

**ARKANSAS SENATE**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of Senate Bill No. 499**

"AN ACT TO CREATE AN ARKANSAS FAIR HOUSING COMMISSION; TO PROVIDE  
PROCEDURES FOR THE INVESTIGATION AND REMEDIATION OF UNFAIR HOUSING  
PRACTICES."

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**Amendment No. 1 to Senate Bill No. 499.**

Amend Senate Bill No. 499 as originally introduced:

Page 1, delete lines 28 and 29 and substitute the following:  
"and declared to be a civil right provided the provisions of this act of 2001 shall become effective after the statutes and regulations required"

AND

Page 2, delete line 22 and substitute the following:  
"(7) "Disabled" shall, throughout this act be interpreted identically to the term "handicap" within federal laws, regulations, cases, directives and administrative rulings and positions on subject matter similar to the purposes of this act and means a person:"

AND

Delete SECTION 4 in its entirety and substitute the following:  
"SECTION 4. Creation - Members.  
(a) There is created the Arkansas Fair Housing Commission.  
(b) The commission shall consist of thirteen (13) voting members, to be selected as follows: Seven (7) appointed by the Governor, Three (3) appointed by the Speaker of the House of Representatives and Three (3) appointed by the President of the Senate Pro Tempore, as set forth in this act, for terms of four (4) years, except for the initial commissioners, whose terms shall be determined as set forth in section 4(f) of this act, whose terms begin on January 1 and end on December 31 of the fourth (4<sup>th</sup>) year or when their respective successors are appointed and qualified.  
(1)(A)(i) One (1) member shall have been a licensed real estate broker or licensed real estate salesperson engaged in the practice of residential real estate sales for not less than five (5) years prior to their nomination.

(ii) One (1) member shall have been a licensed real estate broker or licensed real estate salesperson engaged in the practice of multi-family real estate property management for not less than five (5) years prior to their nomination.

(iii) One (1) member shall have been a licensed real estate broker or licensed real estate salesperson engaged in the practice of real estate for not less than five (5) years prior to their nomination.

(B) The Governor shall appoint members to fill vacancies for the two (2) members to represent subdivisions (b)(1)(A)(i) and (b)(1)(A)(ii) from a list of four (4) nominees submitted by the Arkansas Realtors Association and a member to fill a vacancy for the one (1) member to represent subdivision (b)(1)(A)(iii) not involving nominees from the Arkansas Realtors Association.

(2)(A) One (1) member shall have been a licensed homebuilder engaged in the homebuilding business for not less than five (5) years.

(B) The Governor shall appoint a member to fill a vacancy for the member to represent subdivision (b)(2)(A) from a list of four (4) nominees submitted by the Arkansas Homebuilders Association.

(3)(A) One (1) member shall have been a mortgage broker employed for not less than five (5) years by a registered mortgage loan company or loan broker.

(B) The Governor shall appoint a member to fill a vacancy for the member to represent subdivision (b)(3)(A) from a list of four (4) nominees submitted by the Arkansas Mortgage Bankers Association.

(4)(A) One (1) member shall have been a banker engaged in the banking business for not less than five (5) years.

(B) The Governor shall appoint a member to fill a vacancy for the member to represent subdivision (b)(4)(A) from a list of four (4) nominees jointly submitted by the Arkansas Community Bankers and the Arkansas Bankers Association.

(5)(A)(i) Seven (7) members shall represent consumers and shall not be actively engaged in or retired from the business of real estate, homebuilding, mortgage lending or banking, being comprised of one (1) member who shall be appointed by the Governor to represent persons meeting the definition of "disabled" in this act from a list of four (4) nominees submitted by the Governor's Commission on People with Disabilities.

(ii) Three (3) of the members to be appointed pursuant to this subdivision (b)(5)(A) shall be appointed by the Speaker of the House of Representatives.

(iii) Three (3) of the members to be appointed pursuant to this subdivision (b)(5)(A) shall be appointed by the President of the Senate Pro Tempore, one (1) member who shall be sixty (60) years of age or older who shall represent the elderly.

(B) A minimum of four (4) appointments shall be made pursuant to subdivision (b)(5)(A) shall be given to persons protected under Sections 11 through 17 of this act.

(c) All members shall be full voting members of the commission and no Arkansas congressional district shall have less than two (2) members on the commission.

(d) The commission shall elect a chairperson from its membership.

(e) The commission shall meet at least once each month.

(f)(1) The members of the commission shall serve four-year terms,

except that the initial appointees shall serve staggered terms determined by a procedure established by the commission so that six (6) serve a two-year term and seven (7) serve a four-year term.

(2) No member may serve more than two (2) four-year terms.

(g) Each commissioner may receive expense reimbursement and stipends in accordance with § 25-16-905."

AND

Page 9, delete line 24 and substitute the following:  
"disabled, familial status, or national origin."

AND

Page 19, delete line 11 and substitute the following:  
"(a) If a timely election to commence a civil action is not made under Section 30 of this act, the"

AND

Page 19, delete lines 25 through 28

AND

Page 22, delete lines 5 through 8 and substitute the following:  
"(e) If a timely election was not made under Section 30, or an administrative hearing has begun considering a charge issued by the commission, an aggrieved person may not file a civil action under this section with respect to the alleged discriminatory housing practice forming the basis of that charge."

**The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_**

**By: Senator B. Walker**

**MF/RCK**

**RCK985**

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**Secretary**