1	State of Arkansas	*As Engrossed: S3/23/11 H3/30/11*
2	88th General Assembly	A Bill
3	Regular Session, 2011	SENATE BILL 882
4		
5	By: Senator P. Malone	

For An Act To Be Entitled

8   AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY

9   OF A STATE AGENCY TO IMPOSE FEES AND PENALTIES; AND

10   FOR OTHER PURPOSES.

11

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Subtitle

14   TO AMEND ARKANSAS LAW CONCERNING THE

15   AUTHORITY OF A STATE AGENCY TO IMPOSE

16   FEES AND PENALTIES.

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

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21   *SECTION 1. Arkansas Code Title 25, Chapter 15, Subchapter 1 is amended*

22 *to add an additional section to read as follows:*

23   *25-15-105. Administrative fees and penalties.*

24   *(a) As used in this section, "agency" means the same as defined at §*

25 *25-15-202.*

26   *(b)(1) An agency shall not assess a fee or penalty without specific*

27 *statutory authority to:*

28   *(A) Assess a certain type and amount of fee or penalty; or*

29   *(B) Impose a fee or penalty in general.*

30   *(2) A fee or penalty established in the rules of an agency*

31 *before the effective date of this section that does not comply with*

32 *subdivision (b)(1) of this section may remain in effect until July 1, 2013,*

33 *but shall not be increased above the amount established by the agency for*

34 *that fee or penalty as of the effective date of this section.*

35   *(c) Subsection (b) of this section does not affect an agency's*

36 *authority to deny, suspend, and revoke licenses within its regulatory*

1   *authority.*

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4   */s/P. Malone*

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7   **APPROVED: 04/04/2011**

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