

## PROPOSED RULE AMENDMENT

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*For the purposes of promulgating rules pursuant to Act 725 of the 2021 Regular Session of the General Assembly*

### SECTION 3. FEES; BAD CHECKS; REFUNDS.

#### 3.1 Fees.

(a) The following fees are established at the amounts indicated:

- (1) Application fee - \$50.00
- (2) Original broker license fee - \$70.00
- (3) Annual renewal broker license fee - \$80.00
- (4) Original salesperson license fee - \$50.00
- (5) Annual renewal salesperson license fee - \$60.00
- (6) Broker expired license fee - \$110.00
- (7) Salesperson expired license fee - \$80.00
- (8) License reissuance fee - \$30.00
- (9) Initial duplicate license fee - \$30.00
- (10) Annual renewal duplicate license fee - \$30.00
- (11) Transfer fee - \$30.00
- (12) Appeal filing fee - \$100.00
- (13) Recovery fund fee - \$25.00
- (14) Examination fee shall be the actual cost charged by the testing service and shall be paid directly to the testing service.

(b) The following fees for real estate education are established at the amounts indicated:

- (1) Original main school license fee - \$500.00
- (2) Annual renewal main school license fee - \$400.00
- (3) Original branch school license fee - \$300.00
- (4) Annual renewal branch school license fee - \$200.00
- (5) Original association license fee - \$200.00
- (6) Annual association license renewal fee - \$100.00
- (7) Principal instructor license application fee - \$250.00
- (8) Annual renewal fee for principal instructor - \$150.00
- (9) Associate instructor license application fee - \$200.00
- (10) Annual renewal fee for associate instructor - \$100.00
- (11) License amendment fee - \$100.00
- (12) License reissuance fee - \$50.00
- (13) Course approval fee - \$100.00
- (14) Annual renewal for course approval fee - \$50.00
- (15) Late renewal fee for license or course approval - \$250.00
- (16) Appeal filing fee - \$100.00

#### 3.2 Dishonored checks.

(a) Any applicant or licensee who shall submit in payment of any fee a check or bank draft which is not honored by the bank shall not be eligible to receive a license from the Commission until such time as such check or bank draft is paid.

(b) The Commission shall charge a fee not to exceed \$25.00 for a dishonored check or bank draft and shall also require such check or bank draft to be made good immediately by the maker. If such person shall

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be a real estate salesperson, associate broker or executive broker, and shall fail to make such check or bank draft good, the Commission may require payment of such funds from the principal broker with whom such person is licensed.

### **3.3 Overpayment of fees.**

In the event that an applicant or licensee shall submit to the Commission any funds which are in excess of the funds required by the Commission pursuant to Commission Regulation or state law, the Commission shall refund such overpayment according to the following schedule: If the overpayment is at least \$0.01, and not more than \$10.00, no refund shall be made; if the overpayment shall exceed \$10.00, the Commission shall first deduct \$10.00 for processing the refund check, and shall refund the remainder of the overpayment.

### **3.4 Waiver of application fees.**

(a) The Commission shall waive the initial application fees for an applicant who:

(1) 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;

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

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

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**