

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

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."

Amendment No. 3 to Senate Bill No. 499.

Amend Senate Bill No. 499 as engrossed, S3/12/01:

Page 2, line 10, delete "an individual" and substitute "a person"

AND

Page 2, line 11 delete "Section 18 of"

AND

Page 3, delete line 1 and substitute the following:
"prohibited under Sections 11-17 and Section 45 of this act;"

AND

Page 3, line 26 delete "and"

AND

Page 3, delete line 31 and substitute the following:
"respondents under Section 18(f) of this act; and
(15) "To rent" includes to lease, to sublease, to let and
otherwise to grant for a consideration the right to occupy premises not owned
by the occupant."

AND

Page 4, delete lines 24 through 27 and substitute the following:
"(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."

AND

Page 5, delete line 12 and substitute the following:

"the House of Representatives, one (1) member who shall be a fair housing attorney or advocate with at least five (5) years of experience in advocacy for fair housing issues."

Page 5, delete lines 20 through 22 and substitute the following:

"(c) All members shall be full voting members of the commission.

(d)(1) Members of the commission appointed by the Governor shall at all times include one (1) member from each Arkansas congressional district.

(2) Members appointed by the President Pro Tempore of the Senate shall be chosen from Arkansas congressional districts rotating in order with the initial commissioners being chosen from districts (1) and two (2).

(3) Members appointed by the Speaker of the House of Representatives shall be chosen from congressional districts rotating in order with the initial members being chosen from districts three (3) and four (4)."

AND

Page 5, line 23, delete "(d)" and substitute "(e)"

AND

Page 5, line 24, delete "(e)" and substitute "(f)"

AND

Page 5, line 25, delete "(f)" and substitute "(g)"

AND

Page 5, line 30, delete "(g)" and substitute "(h)"

AND

Page 6, delete line 1 and substitute the following:

"(b) The commission shall receive, initiate, investigate, seek to conciliate,"

AND

Page 6, delete lines 18 through 20 and substitute the following:

"the request of a party shall be paid for by that party or, if a party is unable to pay the fees, by the commission."

AND

Page 6, line 29, delete "11-17" and substitute "11, 13, 14 and 15"

AND

Page 6, line 30 delete "two (2)"

AND

Page 8, line 28, delete "or federal"

AND

Page 8, delete line 30 and substitute the following:
"persons, as defined in any state program, or provided under any federal program that the Secretary of the United States Department of Housing and Urban Development determines is specifically designed and operated to assist elderly persons, as defined in any federal program."

AND

Page 11, delete line 7 and substitute the following:
"is in fact so available."

AND

Page 12, delete lines 10 and 18 in their entirety

AND

Page 12, line 19, delete "(3)" and substitute "(2)"

AND

Page 12, line 23, delete "(4)" and substitute "(3)"

AND

Page 14, delete line 14 and substitute the following:
"regulations promulgated by the commission which shall not require that the complaint be notarized."

AND

Page 14, delete line 27 and substitute the following:
"(3) Not later than the tenth day after the filing of"

AND

Page 14, delete line 36 and substitute the following:
"(a) Not later than tenth day after receipt of the notice"

AND

Page 15, delete line 7 and substitute the following:

"regulations promulgated by the commission which shall not require that the complaint be notarized."

AND

Page 15, delete line 13 and substitute the following:
"section, shall commence an investigation within thirty (30) days of receiving the complaint and shall complete the investigation no later than the one hundredth"

AND

Page 15, delete line 20 and substitute the following:
"delay.
(c) If the director is unable to begin an investigation within the time periods prescribed in subsection (a) of this section, the director shall notify the complainant and the respondent in writing of the reasons for the delay."

AND

Page 16, delete line 17 and substitute the following:
"(f) No statements or"

AND

Page 16, line 29, delete "request" and substitute "authorize"

AND

Page 16, delete lines 35 and 36 and substitute the following:
"shall promptly take any action deemed appropriate."

AND

Page 18, delete line 8 and substitute the following:
"(b) Not later than the tenth day after the director issues a"

AND

Page 18, delete line 20 and substitute the following:
"and use law or ordinance, the director shall not issue a charge, but shall immediately refer the matter to the Attorney General for appropriate action."

AND

Page 18, delete lines 27 and 28 and substitute the following:
"(b) The director shall disclose each dismissal under this section both to the public and to all affected parties."

AND

Page 19, delete line 15 and 16 and substitute the following:
"the Arkansas Fair Housing Commission shall authorize and the Attorney General shall file and maintain, on behalf"

AND

Page 21, delete line 3 and substitute the following:
"(d) In addition to all other penalties set forth"

AND

Page 22, delete line 3 and substitute the following:
"than two (2) years after the occurrence or the termination"

AND

Page 22, line 9 delete "hearing" and substitute "proceeding"

AND

Page 22, delete line 11 and substitute the following:
"practice."

AND

Page 24, delete line 33 and substitute the following:
"under color of law, intentionally intimidates or"

AND

Page 27, delete line 28 and substitute the following:
"(2) Any administrative or civil penalty levied and collected"

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator B. Walker
MF/RTK - 032320010935
RTK311 _____ **Secretary**