

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1522

5 By: Representatives House, Burch
6 By: Senators T. Garner, D. Wallace
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW TO EXTEND STATE BENEFITS TO
10 THE MEMBERS OF THE ARKANSAS NATIONAL GUARD ON STATE
11 ACTIVE DUTY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE LAW TO EXTEND STATE BENEFITS
16 TO THE MEMBERS OF THE ARKANSAS NATIONAL
17 GUARD ON STATE ACTIVE DUTY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 6-81-716(b)(3), concerning medical school
23 graduates and a community match contract, is amended to read as follows:

24 (3) Neither interest nor the obligation to repay the principal
25 sums accrued shall accrue during any one (1) period of time that the
26 recipient involuntarily serves on active duty in the United States Armed
27 Forces or state active duty in the Arkansas National Guard.
28

29 SECTION 2. Arkansas Code § 6-81-1204(c)(2)(B), concerning graduate
30 nursing students and rural advanced nursing practice or nurse educator loan
31 contracts, is amended to read as follows:

32 (B) No interest shall accrue nor obligation to repay the
33 principal sums accrued during any period of time that the recipient
34 involuntarily serves on active duty in the United States Armed Forces or
35 state active duty in the Arkansas National Guard.
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1 SECTION 3. Arkansas Code § 6-81-1411(c), concerning repayment and
 2 interest under the Nursing Student Loan Program, is amended to read as
 3 follows:

4 (c) No interest shall accrue and no obligation to repay a loan exists
 5 during any period of time that the recipient of the loan serves on active
 6 duty in the United States Armed Forces or state active duty in the Arkansas
 7 National Guard.

8
 9 SECTION 4. Arkansas Code § 6-82-601(a)(4), concerning a tuition waiver
 10 for the dependents of certain veterans, is amended to read as follows:

11 (4)(A) “Prisoner of war”, “person missing in action”, “person
 12 killed in action”, “person killed on ordnance delivery”, and “disabled
 13 veteran” ~~means mean any a~~ a person who was a resident of the State of Arkansas
 14 at the time that person entered the service of the United States Armed Forces
 15 or whose official residence is within the State of Arkansas and who, while
 16 serving in the ~~armed forces~~ United States Armed Forces, has been declared to
 17 be a prisoner of war, a person missing in action, or a person killed in
 18 action as established by the ~~Secretary of Defense of the United States~~ United
 19 States Secretary of Defense after January 1, 1960, or a person killed on
 20 ordnance delivery, or has been declared by the United States Department of
 21 Veterans Affairs to be totally and permanently disabled one hundred percent
 22 (100%) as a result of service-connected injuries or service-connected medical
 23 conditions.

24 ~~(B) It is not necessary for the purposes of these~~
 25 ~~definitions that capture or death occur during a declared war or as a result~~
 26 ~~of hostile actions~~ The defined terms under subdivision (a)(4)(A) apply
 27 whether or not capture or death occurred during a declared war or as a result
 28 of hostile action.

29 (C) A death as result of injuries received while serving
 30 in the United States Armed Forces or Arkansas National Guard is only covered
 31 by this statute if the death occurred while on active duty or state active
 32 duty.

33
 34 SECTION 5. Arkansas Code § 6-85-209(b), concerning eligibility
 35 requirements for a current achiever student under the Arkansas Academic
 36 Challenge Scholarship Program, is amended to read as follows:

1 (b) The department may waive the requirements of subdivision (a)(1)(B)
2 or (a)(2) for eligibility under this section if an applicant does not meet
3 those eligibility requirements due to the applicant's full-time duty in the
4 active uniformed service of the United States, including members of the
5 National Guard and reserve components of the United States Armed Forces on
6 active duty or state active duty orders.

7
8 SECTION 6. Arkansas Code § 7-5-201(d)(1)(B), concerning voter
9 qualification, is amended to add an additional subdivision to read as
10 follows:

11 (iv) A member of the Arkansas National Guard who is
12 on state active duty and absent from the county on election day.

13
14 SECTION 7. Arkansas Code § 7-5-404(c), concerning applications for
15 election ballots, is amended to add an additional subdivision to read as
16 follows:

17 (4) A member of the Arkansas National Guard while in state
18 active duty or service, including his or her spouse or dependent, who by
19 reason of state active duty or service of the member is absent from the place
20 of residence where the member, spouse, or dependent is otherwise qualified to
21 vote.

22
23 SECTION 8. Arkansas Code § 7-5-406(a), concerning absentee voting for
24 military members and other citizens residing outside of the United States, is
25 amended to add an additional subdivision to read as follows:

26 (4) Members of the Arkansas National Guard while in state active
27 duty or service, and their spouses and dependents who, by reason of the state
28 active duty or service of the member, are absent from the place of residence
29 where the spouses or dependents are otherwise qualified to vote.

30
31 SECTION 9. Arkansas Code § 7-5-416(c)(3), concerning the counting of
32 absentee ballots, is amended to read as follows:

33 (3) The ballot of a member of the armed services or Arkansas
34 National Guard in active duty or state active duty executed before the date
35 of death.

36

1 SECTION 10. Arkansas Code § 11-10-711(a), concerning the temporary
2 closing of a business due to a military absence, is amended to read as
3 follows:

4 (a) Notwithstanding any inconsistent provisions of this chapter, if
5 the Director of the Department of Workforce Services finds that an employer's
6 business was closed solely because of the entrance of one (1) or more of the
7 owners, officers, partners, or the majority stockholder into the armed forces
8 of the United States or any of its allies, or of the United Nations ~~after~~
9 December 31, 1949, or into state active duty with the Arkansas National
10 Guard, the employer's account shall, for experience rating purposes, not be
11 considered as terminated. If the business is resumed by the employer within
12 one (1) year after the discharge or release of the person from active duty in
13 the armed forces or from state active duty with the Arkansas National Guard,
14 the employer's experience shall be deemed to have been continuous through the
15 closed period.

16
17 SECTION 11. Arkansas Code § 12-62-414(a), concerning extensions for
18 renewing certain documents and paying certain fees, is amended to read as
19 follows:

20 (a) A member of the National Guard or reserve component of the armed
21 forces of the United States who is a resident of this state and who is
22 ordered to active duty or state active duty to a duty station located outside
23 of this state shall be allowed an extension for:

24 (1) Renewing a state:

- 25 (A) License;
26 (B) Permit;
27 (C) Registration;
28 (D) Credential; or
29 (E) Certificate; and

30 (2) Paying state:

- 31 (A) Taxes;
32 (B) Fees;
33 (C) Assessments; or
34 (D) Tuition.

35
36 SECTION 12. Arkansas Code § 12-62-414(c), concerning the extension for

1 renewing certain documents and paying certain fees, is amended to read as
2 follows:

3 (c) The extension shall be effective for:

4 (1) The period that the service member is serving on active duty
5 or state active duty at a duty station located outside of this state; and

6 (2) A period of at least ninety (90) days and not more than one
7 (1) year after the service member is released from active duty or state
8 active duty.

9
10 SECTION 13. Arkansas Code § 12-62-704, concerning the applicability of
11 the Arkansas Soldiers' and Airmen's Civil Relief Act, is amended to add an
12 additional subdivision read as follows:

13 (3) The soldier or airman is ordered into active duty by the
14 Governor under state law or under Title 32 of the United States Code for any
15 period of time as a direct result of the execution of an Emergency Management
16 Assistance Compact or proclamation by the Governor.

17
18 SECTION 14. The introductory language of Arkansas Code § 17-86-314(a),
19 concerning a renewal of a license when the licensee is on active duty, is
20 amended to read as follows:

21 (a) If a licensee fails to renew timely his or her license because the
22 licensee is or was on active duty with the United States Armed Forces or on
23 state active duty with the Arkansas National Guard, the licensee may renew
24 the license by:

25
26 SECTION 15. Arkansas Code § 17-87-308(h), concerning the renewal of a
27 license to practice nursing, is amended to read as follows:

28 (h) The board shall waive the renewal fee of a nurse who:

29 (1) Holds a license to practice nursing in the State of
30 Arkansas; and

31 (2) Is an ~~active-duty~~ active duty member of the ~~military~~ United
32 States Armed Forces or a member of the Arkansas National Guard on state
33 active duty.

34
35 SECTION 16. Arkansas Code § 17-90-304(a)(2), concerning the renewal of
36 a license to practice optometry, is amended to read as follows:

1 (2) The board shall waive the annual renewal fee for all
 2 registered optometrists if the registered optometrist:

3 (A) Holds a license to practice optometry in the State of
 4 Arkansas; and

5 (B) Is an ~~active-duty~~ active duty member of the ~~military~~
 6 United States Armed Forces or a member of the Arkansas National Guard on
 7 state active duty.

8
 9 SECTION 17. Arkansas Code § 17-101-309, concerning the license,
 10 certificate, and registration renewal of a veterinary license or license for
 11 a veterinary technicians is amended to add an additional subsection to read
 12 as follows:

13 (d) The board may provide by rule for waiver of payment of any renewal
 14 fee of a licensed veterinarian or registered veterinary technician during any
 15 period when he or she is a member of the Arkansas National Guard called into
 16 state active duty.

17
 18 SECTION 18. Arkansas Code § 23-64-302(9), concerning requirements for
 19 insurance licensees, is amended to read as follows:

20 (9) ~~Any person called to active duty in any branch of the United~~
 21 ~~States military services, including, but not limited to, the United States~~
 22 ~~Coast Guard and reserves, during the entire period of active duty service~~ A
 23 member of the Arkansas National Guard on state active duty or a member of the
 24 United States Armed Forces on active duty, including without limitation an
 25 active duty member of the:

26 (A) United States Coast Guard; or

27 (B) United States reserves.

28
 29 SECTION 19. Arkansas Code § 23-64-507(b)(2)(A), concerning an
 30 insurance license, is amended to read as follows:

31 (2)(A) During any period of state active duty in the Arkansas National
 32 Guard or active duty in any branch of the United States military services or
 33 a member of the Arkansas National Guard on active duty, including, but not
 34 limited to, without limitation the:

35 (i) United States Coast Guard; and

36 (ii) United States reserves.

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SECTION 20. Arkansas Code § 23-64-511(a)(3), concerning temporary licenses for insurance agents, brokers, adjusters, and consultants, is amended to read as follows:

(3) To the designee of a licensed insurance producer entering active duty service in the armed forces of the United States United States Armed Forces or state active duty in the Arkansas National Guard; or

SECTION 21. Arkansas Code § 27-16-902(a), concerning the renewal of a driver's license, is amended to read as follows:

(a) As used in this section, "military member" means an active duty member of:

- (1) The Air National Guard, including a member on state active duty;
- (2) The Army National Guard, including a member on state active duty;
- (3) A reserve component of the United States Armed Forces; or
- (4) A branch of the United States Armed Forces.

APPROVED: 3/13/19