 community successfully meets the requirements of an Arkansas retirement

1 community, not later than ninety (90) days after the application is
2 submitted, the department shall certify the community and provide the
3 following services to the community:

4 (1) Assistance in the training of local staff and volunteers;

5 (2) Ongoing oversight and guidance in marketing, including
6 updates on retirement trends;

7 (3) Inclusion in the state's national advertising and public
8 relations campaigns and travel show promotions, including a prominent feature
9 on the department's Internet website, to be coordinated with the Internet
10 websites of other agencies, as appropriate;

11 (4) Eligibility for state financial assistance for brochures,
12 support material, and advertising; and

13 (5) An evaluation and progress assessment on maintaining and
14 improving the community's desirability as a home for retirees.

15 (b) The department may contract with a local or regional nonprofit
16 organization to provide a service described by the subsection (a) of this
17 section.

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19 15-13-106. Recertification.

20 An Arkansas retirement community's certification under this section
21 expires on the fifth anniversary of the date the initial certification is
22 issued. To be considered for recertification by the Department of Economic
23 Development, an Arkansas retirement community must:

24 (1) Complete and submit a new application in accordance with the
25 requirements of § 15-13-104(a); and

26 (2) Submit data demonstrating the success or failure of the
27 Arkansas retirement community's efforts to market and promote itself as a
28 desirable location for retirees and potential retirees.

29
30 15-13-107. Arkansas Retirement Community Program Fund Account.

31 The Arkansas Retirement Community Program Fund Account is created on
32 the books of the Treasurer of State, the Auditor of State, and the Chief
33 Fiscal Officer of the State and shall be funded by the fees collected under §
34 15-13-104. All moneys collected under the fund account shall be deposited
35 into the State Treasury to the credit of the fund account as special
36 revenues. Moneys in the account may be appropriated to the Department of

1 Economic Development only for the purposes of this subchapter, including the
2 payment of administrative and personnel costs of the department associated
3 with administering the Arkansas Retirement Community Program.

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5 15-13-108. Rules and regulations.

6 The department shall promulgate rules and regulations to implement this
7 subchapter.

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10 /s/ Harrelson

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12 APPROVED: 4/2/2007
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