

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: H2/15/01*

# A Bill

Act 728 of 2001  
HOUSE BILL 1728

5 By: Representative Roebuck  
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## For An Act To Be Entitled

9 AN ACT TO ENSURE THE PROPER ARKANSAS BUSINESS  
10 CORPORATION ACT IS BEING REFERENCED; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

13 TO ENSURE THE PROPER ARKANSAS BUSINESS  
14 CORPORATION ACT IS BEING REFERENCED.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code 4-29-402 is amended to read as follows:

21 4-29-402. Application of Arkansas Business Corporation Act.

22 (a) The Arkansas Business Corporation Act, ~~§ 4-26-101 et seq.~~ beginning  
23 at § 4-27-101, shall be applicable to such corporations, including their  
24 organization, except that the required number of incorporators of a dental  
25 corporation shall be one (1) or more, and they shall enjoy the powers and  
26 privileges and be subject to the duties, restrictions, and liabilities of  
27 other corporations, except so far as the same may be limited or enlarged by  
28 this subchapter.

29 (b) If any provision of this subchapter conflicts with the Arkansas  
30 Business Corporation Act, ~~§ 4-26-101 et seq.~~ beginning at § 4-27-101, this  
31 subchapter shall take precedence.  
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33 SECTION 2. Arkansas Code 4-29-206 is amended to read as follows:

34 4-29-206. Formation of corporation.

35 One (1) or more persons duly and properly licensed under and pursuant to  
36 the laws of the State of Arkansas to render the same type of professional

1 services, as defined in § 4-29-202, may form a corporation, pursuant to the  
2 Arkansas Business Corporation Act, ~~§ 4-26-101 et seq.~~ beginning at § 4-27-101,  
3 to own, operate, and maintain a professional corporation and to engage in the  
4 professional services thereby authorized, by and through its licensed  
5 shareholders, directors, officers, and employees only. It is mandatory that  
6 such professional services be rendered by or through persons who are duly and  
7 properly licensed, individually, to engage in the profession.

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9 SECTION 3. Arkansas Code 4-29-305 is amended to read as follows:

10 4-29-305. Formation of corporation - Employee licensing required.

11 (a) One (1) or more persons licensed pursuant to the Arkansas Medical  
12 Practices Act, § 17-95-201 et seq., may associate to form a corporation  
13 pursuant to the Arkansas Business Corporation Act of 1987, ~~§ 4-26-101 et seq.,~~  
14 beginning at § 4-27-101, to own, operate, and maintain an establishment for  
15 the study, diagnosis, and treatment of human ailments and injuries, whether  
16 physical or mental, and to promote medical, surgical, and scientific research  
17 and knowledge.

18 (b) However, medical or surgical treatment, consultation, or advice may  
19 be given by employees of the corporation only if they are licensed pursuant to  
20 the Arkansas Medical Practices Act, § 17-95-201 et seq.

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22 SECTION 4. Arkansas Code 4-29-404 is amended to read as follows:

23 4-29-404. Formation of corporation - Employee licensing required.

24 One (1) or more persons licensed pursuant to the Arkansas Dental  
25 Practice Act, 17-82-101 et seq., may associate to form a corporation pursuant  
26 to the Arkansas Business Corporation Act of 1987, ~~§ 4-26-101 et seq.,~~  
27 beginning at § 4-27-101, to own, operate, and maintain an establishment for  
28 the study, diagnosis, and treatment of dental ailments and injuries and to  
29 promote dental and scientific research and knowledge. However, treatment,  
30 consultation or advice, may be given by employees of the corporation only if  
31 they are licensed pursuant to the Arkansas Dental Practice Act, § 17-82-101 et  
32 seq.

33 /s/ Roebuck  
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APPROVED: 3/12/2001