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State of Arkansas
88th General Assembly
Regular Session, 2011

As Engrossed: H3/22/11
A Bill

HOUSE BILL 1980

By: Representative Westerman

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS RETIREMENT COMMUNITY
PROGRAM ACT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS RETIREMENT
COMMUNITY PROGRAM ACT.

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

SECTION 1. Arkansas Code § 15-14-102 is amended to read as follows:

15-14-102. Definitions.

As used in this chapter:

(1) "Association" means the Arkansas Association of Development
Organizations; and

(2) "Program" means the Arkansas Retirement Community Program.

SECTION 2. Arkansas Code § 15-14-103(a), concerning the creation of
the Arkansas Retirement Community Program, is amended to read as follows:

(a) The ~~Arkansas Economic Development Commission~~ Arkansas Association
of Development Organizations shall establish and maintain an Arkansas
Retirement Community Program under which retirees and potential retirees are
encouraged to make their homes in Arkansas communities that have met the
criteria for certification by the ~~commission~~ association as an Arkansas
retirement community.

SECTION 3. Arkansas Code § 15-14-104 is amended to read as follows:



1 15-14-104. Eligibility.

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

5 (1) Complete a retiree desirability assessment, as developed by
6 ~~the Arkansas Economic Development Commission~~ Arkansas Association of
7 Development Organizations, to include facts regarding crime statistics, tax
8 information, recreational opportunities, housing availability, and other
9 appropriate factors, including criteria listed in subsection (b) of this
10 section;

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

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

16 (4) Submit to the ~~commission~~ association:

17 (A) An application fee in an amount equal to the greater
18 of:

19 (i) ~~Five thousand dollars (\$5,000)~~ Two thousand five
20 hundred dollars (\$2,500); or

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

24 (B) An annual renewal fee equal to the greater of:

25 (i) Two thousand five hundred dollars (\$2,500); or

26 (ii) Twenty-five cents (25¢) multiplied by the
27 population of the applicant community, as determined by the most recent
28 federal decennial census.

29 ~~(B)(C)~~ (C) A marketing plan detailing the mission as applied
30 to the applicant community, the target market, the competition, an analysis
31 of the applicant community's strengths, weaknesses, opportunities, and
32 dangers and the strategies the applicant community will employ to attain the
33 goals of the program; and

34 ~~(C)(D)~~ (D) A long-term plan outlining the steps the applicant
35 community will undertake to maintain its desirability as a destination for
36 retirees, including an outline of plans to correct any facility and service

1 deficiencies identified in the retiree desirability assessment required by
2 subdivision (a)(1) of this section.

3 (b) The ~~commission~~ association shall develop and use a scoring system
4 to determine whether an applicant community will qualify as an Arkansas
5 retirement community. In addition to the requirements of subsection (a) of
6 this section, the ~~commission~~ association shall consider as part of the
7 scoring system the applicant community in relation to the following criteria:

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

26 (c) The association shall initiate the Arkansas Retirement Community
27 Program as a pilot program limited to up to ten (10) communities that apply
28 for certification under this program.

29
30 *SECTION 4. Arkansas Code § 15-14-105 is amended to read as follows:*
31 *15-14-105. Services provided.*

32 (a) ~~If the Arkansas Economic Development Commission~~ Arkansas
33 Association of Development Organizations ~~finds~~ find that an applicant
34 community successfully meets the requirements of an Arkansas retirement
35 community, not later than ninety (90) days after the application is
36 submitted, the ~~commission~~ association shall certify the community and provide

1 the following services to the community, to the extent to which funds are
2 available:

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

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

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

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

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

14 (b) *The ~~commission~~ association may contract with a local or regional*
15 *nonprofit organization to provide a service described by subsection (a) of*
16 *this section.*

17
18 SECTION 5. Arkansas Code § 15-14-106 is amended to read as follows:
19 15-14-106. Recertification.

20 An Arkansas retirement community's certification under § 15-14-105
21 expires on the fifth anniversary of the date the initial certification is
22 *issued. To be considered for recertification by the ~~Arkansas Economic~~*
23 *~~Development Commission~~ Arkansas Association of Development Organizations, an*
24 Arkansas retirement community must:

25 (1) Complete and submit a new application in accordance with the
26 requirements of § 15-14-104(a); and

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

30
31 SECTION 6. Arkansas Code § 15-14-107 is amended to read as follows:
32 15-14-107. Arkansas Retirement Community Program Fund Account.

33 *The Arkansas Retirement Community Program Fund Account is created on*
34 *the books of the Treasurer of State, the Auditor of State, and the Chief*
35 *Fiscal Officer of the State and shall be funded by the fees collected under §*
36 *15-14-104. All moneys collected under the fund account shall be deposited*

1 into the State Treasury to the credit of the fund account as special
 2 revenues. Moneys in the account may be appropriated to the ~~Arkansas Economic~~
 3 ~~Development Commission~~ Arkansas Institute for Economic Advancement at the
 4 University of Arkansas at Little Rock only for the purposes of this chapter,
 5 including the payment of administrative and personnel costs of the ~~commission~~
 6 ~~associated~~ Arkansas Association of Development Organizations connected with
 7 administering the Arkansas Retirement Community Program.

8
 9 SECTION 7. Arkansas Code § 15-14-108 is amended to read as follows:
 10 15-14-108. Rules and regulations.

11 The ~~Arkansas Economic Development Commission~~ Arkansas Association of
 12 Development Organizations, after having received input from the Department of
 13 Parks and Tourism, the Department of Arkansas Heritage, and the Arkansas
 14 Economic Development Commission, shall promulgate rules and regulations to
 15 implement this chapter.

16
 17 /s/Westerman

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 20 **APPROVED: 04/01/2011**