

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S1/31/01*

## A Bill

Act 242 of 2001  
SENATE BILL 241

5 By: Senator Hill  
6  
7

### For An Act To Be Entitled

9 AN ACT TO MODIFY THE LICENSE RENEWAL PROCESS FOR  
10 PRIVATE APPLICATORS OF PESTICIDES; AND FOR OTHER  
11 PURPOSES.  
12

### Subtitle

14 TO MODIFY THE LICENSE RENEWAL PROCESS  
15 FOR PRIVATE APPLICATORS OF PESTICIDES.  
16  
17

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

20 SECTION 1. Arkansas Code 20-20-211(c), regarding licensure of private  
21 applicators of pesticides, is amended to read as follows:

22 (c) License Issuance.

23 (1) If the board finds the applicant competent and if the  
24 applicant has paid ~~any fees as may be prescribed by the board to cover the~~  
25 ~~costs of administering this section, the~~ a minimum application fee of ten  
26 dollars (\$10.00) for a one-year license or forty-five dollars (\$45.00) for a  
27 five-year license, the board shall issue a private applicator's license  
28 limited to the operation described in the application.

29 (2) The board shall issue licenses for periods of one (1) or five  
30 (5) years at the option of the applicator. The Each license shall expire  
31 December 31 of each year one (1) or five (5) years from the issue date of the  
32 license, whichever is applicable, unless it has been suspended or revoked  
33 prior thereto by the board for cause. In order to support the program, at the  
34 end of the 2001 license period, the State Plant Board shall phase in the  
35 private applicator license renewal in a way to ensure that the program funding  
36 is equally distributed over the licensing period.

1                   (3) A license shall be automatically invalidated if a private  
2 applicator is at any time or for any reason left without an individual  
3 determined to be competent under subsection (b) of this section.

4                   (4) If a license is not issued as applied for, the board shall  
5 inform the applicant in writing of the reasons therefor.

6                   (5) Private applicators shall be subject to recourse by any  
7 person damaged as a result of the application of any pesticide by the  
8 applicator.

9                   (6) The violation of any of the provisions of this subchapter by  
10 any private applicator shall be prima facie evidence of negligence on the part  
11 of the person, firm, or corporation committing the violation, and such  
12 negligence shall be imputable as provided by existing law.

13   /s/ Hill

14  
15  
16   APPROVED: 2/13/2001  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36