

Arkansas Abstracters' Board

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Rules ~~and Regulations~~

BUREAU OF
LEGISLATIVE RESEARCH

SECTION 1. PURPOSE

The purpose of this Rule is to implement ~~Act 1042 of 2007 (the Arkansas Abstracters' Board)~~ Ark. Code Ann. §17-11-101 et seq. and to set the standards and guidelines for applicants seeking Abstractor licenses in the State of Arkansas.

SECTION 2. AUTHORITY

The authority for this Rule is power given to the Arkansas Abstracters' Board for the State of Arkansas by ~~Act 1042 of 2007 (the Arkansas Abstracters' Board)~~ Ark. Code Ann. §17-11-403(b), and other applicable laws.

SECTION 3. APPLICABILITY AND SCOPE

1. ~~This Rule~~ These Rules shall apply to all applicants seeking to become a registered abstractor under the Arkansas Abstracters' Board Act, Ark. Code Ann. § 17-11-302 (a) et seq.
2. ~~This Rule~~ These Rules shall apply to registered abstractors previously licensed pursuant to the repealed Arkansas Title Insurance Agents' Licensing Act, § 17-11-201 et seq. who continue to meet all the residency and other requirements of the Arkansas Abstracters' Board Act and ~~this Rule~~ these Rules, effective January 1, 2008.

SECTION 4. OFFICERS AND MEETINGS

1. Officers shall:
 - a. Consist of a chairperson and a secretary/treasurer, each of whom shall have the privilege of re-election.
 - b. Officers shall be elected annually in January, unless otherwise determined by the board.
2. Duties of Officers
 - a. The chairperson shall:
 1. Call and preside at all meetings. In the absence of a chairperson, he/she shall designate a member to preside.
 2. Be custodian of all records or designate a custodian of all records.
 3. Delegate duties to Board members.
 4. Vote on all issues.
 - b. The Secretary/Treasurer shall:
 1. Ensure that accurate minutes of each meeting are kept and distributed to each Board member.

2. Supervise disbursement of Board funds.
- ~~3. Ensure that accurate minutes of each meeting are kept and distributed to each board member.~~
- ~~4. Supervise disbursement of Board funds.~~

SECTION 5. DUTIES OF THE BOARD

1. The Office of the Arkansas Abstracters' Board shall, in all respects, be deemed to be the Office of the Board. All correspondence and filings shall be addressed or delivered to the Arkansas Abstracters' Board.
2. The Director, who shall be employed by the Board, shall keep a record of all proceedings, transactions, communications and official acts of the Board. The Director shall be custodian of all records, and perform such other duties as the Board may require. Office hours, for the purpose of filing papers, examining public records or transacting any business with the Board or its staff, shall be determined by the Director. When filing or doing any act is required before a certain date, which falls on any Saturday, Sunday or legal holiday, the time for completing said filing or act shall be extended to the next succeeding working day.
3. Any Applicant may be given one opportunity to review his or her test papers in the company of the Director or a member of the Board. Any review by an Applicant shall be scheduled at the discretion of the Director ~~and~~/or the Board and in no case shall occur later than three (3) months after the examination date. All public records of the Board shall be open for inspection at any time during the office hours determined by the Director.
4. The action of the majority vote of quorum of the Board shall be deemed the action of the Board of the members of quorum.
5. All meetings of the board, unless otherwise stated in the Rules or Statutes shall be conducted in accordance with Roberts Rules of Order.
6. The location of the office of the Board shall be designated by the Board.

SECTION 6. MEETINGS

1. Special meeting may be called at the discretion of the chairperson, or by two members of the Board, provided that all members are adequately notified.
2. All meetings shall be conducted pursuant to the Arkansas Freedom of Information Act and disciplinary proceedings shall be conducted in accordance with the Arkansas Administrative Procedures Act.

SECTION 7. INFORMATION FOR PUBLIC GUIDANCE

1. The Board makes available a list of persons holding certain responsibilities for handling FOIA requests, licensing questions, and complaints against licensees so that the public may obtain information about the Board or make submissions or requests. The names, mailing addresses, telephone numbers, and electronic addresses can be obtained from the Board's website.
2. The Board has a list of official forms used by the Board and a list of all formal, written statements of policy and written interpretative memoranda, and orders, decisions and opinions resulting from adjudications, which may be obtained from the Board's office or website.

SECTION 8. DEFINITIONS

1. "Board" shall mean the Arkansas Abstracters' Board.
2. "Rule" shall mean the rules promulgated by the Arkansas Abstracters' Board unless the context requires otherwise.
3. "Abstracter" shall mean a person who verifies the original government survey, which should include gaps and overlaps in land ownership. Given improved technology, surveys have a margin of error of less than one foot. The abstractor must understand the various means of describing the exact boundaries of a piece of land and must recognize unacceptable methods.
4. "Abstract of title" shall mean the various activities affecting ownership of a parcel of land. A title search is conducted to determine that the seller of the property in fact owns the property and has a free-and-clear title. A free-and-clear title has no clouds on it, which means that no person or business other ~~that~~ than the seller has an interest in, or claim to, the property.
5. "Person" shall mean any natural person, or any partnership, association, cooperative, corporation, firm, trust, limited liability company, or other legal entity.
6. "Application" shall mean paperwork to be completed by all applicants available from the Board's office.
7. "Applicant for a Certificate of Registration" shall be defined as any person desiring to become a registered abstracter, who shall have reached the age of majority, shall have not been convicted of a felony and shall have at least one year of verified land title related experience satisfactory to the Board.
8. "Applicant for a Renewal of a Certificate of Registration" shall be defined as any person who shall have successfully completed and passed a written examination prescribed by Section 14, who shall have been duly issued a Certificate of

- Registration, and who shall have acquired the required number of professional development credit hours within the prescribed period.
9. “Applicant for Certificate of Authority” shall be defined as any person, firm, partnership, association, corporation or business entity engaged in the business of abstracting as defined by the Act who shall be or have in his, her or its employ a registered abstractor.
 10. “Applicant for a Provisional Certificate of Registration” shall be defined as any person who applies for and is granted a Certificate of Registration that is effective for at least ninety (90) days, or until the Board makes a decision on an application for a reciprocal certificate of registration.
 11. “Applicant for a Reciprocal Certificate of Registration” shall be defined as an applicant holding a substantially similar certificate of registration in another United States’ jurisdiction who is seeking a certificate of registration in Arkansas.
 12. “Applicant for a Temporary Certificate of Registration” shall be defined as any person succeeding to ownership of any abstract plant or business by any means other than by purchase, or any person who by reason of the incapacity of any registered abstractor owner is required to assume operation of the abstract plant or business.
 13. “Applicant from a state that does not register appraisers” shall be defined as an applicant who can demonstrate sufficient competency in the field to be registered in Arkansas.
 14. “Uniformed Service Veteran” shall be defined as a former member of the United States Uniformed Services discharged under circumstances other than dishonorable.
 15. “Proof of land related experience” shall be defined as proof of not less than one year of full time land title related experience which shall be verified and shall be satisfactory to the Board.

SECTION 9. APPLICANT LICENSE QUALIFICATIONS

- ~~1. Application for a Certificate of Registration “shall be defined as any person desiring to become a registered abstractor, who shall have reached the age of majority, shall have not been convicted of a felony and shall have at least one year of verified land title related experience satisfactory to the Board.~~
- ~~2. Applicant for a Renewal of a Certificate of Registration “shall be defined as any person who shall have successfully completed and passed a written examination prescribed by Section 14, who shall have been duly issued a Certificate of Registration, and who shall have acquired the required number of professional~~

~~development credit hours within the prescribed period.~~

- ~~3. Applicant for a Certificate of Authority" shall be defined as any person, firm, partnership, association, corporation or business entity engage in the business of abstracting as defined by the Act who shall be or have in his, her or its employ a registered abstracter.~~

SECTION 9. CERTIFICATE OF REGISTRATION – RECIPROCITY AND AUTOMATIC LICENSURE FOR UNIFORMED SERVICE MEMBERS, VETERANS AND SPOUSES

1. An applicant for a reciprocal certificate of registration pursuant to Ark. Code Ann. § 17-1-108(c), (d)(1)(A) shall meet the following requirements:
 - a. The applicant shall hold a substantially similar license in another United States' jurisdiction.
 - i. The applicant shall hold his or her license in good standing;
 - ii. The applicant shall not have had a license revoked for:
 1. An act of bad faith; or
 2. A violation of law, rule, or ethics;
 - iii. The applicant shall not hold a suspended or probationary license in a United States' jurisdiction.
 - b. The applicant shall be sufficiently competent as an appraiser.
2. An applicant for a reciprocal certificate of registration shall submit a fully-executed application, the required fee, and the documentation described below.
 - a. As evidence that the applicant's license from another jurisdiction is substantially similar to Arkansas's, the applicant shall submit the following information:
 - i. Evidence of current and active license in that state.
 - ii. Evidence that the other state's licensure requirements match those listed in Section 10.
 - b. To demonstrate the applicant meets the requirement in Section 9.1 (a) ii. & iii. above, the applicant shall provide the Board with:
 - i. The names of all states in which the applicant is currently licensed or has been previously licensed, and
 - ii. Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant has not had his license revoked for bad faith or a violation of law, rule or ethics and does not hold a license on suspended or probationary status.
 - c. As evidence that the applicant is sufficiently competent, an applicant shall:
 - i. Provide proof of at least one year of verified land title related experience to the Board;

- ii. Pass a proficiency examination given by the Board; and
 - iii. Provide three (3) letters of recommendation
3. A provisional certificate of registration pursuant to Ark. Code Ann. § 17-1-108 shall be issued immediately upon receipt of:
 - a. An application, the twenty-five dollar (\$25.00) examination fee, and the documentation required under Section 9.2 above.
 - b. The provisional certificate of registration shall be effective for at least ninety (90) days or until the next regularly scheduled examination that can be taken by the applicant and the Board makes a determination on the application.
 - c. After issuance of the provisional certificate of registration, if the Board determines that the applicant does not meet the requirements of Section 9.1(a) or (b) above, the Board may immediately revoke the provisional certificate of registration.
 - d. An applicant may provide the rest of the documentation required above in order to receive a Certificate of Registration, or the applicant may provide only the information necessary for the issuance of a temporary Certificate of Registration.
4. An applicant from a state that does not register appraisers shall meet the following requirements in accordance with Ark. Code Ann. § 17-1-108(d)(2) in order to be registered in Arkansas:
 - a. Demonstrate sufficient competency as an appraiser by providing proof of at least one year of verified land title related experience to the Board;
 - b. Pass a proficiency examination given by the Board;
 - c. Provide three (3) letters of recommendation; and
 - d. Submit a fully-executed application, pay the required fee, and attach the documents described above in Section 9.2.
5. The Board shall grant automatic licensure to an individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the U.S. and is:
 - a. A uniformed service member stationed in the State of Arkansas;
 - b. A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
 - c. The spouse of:
 - i. A person under Section 9.5 (a) or (b) above;
 - ii. A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or
 - iii. A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes

residency in the state.

6. The Board shall grant such automatic licensure upon receipt of all the below:
 - a. Payment of the initial licensure fee;
 - b. Evidence that the individual holds a license with a similar scope of practice in another state; and
 - c. Evidence that the applicant is a qualified applicant under Section 9.5.
7. The expiration date of a license for a deployed uniform service member or spouse will be extended for one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.
8. A full exemption from professional development credit requirements will be allowed for a deployed uniform service member or spouse until one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.

SECTION 10. CERTIFICATE OF REGISTRATION

1. No Certificate of Registration shall be issued unless an Applicant shall first pass the written examination, as prescribed and specified in accordance with Section 14. Rule No. 7, below.
2. Application forms for the written examination may be obtained from the office of the Director of the Arkansas Abstracters' Board.
3. Applications must be received by the Director thirty (30) days in advance of the examination date. Applications must be typed or neatly printed in ink on forms prescribed and furnished by the Board. To be acceptable they must be filled out completely and in the detail required.
4. No application for registration as an Abstracter will be accepted unless it is accompanied by a check, draft or money order in a sum which shall include an examination fee of twenty-five dollars (\$25.00) ~~twenty-five dollars.~~
5. An applicant shall not be admitted to the examination until satisfactory replies have been received from a minimum of three of his or her references.
6. Upon the Applicant passing the examination and meeting the requirements set forth in Section ~~4210~~, the Board shall issue a Certificate of Registration designating him or her, a Registered Abstracter.
7. A Holder of a Certificate of Registration or Temporary Certificate of Registration shall notify the Director in writing within thirty (30) days of any changes of his or her business address, increase or decrease in the number of places of business

- and the address(es) of the same.
8. When an Applicant is rejected for any cause, the unsuccessful Applicant shall be notified as promptly as practicable and informed of the reason or reasons for his or her rejection.
 9. A temporary certificate of registration pursuant to Ark. Code Ann. §17-11-305 shall be issued after the applicant completes an application and provides proof of land title related experience sufficient to meet the standards established by the Board.
 - a. The fee for a temporary certificate of registration shall be fifteen dollars (\$15.00).
 - b. The temporary certificate of registration shall expire six (6) months after the date it is issued or upon the expiration of sixty (60) days after the next regularly scheduled examination which could be taken by the applicant, whichever period is longer.
 - c. The holder of a temporary certificate of registration will be assessed the twenty-five dollar (\$25.00) examination fee if he or she elects to take the examination.
 - d. The Board shall notify the holder of the temporary certificate of registration of the time and place of the examination by regular U.S. Mail.
 10. The Board shall waiver the temporary certificate of registration fee if the applicant:
 - a. Is receiving assistance through the Arkansas Medicaid Program; the Supplemental Nutrition Assistance Program; the Special Supplemental Nutrition Program for Women, Infants, and Children; the Temporary Assistance for Needy Families Program; or the Lifeline Assistance Program;
 - b. Was approved for unemployment within the last twelve (12) months; or
 - c. Has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.
 - ~~11. Issuance of a temporary certificate of registration pursuant to Ark. Code Ann. 17-11-305 shall be issued only after the applicant provides proof of land title related experience sufficient to meet the standards established by the Board.~~
 - ~~12. Proof of land related experience shall mean not less than one year or full time land title related experience which shall be verified and shall be satisfactory to the Board.~~
 - ~~13. The fee payable for such temporary certificate of registration shall be an amount which shall be \$15.00.~~
 - ~~14. A Holder of a Certificate of Registration or Temporary Certificate of Registration shall notify the Director in writing within thirty (30) days of any change of his or~~

~~her business address, increase or decrease in the number of places of business and the address(es) of the same.~~

- ~~15. When an Applicant is rejected for any cause, the unsuccessful Applicant shall be notified As promptly as practicable and informed of the reason or reasons for his or her rejection.~~
- ~~16. Annual Renewal: Upon receipt of the annual renewal fee in the amount of (\$50.00) fifty dollars dollars for a Certificate of Registration, and upon compliance with all applicable Rules, the Board shall issue a Certificate of Registration" to each applicant whose registration is in full force. Such renewal shall be for the following year beginning July 1 and ending on the immediately following July 1, unless cancelled, suspended or revoked by the Board.~~

SECTION 11. CERTIFICATE OF REGISTRATION NOTICE OF ANNUAL FEE

1. Prior to May 1 of each year, the Director shall notify all persons currently registered under the Abstracters' Act of expiration and shall at the same time provide an application for renewal including a statement for the fifty dollar (\$50) annual fee for the following year and that it will be due and payable on or before July 1.
2. Each applicant for renewal must return the Application for Renewal, together with the appropriate fee, to the Director on or before July 1.
3. Any registration which has not been renewed for the next July 1 to July 1 period in any one year will be cancelled on July 31. The Director will immediately remove said registration from the active roster and within thirty (30) days, shall notify said registrant by registered or certified mail of the fact of such cancellation and removal. Nothing contained in this Rule shall be construed as excusing any person, firm, partnership or individual from the provisions of the Act, or the rules and regulations, which prohibit engaging in the business of abstracting contrary to the provisions of said Act.
4. Each applicant must complete the professional development requirements imposed by Section 15 of these rules before the board shall renew the Certificate of Registration.
5. If a Board, in its sole discretion, determines that the applicant has shown good cause for not completing the professional development requirements, the Board shall permit the applicant to make up all outstanding hours of professional development credits within six (6) months of the renewal of the Certificate of Registration. If the credits are not obtained within such six month period, the certificate shall be revoked.

6. After August 1 of each year, any holder of a Certificate of Registration who has not renewed his or her registration will take the written examination prescribed by Section 14, if he or she passes the examination and meets the other requirements of these rules, he or she shall be given a Certificate of Registration.

SECTION 12. CERTIFICATE OF AUTHORITY

1. Applications for a Certificate of Authority may be obtained from the Director of the Arkansas Abstracters' Board.
2. Applications must be typed or neatly printed in ink on forms prescribed and furnished by the Board. To be acceptable they must be filled out completely and in the detail required.
3. No Application for a Certificate of Authority will be accepted unless it is accompanied by the Application Fee in the form of a check, draft or money order in the amount of twenty-five dollars (\$25.00) ~~twenty-five dollars~~, made payable to the Arkansas Abstracters' Board.
4. Applicant shall furnish proof that such applicant is or has been employed as a registered abstractor, as defined 9 herein.
5. Any holder of a Certificate of Authority shall, within fifteen (15) days of the termination of employment, death or incapacity of any registered abstractor employed by said holder, notify the Director, in writing, of the fact of such termination, death or incapacity. Such holder shall furnish any additional information regarding such termination, death or incapacity as the Board ~~and/or~~ Director may require.
6. If the termination of employment, death or incapacity of a registered Abstractor leaves the holder of a Certificate of Authority without a Registered Abstractor in its employ, such holder shall immediately cease any business of abstracting and forward it's Certificate of Authority for cancellations. Alternatively, any person to whom Section 10 is applicable may proceed pursuant to that Section to apply for a temporary certificate of registration, in accordance with these Rules.
7. Any holder of a Certificate of Authority shall notify the Director in writing within thirty (30) days of any change of its business address, increase or decrease of places of business and the address (s) of the same.
8. A Certificate of Authority must be publicly displayed at all times.
9. Any firm or entity advertising as an Abstract Company or similar name must have been issued a Certificate of Authority from the Arkansas Abstracters' Board.

SECTION 13. CERTIFICATE OF AUTHORITY NOTICE OF ANNUAL FEE

1. Prior to May 1 of each year, the Director shall notify all persons or business entities currently registered under the Abstracters Act of the expiration and shall provide at the same time an application for renewal, together with a statement for the annual fee for the following year, which fee shall be due and payable on or before July 1 of the same year.
2. Each applicant for renewal must return the Application for renewal, and the appropriate fee to the Director on or before July 1.
3. Any certificate of authority which has not been renewed for the next July 1 to July 1 period in any year will be mailed a notice of cancellation no later than August 1. The Director will immediately remove said Certificate of Authority from the active roster and shall, before August 1, notify the applicant of such cancellation and removal by Registered or certified mail.
4. Any applicant so cancelled may, within sixty (60) days of the date of mailing of the notice of cancellation, reinstate the certificate of authority by submitting a late renewal application. Upon receipt of the annual fee and approval of the application, the Board shall reinstate such Certificate of Authority for the remainder of the year.
5. Upon receipt of the annual fee in the amount of one hundred forty five dollars (\$145.00) for a Certificate of Authority, and upon compliance with all applicable rules, the director of the Board shall issue a Certificate of Authority to each applicant whose registration is in full force. Such renewal shall be for the period beginning July and ending on the next following July 1 unless cancelled, suspended or revoked by the Board.

SECTION 14. EXAMINATIONS

1. Examinations shall be conducted as prescribed ~~in~~ herein, at such times and places as the Board may designate, but shall be given at least twice a year. The Board on its own motion may conduct the examination in a manner which provides security, reduces the risk of cheating or plagiarism and is not in conflict with these rules.
2. The application for registration is a part of the examination. Each applicant must show to the satisfaction of the Board that he or she meets the minimum requirements before he or she will be admitted to any examination. If the application is not accepted, the examination fee, tendered pursuant to [Section 10Rule-3.003](#), shall be returned or refunded to the Applicant.
3. Upon receipt of a completed application and the application fee, the Director shall acknowledge the application and advise the applicant that the routing of making

necessary investigations will be followed and that he or she will be notified no later than 30 days before the written examination whether he or she will admit to the examination

4. In the event an Applicant does not appear for either of the two examinations held after he or she has been advised of admittance to the examination, he or she must repeat the application process, including the payment of the prescribed fees, before being permitted to take a subsequent examination.
5. The written examination shall be comprised of two sections, i.e.: legal descriptions; and general knowledge of the practice of abstracting.
6. Each applicant shall submit, as a portion of his or her application, a summary or digest of his or her land title-related experience and training. No person shall be eligible for admittance to the examination until the Board has determined that he or she has demonstrated the minimal experience required by these rules.
7. Any applicant or applicants may be called before the Board for a personal interview.
8. Any applicant, in order to qualify for registration, must pass the examination. Each member of the Board will independently grade the examination and give a grade of "Pass" or "Fail" to the applicant. The Board will determine which applicants have passed or failed the examination. The applicant, the Director or any member of the Board may request that the grade on an examination be reviewed by the Board at a regular meeting. Such request must be delivered in writing to the Director of the Board within sixty (60) days of notification of the grades. The decision of the Board in such reviews will be final.
9. If any applicant fails to pass the examination he or she may be reexamined no sooner than the next regularly-scheduled examination, but no later than two years following the failed examination, upon remittance of the examination fee.
10. Any applicant re-examined will be required to remit the regular examination fee before being admitted to any re-examination.
11. The Board shall have the authority to impose, in its discretion, any further or additional rules or regulations necessary to the efficient and fair administration of the examination, so long as such further or additional rules or regulations do not affect any substantive rights of any applicant.

SECTION 15. PROFESSIONAL DEVELOPMENT

1. Each applicant for renewal of a Certificate of Registration shall certify to the Board that he or she has duly acquired three (3) hours of board approved professional development credits.

2. Professional development credits shall be awarded on the basis of attendance at Board-approved seminars, workshops or correspondence courses which are directly related to the practice of abstracting, at a rate of 1.0 Professional Development Credit for each actual hour of attendance.
 - a. Program sponsors will be required to submit to the Board an outline of each program for which professional development credits is sought. Such outline must be submitted not later than forty five (45) days prior to the date set for presentation of the program. Upon review of the outline and any other information submitted by program sponsors, the Board may approve or disapprove of the number of professional development credit hours sought, or the Board may approve a lesser number of credit hours than originally sought by the program sponsor.
 - b. Program sponsors may request approval of professional development programs for credit in letter form with course outlines, syllabi or other relevant material attached.
 - c. If a program consists of a session of more than one day's duration, the credits may be divided between the days, and credits may be obtained for hours of actual attendance on any day or days of any particular program, unless the granting of partial or divided credits would be achieved only through a break in continuity of subject matter of a particular program.
 - d. Once the Board has approved the professional development program for professional development credits, the program sponsor must mail notice of such program to all registered abstracters within the State of Arkansas at least ten (10) days in advance of the program presentation. The official roster of Registered Abstracters as maintained by the Director shall control. In the event of any controversy regarding mailing of notice to any particular abstractor or abstractors.
 - e. Any correspondence course for which approval of professional development credits is requested will be examined by the Board with strict scrutiny in order to determine, to the extent possible, that integral to such courses are sufficient controls to ensure that the courses are administered in a fair, professional manner, to ensure that the individuals seeking professional development credits actually participate in, and successfully complete, the course for the actual number of hours for which credit is sought.
 - f. **APPEAL OF AWARD OF CREDIT HOURS.** Any program sponsor may request that the Arkansas Abstracters Board review the number of credit hours awarded that sponsor's professional development programs. Such request shall be in writing and shall be received at the Office of the Board of Examiners not later than ten days following the date of mailing, to the

program sponsor, of the original notice of award of credit hours. Upon receipt of a written request for review, the Board of Examiners shall forthwith conduct its review and advise the program sponsor, in writing, of:

1. An award of a greater number of credit hours than originally granted, or;
2. No change in the number of credit hours granted. The Board of Examiners shall complete its review and notification of the program sponsor within ten days of receipt of the sponsor's request for review.
3. Upon completion of an approved professional development program, the program sponsor shall furnish, to each individual who completes said program, a Certificate of Completion showing the name of the individual, the date of the program, and the number of credit hours obtained at the program. Program sponsor shall furnish the Office of the Arkansas Abstracters' Board with an alphabetical list of those abstracters who successfully completed the program.
4. The Board may refuse to grant professional development credit to any abstracter who, within any prescribed two-year professional development credit period, attends more than one program with substantially identical subject matter.

SECTION 16. ANNUAL FEES

1. Annual Renewal fees for each firm are in the amount of one hundred forty five dollars (\$145.00) and due by June 30th of each year.
2. Annual Renewal fees for each individual holding a license under a firm that is already licensed are fifty dollars (\$50.00) per license and due by June 30th of each year.
3. Abstracters who hold an Inactive license can renew each year by June 30th and the amount is fifty dollars (\$50.00.)

SECTION 17. REVOCATION AND SUSPENSION OF LICENSE

- ~~1. The Board may suspend or revoke upon notice and a hearing, or nonrenewal or refuse to continue without notice and a hearing the license of any abstracter who has failed to comply with the license continuation provisions of this Rule and Ark. Code Ann. §§ 23-64-301 et seq., including failure of the abstracter to remit or timely remit the annual fees to the Board. Alternatively the Board may, in its discretion, impose a monetary penalty in the amounts contained in Ark. Code Ann. § 23-64-304.~~

- ~~2. Administrative proceedings under this Rule shall be conducted under the Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq. as applicable, or under the provisions of the Insurance Code under Ark. Code Ann. § 23-61-301 et seq.~~
- ~~3. Upon any revocation, suspension, cancellation, expiration or lapse, the abstractor agent license shall be returned to the Board as the property of the State of Arkansas.~~
- ~~4. The Board may, upon its own motion, and shall, upon the sworn complaint in writing of any person, investigate the actions of any Registered Abstractor or holder of a Certificate of Authority.~~
- ~~5. The Board shall have the power to impose discipline, after a hearing, upon a registered abstractor or holder of a Certificate of Authority, as provided in the Abstracters Act.~~

SECTION 17. DISCIPLINE

1. After a hearing, the Board may cancel and revoke any certificate of registration issued to any person under the provision of Abstracters' Act or impose alternative sanctions under the Administrative Procedure Act, Ark. Code Ann. §25-15-217:
 - a. For a violation of any provision of the Abstracters' Act;
 - b. Upon conviction of the holder of such a certificate of a crime under Ark. Code Ann. §17-3-102;
 - c. Or if the Board finds the holder guilty of habitual carelessness or of fraudulent practices in the conduct of the business of abstracting.
2. After a hearing, the Board may cancel and revoke any certificate of authority issued to any person, firm or corporation under the provision of Abstracters' Act or impose alternative sanctions under the Administrative Procedure Act, Ark. Code Ann. §25-15-217 for:
 - a. Failure to furnish the bond or bonds, or other securities, required by Ark. Code Ann. §17-11-324;
 - b. Failure to properly maintain an abstract plant;
 - c. Failure to have employed a registered abstractor as provided in Ark. Code Ann. §17-11-301; or
 - d. Otherwise violating any of the provisions of the Abstracters' Act.
3. The Board shall immediately notify in writing the holder of a certificate of registration that the Board has received a verified complaint or that upon its own motion has filed a complaint charging the holder with a violation of any of Section 17.1 or 2 above.

4. Administrative proceedings under this Section shall be conducted under the Administrative Procedure Act, Ark. Code Ann. §25-15-201 et seq. and the Abstracters' Act.
5. Upon any cancelation and revocation, expiration or lapse, the abstracter agent license shall be returned to the Board as the property of the State of Arkansas.

SECTION 18. SEVERABILITY

Any section or provision of this Rule held by a court to be invalid or unconstitutional shall not affect the validity of any other section or provision of this Rule.

MARKUP

1 State of Arkansas As Engrossed: S1/19/21 S1/26/21
2 93rd General Assembly **A Bill**
3 Regular Session, 2021

SENATE BILL 78

4
5 By: Senators Hill, D. Wallace, T. Garner, Irvin, J. Hendren, J. English, Flippo
6 By: Representatives Lynch, Cozart, Brown, Evans

7
8 **For An Act To Be Entitled**

9 AN ACT TO ESTABLISH THE ARKANSAS OCCUPATIONAL
10 LICENSING OF UNIFORMED SERVICE MEMBERS, VETERANS, AND
11 SPOUSES ACT OF 2021; TO MODIFY THE AUTOMATIC
12 OCCUPATIONAL LICENSURE REQUIREMENTS FOR UNIFORMED
13 SERVICES MEMBERS, RETURNING UNIFORMED SERVICES
14 VETERANS, AND THEIR SPOUSES; TO DECLARE AN EMERGENCY;
15 AND FOR OTHER PURPOSES.

16
17
18 **Subtitle**

19 TO ESTABLISH ARKANSAS OCCUPATIONAL
20 LICENSING OF UNIFORMED SERVICE MEMBERS,
21 VETERANS, AND SPOUSES ACT OF 2021; AND TO
22 DECLARE AN EMERGENCY.

23
24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26
27 SECTION 1. Arkansas Code § 17-1-106 is repealed.

28 ~~17-1-106. Automatic licensure for active duty service members,~~
29 ~~returning military veterans, and spouses—Definitions.~~

30 ~~(a) As used in this section:~~

31 ~~(1) “Automatic licensure” means the granting of occupational~~
32 ~~licensure without an individual’s having met occupational licensure~~
33 ~~requirements provided under this title or by the rules of the occupational~~
34 ~~licensing entity;~~

35 ~~(2) “Occupational licensing entity” means an office, board,~~
36 ~~commission, department, council, bureau, or other agency of state government~~



1 ~~having authority to license, certify, register, permit, or otherwise~~
2 ~~authorize an individual to engage in a particular occupation or profession;~~

3 ~~(3) "Occupational licensure" means a license, certificate,~~
4 ~~registration, permit, or other form of authorization required by law or rule~~
5 ~~that is required for an individual to engage in a particular occupation or~~
6 ~~profession; and~~

7 ~~(4) "Returning military veteran" means a former member of the~~
8 ~~United States Armed Forces who was discharged from active duty under~~
9 ~~circumstances other than dishonorable.~~

10 ~~(b)(1) An occupational licensing entity shall grant automatic~~
11 ~~licensure to engage in an occupation or profession to an individual who is~~
12 ~~the holder in good standing of a substantially equivalent occupational~~
13 ~~license issued by another state, territory, or district of the United States~~
14 ~~and is:~~

15 ~~(A) An active duty military service member stationed in~~
16 ~~the State of Arkansas;~~

17 ~~(B) A returning military veteran applying for licensure~~
18 ~~within one (1) year of his or her discharge from active duty; or~~

19 ~~(C) The spouse of a person under subdivisions (b)(1)(A)~~
20 ~~and (b)(1)(B) of this section.~~

21 ~~(2) However, an occupational licensing entity shall be required~~
22 ~~to provide automatic licensure if the proposed rules are not approved as~~
23 ~~required under subdivision (d)(2) of this section.~~

24 ~~(c) An occupational licensing entity may submit proposed rules~~
25 ~~recommending an expedited process and procedure for occupational licensure~~
26 ~~instead of automatic licensure as provided under subsection (b) of this~~
27 ~~section to the Administrative Rules Subcommittee of the Legislative Council.~~

28 ~~(d) The Administrative Rules Subcommittee of the Legislative Council~~
29 ~~shall:~~

30 ~~(1) Review the proposed rules of an occupational licensing~~
31 ~~entity as submitted for public comment and at least thirty (30) days before~~
32 ~~the public comment period ends under the Arkansas Administrative Procedure~~
33 ~~Act, § 25-15-201 et seq.; and~~

34 ~~(2) Approve the proposed rules submitted under subsection (c) of~~
35 ~~this section based on:~~

36 ~~(A) A determination of whether the expedited process and~~

1 ~~procedure provide the least restrictive means of accomplishing occupational~~
2 ~~licensure; and~~

3 ~~(B) Any other criteria the Administrative Rules~~
4 ~~Subcommittee of the Legislative Council determines necessary to achieve the~~
5 ~~objectives of this section.~~

6 ~~(e) The Administrative Rules Subcommittee of the Legislative Council~~
7 ~~may:~~

8 ~~(1) Establish a subcommittee to assist in the duties assigned~~
9 ~~under this section;~~

10 ~~(2) Assign information filed with the Administrative Rules~~
11 ~~Subcommittee of the Legislative Council under this section to one (1) or more~~
12 ~~subcommittees of the Legislative Council, including without limitation a~~
13 ~~subcommittee created under subdivision (e)(1) of this section; or~~

14 ~~(3) Delegate its duties under this section to one (1) or more~~
15 ~~subcommittees of the Legislative Council, subject to final review and~~
16 ~~approval of the Administrative Rules Subcommittee of the Legislative Council.~~

17 ~~(f) An occupational licensing entity shall:~~

18 ~~(1) Submit proposed rules authorized under subsection (e) of~~
19 ~~this section to the Administrative Rules Subcommittee of the Legislative~~
20 ~~Council for review and approval before the proposed rules are promulgated~~
21 ~~under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and~~

22 ~~(2) Provide to the House Committee on Aging, Children and Youth,~~
23 ~~Legislative and Military Affairs an annual report stating the number of~~
24 ~~automatic licenses and expedited occupational licenses granted under this~~
25 ~~section to:~~

26 ~~(A) Active duty military service members stationed in the~~
27 ~~State of Arkansas;~~

28 ~~(B) Returning military veterans applying within one (1)~~
29 ~~year of their discharge from active duty; or~~

30 ~~(C) The spouse of a person under subdivisions (f)(2)(A)~~
31 ~~and (f)(2)(B) of this section.~~

32
33 SECTION 2. Arkansas Code Title 17, Chapter 1, is amended to add an
34 additional chapter to read as follows:

35 Chapter 4 – Arkansas Occupational Licensing of Uniformed Service Members,
36 Veterans, and Spouses Act of 2021

1
2 17-4-101. Title.

3 This chapter shall be known and may be cited as the "Arkansas
4 Occupational Licensing of Uniformed Service Members, Veterans, and Spouses
5 Act of 2021".

6
7 17-4-102. Legislative findings and intent.

8 (a) The General Assembly finds that:

9 (1) Arkansas sets the bar as a national leader in addressing
10 employment barriers faced by uniformed service members, uniformed service
11 veterans, and their spouses in attaining occupational licensure;

12 (2) Arkansas is one (1) of only four (4) states to successfully
13 address eight (8) or more of the ten (10) issues affecting uniformed service
14 families identified by the United States Department of Defense;

15 (3) Of the United States Department of Defense's ten (10) issues
16 in fiscal year 2020, four (4) of the issues concern occupational licensure of
17 spouses of uniformed service members;

18 (4) Annually, fourteen and a half percent (14.5%) of spouses of
19 uniformed service members move across state lines as opposed to one and one-
20 tenth percent (1.1%) of civilians;

21 (5) States can continue to improve the attainment of
22 occupational licensure and to eliminate barriers impeding employment of
23 spouses of uniformed service members following a move across state lines;

24 (6) Acts 2019, No. 820, established provisions for the granting
25 of automatic occupational licensure or expedited occupational licensure to
26 active-duty service members, recently separated veterans, and their spouses
27 who hold occupational licensure in good standing in another jurisdiction; and

28 (7) Additional steps need to be taken to clarify, simplify, and
29 elevate the occupational licensure process for uniformed service members,
30 uniformed service veterans, and their spouses.

31 (b) It is the intent of the General Assembly to address occupational
32 licensure barriers that impede the launch and sustainability of civilian
33 occupational careers and employment faced by uniformed service members,
34 uniformed service veterans, and their spouses due to frequent uniformed
35 service assignment by:

36 (1) Providing:

1 (A) Automatic occupational licensure or expedited
2 occupational licensure to current license holders to expedite their entry
3 into the workforce of this state;

4 (B) Temporary or provisional licensure to initial
5 licensure candidates while expediting full licensure;

6 (C) Legislative oversight of rulemaking by occupational
7 licensing entities to ensure removal of occupational licensure barriers faced
8 by uniformed service members, uniformed service veterans, and their spouses;
9 and

10 (D) Guidance to assure effective rulemaking and clear
11 license application instructions to uniformed service members, uniformed
12 service veterans, and their spouses;

13 (2) Recognizing uniformed service education, training,
14 experience, and credentials of uniformed service members and uniformed
15 service veterans applying for initial occupational licensure; and

16 (3) Extending licensure expiration and any continuing education
17 required for occupational licensure renewal when a uniformed service member
18 is deployed.

19
20 17-4-103. Definitions.

21 As used in this chapter:

22 (1) "Automatic occupational licensure" means the granting of
23 occupational licensure without an individual's having met occupational
24 licensure requirements provided under this title or by the rules of the
25 relevant occupational licensing entity;

26 (2) "Occupational licensing entity" means an office, board,
27 commission, department, council, bureau, or other agency of state government
28 having authority to license, certify, register, permit, or otherwise
29 authorize an individual to engage in a particular occupation or profession,
30 not including occupations or professions within the judicial branch of
31 government or occupations or professions subject to the superintending
32 control of the Supreme Court;

33 (3) "Occupational licensure" means a license, certificate,
34 registration, permit, or other form of authorization required by law or rule
35 that is required for an individual to engage in a particular occupation or
36 profession;

1 (4) "Uniformed service member" means:

2 (A) An active or reserve component member of the United
3 States Air Force, United States Army, United States Coast Guard, United
4 States Marine Corps, United States Navy, United States Space Force, or
5 National Guard;

6 (B) An active component member of the National Oceanic and
7 Atmospheric Administration Commissioned Officer Corps; or

8 (C) An active or reserve component member of the United
9 States Commissioned Corps of the Public Health Service; and

10 (5) "Uniformed service veteran" means a former member of the
11 United States uniformed services discharged under conditions other than
12 dishonorable.

13
14 17-4-104. Applicability.

15 Unless otherwise stated in this chapter, this chapter applies to:

16 (1) A uniformed service member stationed in the State of
17 Arkansas;

18 (2) A uniformed service veteran who resides in or establishes
19 residency in the State of Arkansas; and

20 (3) The spouse of:

21 (A) A person listed in subdivision (1) or (2) of this
22 section;

23 (B) A uniformed service member who is assigned a tour of
24 duty that excludes the uniformed service member's spouse from accompanying
25 the uniformed service member and the spouse relocates to this state; and

26 (C) A uniformed service member who is killed or succumbs
27 to his or her injuries or illness in the line of duty if the spouse
28 establishes residency in the state.

29
30 17-4-105. Automatic occupational licensure.

31 An occupational licensing entity shall grant automatic occupational
32 licensure to engage in an occupation or profession to an individual who is:

33 (1) Listed in § 17-4-104; and

34 (2) The holder in good standing of occupational licensure with
35 similar scope of practice issued by another state, territory, or district of
36 the United States.

1
2 17-4-106. Expedited occupational licensure.

3 (a)(1) An occupational licensing entity may submit proposed rules
4 recommending an expedited process for the attainment of occupational
5 licensure instead of automatic occupational licensure as provided under § 17-
6 4-105 to the Administrative Rules Subcommittee of the Legislative Council.

7 (2) The proposed rules described in subdivision (a)(1) of this
8 section shall include temporary or provisional occupational licensure
9 provisions with a term of ninety (90) days or more.

10 (3) The occupational licensing entity shall provide automatic
11 occupational licensure if the proposed expedited occupational licensure rules
12 are not approved as required by § 17-4-109.

13 (b)(1) An occupational licensing entity shall expedite the process for
14 initial occupational licensure for an individual who is listed in § 17-4-104.

15 (2) An occupational licensing entity shall provide the applicant
16 under subdivision (b)(1) of this section with a temporary or provisional
17 license upon receipt of required documentation or the successful completion
18 of any examination required by the relevant occupational licensing entity to
19 enable the applicant to secure employment in his or her occupation or
20 profession.

21
22 17-4-107. Acceptance of uniformed service education, training,
23 experience, or service-issued credential.

24 An occupational licensing entity shall accept relevant and applicable
25 uniformed service education, training, or service-issued credential toward
26 occupational licensure qualifications or requirements when considering an
27 application for initial licensure of an individual who is:

28 (1) A uniformed service member; or

29 (2) A uniformed service veteran who makes an application within
30 one (1) year of his or her discharge from uniformed service.

31
32 17-4-108. Extension of license expiration and continuing education
33 requirements.

34 (a) An occupational licensing entity shall extend the expiration date
35 of an occupational licensure for a deployed uniformed service member or his
36 or her spouse for one hundred eighty (180) days following the date of the

1 uniformed service member's return from deployment.

2 (b)(1) An occupational licensing entity shall allow a full or partial
3 exemption from a continuing education requirement that is required as a
4 component of occupational licensure for an individual who is listed in
5 subsection (a) of this section until one hundred eighty (180) days following
6 the date of the uniformed service member's return from deployment.

7 (2) An occupational licensing entity that allows full or partial
8 exemption from continuing education requirements may require evidence of
9 completion of continuing education before granting a subsequent occupational
10 licensure or authorizing the renewal of an occupational licensure.

11
12 17-4-109. Legislative oversight of rules.

13 (a) The Administrative Rules Subcommittee of the Legislative Council
14 shall:

15 (1) Review the proposed rules of an occupational licensing
16 entity as submitted for public comment at least thirty (30) days before the
17 public comment period ends under the Arkansas Administrative Procedure Act, §
18 25-15-201 et seq.; and

19 (2) Approve the proposed rules submitted under § 17-4-106 based
20 on:

21 (A) A determination of whether the expedited process
22 provides the least restrictive means of attaining occupational licensure; and

23 (B) Any other criteria the Administrative Rules
24 Subcommittee of the Legislative Council determines necessary to achieve the
25 objectives of this section.

26 (b) The Administrative Rules Subcommittee of the Legislative Council
27 may:

28 (1) Establish a further subcommittee to assist in the duties
29 assigned to the Administrative Rules Subcommittee of the Legislative Council
30 under this section;

31 (2) Assign information filed with the Administrative Rules
32 Subcommittee of the Legislative Council under this section to one (1) or more
33 subcommittees of the Legislative Council, including without limitation a
34 subcommittee created under subdivision (b)(1) of this section; or

35 (3) Delegate the duties of the Administrative Rules Subcommittee
36 of the Legislative Council under this section to one (1) or more

1 subcommittees of the Legislative Council, which shall be subject to the final
2 review and approval of the Administrative Rules Subcommittee of the
3 Legislative Council.

4
5 17-4-110. Responsibilities of occupational licensing entities.

6 An occupational licensing entity shall:

7 (1) Submit proposed rules authorized under § 17-4-106 to the
8 Administrative Rules Subcommittee of the Legislative Council for review and
9 approval before the proposed rules are promulgated under the Arkansas
10 Administrative Procedure Act, § 25-15-201 et seq.;

11 (2) If the proposed rules are not approved as required under §
12 17-4-109, provide automatic occupational licensure to an individual listed in
13 § 17-4-104;

14 (3) Post prominently on the occupational licensing entity's
15 website a link entitled "Military Member Licensure" that directly leads to
16 information applicable to an individual listed in § 17-4-104; and

17 (4) Provide to the House Committee on Aging, Children and Youth,
18 Legislative and Military Affairs an annual report stating the number of
19 individuals granted automatic occupational licensure and expedited
20 occupational licensure under this chapter.

21
22 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly of the State of Arkansas that current laws and
24 administrative rules regarding the issuance of occupational licenses,
25 certificates, and permits are barriers and create a hardship for uniformed
26 service members, uniformed service veterans, and their spouses; that
27 additional expedited processes, automatic licensure, and extended expiration
28 dates of occupational licenses, certificates, and permits is needed to ensure
29 that uniformed service members, uniformed service veterans, and their spouses
30 may practice their chosen occupation or profession in the State of Arkansas;
31 and that this act is immediately necessary to remove barriers and hardships
32 in obtaining occupational licenses, certificates, and permits for uniformed
33 service members, uniformed service veterans, and their spouses. Therefore, an
34 emergency is declared to exist, and this act being immediately necessary for
35 the preservation of the public peace, health, and safety shall become
36 effective on:

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(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Hill

APPROVED: 2/23/21

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

As Engrossed: S3/10/21

A Bill

SENATE BILL 153

5 By: Senators Gilmore, *B. Ballinger, Beckham, Bledsoe, B. Davis, Flipppo, T. Garner, K. Hammer, Hester,*
6 *B. Johnson, D. Sullivan, C. Tucker, D. Wallace*
7 By: Representatives Ray, *Beaty Jr., M. Berry, Boyd, Brooks, Brown, Furman, Haak, McCollum,*
8 *Underwood, Wardlaw*

For An Act To Be Entitled

11 AN ACT TO CREATE THE WORKFORCE EXPANSION ACT OF 2021;
12 AND FOR OTHER PURPOSES.

Subtitle

16 TO CREATE THE WORKFORCE EXPANSION ACT OF
17 2021.

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

22 SECTION 1. Arkansas Code Title 4, Chapter 25, Subchapter 1, is amended
23 to add an additional section to read as follows:

24 4-25-110. Fee waiver for certain individuals.

25 (a) Notwithstanding any law to the contrary, the initial filing fees,
26 permit fees, and licensing fees associated with the formation of a business
27 in this state shall be waived for applicants who meet the requirements in the
28 Workforce Expansion Act of 2021, § 17-4-101 et seq.

29 (b) Appropriate state entities shall:

30 (1) Publish notice of the fee waiver on:

31 (A) The website maintained by the appropriate state
32 entity; and

33 (B) Any relevant forms that an applicant is required to
34 complete; and

35 (2) Promulgate any necessary rules to implement this section.
36



1 SECTION 2. Arkansas Code Title 17, is amended to add an additional
2 chapter to read as follows:

3 Chapter 4 – Workforce Expansion Act of 2021

4
5 17-4-101. Title.

6 This chapter shall be known and may be cited as the "Workforce
7 Expansion Act of 2021".

8
9 17-4-102. Legislative findings – Purpose.

10 (a) The General Assembly finds that:

11 (1) Entrepreneurs and workers must pay various fees in order to
12 work in a government-regulated profession or occupation or to start a small
13 business in Arkansas;

14 (2) Families trying to break the cycle of government dependency
15 should not have to pay the state to earn a living; and

16 (3) Arkansas should waive initial fees associated with
17 occupational and professional regulations and the formation of a business for
18 low-income individuals.

19 (b) It is the purpose of this chapter to increase access to
20 professional and occupational licenses that would otherwise be cost
21 prohibitive for certain individuals.

22
23 17-4-103. Definitions.

24 As used in this chapter:

25 (1) "License" means a license, certificate, registration,
26 permit, or other form of authorization required by law or rule that is
27 required for an individual to engage in a particular occupation or
28 profession; and

29 (2)(A) "Licensing entity" means an office, board, commission,
30 department, council, bureau, or other agency of state government having
31 authority to license, certify, register, permit, or otherwise authorize an
32 individual to engage in a particular occupation or profession.

33 (B) "Licensing entity" does not include a political
34 subdivision of the state or any other local or regional governmental entity,
35 including without limitation a city of the first class, a city of the second
36 class, an incorporated town, or a county.

1 17-4-104. Fee waiver.

2 (a) Notwithstanding any law to the contrary, a licensing entity shall
3 not require an initial fee for individuals who are seeking to receive a
4 license in this state if the applicant:

5 (1) Is receiving assistance through the Arkansas Medicaid
6 Program, the Supplemental Nutrition Assistance Program, the Special
7 Supplemental Nutrition Program for Women, Infants, and Children, the
8 Temporary Assistance for Needy Families Program, or the Lifeline Assistance
9 Program;

10 (2) Was approved for unemployment within the last twelve (12)
11 months; or

12 (3) Has an income that does not exceed two hundred percent
13 (200%) of the federal poverty income guidelines.

14 (b) The waiver of the initial fee does not include fees for:

15 (1) A criminal background check;

16 (2) An examination or a test; or

17 (3) A medical or drug test.

18 (c) The Department of Human Services and the Division of Workforce
19 Services shall collaborate with a licensing entity concerning verification of
20 eligibility for public benefits for applicants, which may include obtaining a
21 signed consent form from the applicant.

22
23 17-4-105. Licensing entity duties.

24 A licensing entity shall:

25 (1) Publish notice of the fee waiver on:

26 (A) The website maintained by the licensing entity; and

27 (B) Any relevant forms that an applicant is required to
28 complete; and

29 (2) Promulgate any necessary rules to implement this chapter.

30
31 SECTION 3. EFFECTIVE DATE.

32 SECTIONS 1 and 2 of this act shall be effective on and after January 1,
33 2022.

34
35 /s/Gilmore

36 APPROVED: 4/15/21