

"AN ACT TO AMEND SECTION 1 OF ACT 509 OF 1983 [ARK. STAT. 82-367] TO PROVIDE FOR LICENSURE OF ABORTION CLINICS AND TO ESTABLISH AN ANNUAL INSPECTION FEE TO BE CHARGED BY THE STATE DEPARTMENT OF HEALTH; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 509 of 1983, the same being Arkansas Statute 82-367, is hereby amended to read as follows:

"Section 1. (a) Any clinic, health center, or other facility in which the pregnancies of women known to be pregnant are wilfully terminated or aborted which activity is a primary function of said clinic, health center, or facility shall be licensed by the State Department of Health and the facilities, equipment, procedures, techniques and conditions of such clinics or similar facilities shall be subject to periodic inspection by the State Department of Health.

(b) The State Department of Health is hereby authorized to levy and collect an annual fee of five hundred dollars (\$500.00) per facility for issuance of a permanent license to an abortion facility.

(c) Applicants for license shall file applications upon such forms as prescribed by the Department. License shall be issued only for the premises and persons in the application and shall not be transferable.

(d) License shall be effective on a calendar year basis and shall expire on December 31 of each calendar year. Applications for annual license renewal shall be postmarked no later than January 2 of the succeeding calendar year. License applications for existing institutions received after the date shall be subject to a penalty of two dollars (\$2.00) per day for each and every day after January 2.

(e) All fees levied and collected under the provisions of this Act are hereby declared to be 'special revenues' and shall be deposited in the State Treasury, there to be credited to the Public Health Fund."

(f) Transfer of Funds. Subject to such rules and regulations as may be implemented by the Chief Fiscal Officer of the State, the Disbursing Officer for the Department of Health is hereby authorized to transfer all unexpended funds relative to the abortion clinics that pertain to fees collected, as certified by the Chief Fiscal Officer of the State, to be carried forward and made available for expenditures for the same purpose for any following fiscal year.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 3/10/87
