

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.

Act 278 of the Regular Session

Act 278 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

As Engrossed: H2/10/05

A Bill

HOUSE BILL 1333

4
5
6
7
8

By: Representatives Jeffrey, Dickinson, Mack, Mahony, Ragland, Adcock, Hardy, Harrelson
By: Senators Altes, G. Jeffress, Laverty, Wilkinson

For An Act To Be Entitled

10 AN ACT TO LIMIT THE PERIOD OF TIME IN WHICH THE
11 ARKANSAS APPRAISER LICENSING AND CERTIFICATION
12 BOARD CAN INITIATE AN INVESTIGATION AND CONDUCT A
13 DISCIPLINARY HEARING; AND FOR OTHER PURPOSES.

Subtitle

14
15 AN ACT TO LIMIT THE PERIOD OF TIME IN
16 WHICH THE ARKANSAS APPRAISER LICENSING
17 AND CERTIFICATION BOARD CAN INITIATE AN
18 INVESTIGATION AND CONDUCT A DISCIPLINARY
19 HEARING.
20

21
22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. Arkansas Code § 17-14-206 is amended to read as follows:
26 17-14-206. Complaints and disciplinary procedures.

27 (a) The Arkansas Appraiser Licensing and Certification Board may upon
28 its own motion or upon written complaint of any person, and after notice and
29 hearing as prescribed by the Arkansas Administrative Procedure Act, § 25-15-
30 201 et seq., suspend or revoke the registration, license, or certification of
31 any registrant, licensee, or certificate holder and issue a fine up to the
32 amount of one thousand dollars (\$1,000) per violation occurrence or take any
33 other appropriate disciplinary action for:

- 34 (1) Violation of any provision of this chapter;
35 (2) Falsifying any application for licensure or certification or



1 otherwise providing any false information to the board;

2 (3)(A) Conviction in any jurisdiction of any misdemeanor
3 involving moral turpitude or of any felony.

4 (B) A plea of nolo contendere or no contest shall be
5 considered a conviction for the purposes of this section;

6 (4) Any actions demonstrating untrustworthiness, incompetence,
7 dishonesty, gross negligence, material misrepresentation, fraud, or unethical
8 conduct in any dealings subject to this chapter or these regulations;

9 (5) Adjudication of insanity;

10 (6) Use of advertising or solicitation which is false,
11 misleading, or is otherwise deemed unprofessional by the board;

12 (7) Employing directly or indirectly any unlicensed person to
13 perform any actions subject to this chapter;

14 (8) Habitual or excessive use of intoxicants or illegal drugs;
15 or

16 (9) Failure to meet continuing education requirements within the
17 proper time period.

18 (b) Except in cases in which a licensee, registrant, or certificate
19 holder has obtained a license by false or fraudulent representation, the
20 board shall not investigate the actions of or conduct any disciplinary
21 hearing regarding any licensee, registrant, or certificate holder unless the
22 complaint is filed or the investigation is initiated within three (3) years
23 from the date of the actions complained of or concerning which an
24 investigation is initiated.

25
26 /s/ Jeffrey, et al

27
28
29 APPROVED: 2/24/2005

30
31
32 APPROVED: 02/24/2005

1