

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 434

5 By: Senator B. Ballinger  
6 By: Representative Gazaway  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 17 OF  
10 THE ARKANSAS CODE CONCERNING PROFESSIONS,  
11 OCCUPATIONS, AND BUSINESSES; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 17  
16 OF THE ARKANSAS CODE CONCERNING  
17 PROFESSIONS, OCCUPATIONS, AND BUSINESSES.  
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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 § 17-39-107 is amended to correct references  
23 to read as follows:

24 17-39-107. Disposition of funds.

25 (a) All fees collected under this subchapter and ~~subchapter 2 § 17-39-~~  
26 ~~201 et seq.~~ shall be deposited into the State Treasury to the credit of the  
27 ~~Department of Arkansas State Police Fund~~ Division of Arkansas State Police  
28 Fund.

29 (b)(1) All funds received by the ~~Department of Arkansas State Police~~  
30 Division of Arkansas State Police shall be deposited into the State Treasury  
31 as special revenues to the credit of the ~~Department of Arkansas State Police~~  
32 Fund Division of Arkansas State Police Fund.

33 (2) Money remaining at the end of the fiscal year shall not  
34 revert to any other fund but shall carry over to the next fiscal year.  
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36 SECTION 2. Arkansas Code § 17-87-309(b), concerning disciplinary



1 actions of the Arkansas State Board of Nursing, is amended to correct  
2 references to read as follows:

3 (b) The board shall refuse to issue or shall revoke the license of any  
4 person who is found guilty of or pleads guilty or nolo contendere to any  
5 offense listed in ~~§ 17-87-312(e)~~ § 17-3-102, unless the person requests and  
6 the board grants a waiver pursuant to ~~§ 17-87-312(g)~~ § 17-3-102.

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8 SECTION 3. Arkansas Code § 17-87-310(b)(2)(B)(ii), concerning  
9 prescriptive authority of advanced practice registered nurses for drugs  
10 listed in Schedule II, is amended to clarify language to read as follows:

11 (ii)(a) The prescription is for a stimulant.

12 (b) A prescription for a stimulant shall meet  
13 ~~and meets~~ the following criteria:

14 ~~(a)(1)~~ The prescription was originally  
15 initiated by a physician;

16 ~~(b)(2)~~ The physician has evaluated the patient  
17 within six (6) months before the advanced practice registered nurse issues a  
18 prescription; and

19 ~~(e)(3)~~ The prescription by the advanced  
20 practice registered nurse is to treat the same condition as the original  
21 prescription.

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23 SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

24 It is the intent of the General Assembly that:

25 (1) The enactment and adoption of this act shall not expressly  
26 or impliedly repeal an act passed during the regular session of the Ninety-  
27 Third General Assembly;

28 (2) To the extent that a conflict exists between an act of the  
29 regular session of the Ninety-Third General Assembly and this act:

30 (A) The act of the regular session of the Ninety-Third  
31 General Assembly shall be treated as a subsequent act passed by the General  
32 Assembly for the purposes of:

33 (i) Giving the act of the regular session of the  
34 Ninety-Third General Assembly its full force and effect; and

35 (ii) Amending or repealing the appropriate parts of  
36 the Arkansas Code of 1987; and

1                   (B) Section 1-2-107 shall not apply; and  
2                   (3) This act shall make only technical, not substantive, changes  
3 to the Arkansas Code of 1987.

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6                   **APPROVED: 3/25/21**  
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