

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Wilson**

A Bill

SENATE BILL

For An Act To Be Entitled

"AN ACT TO REQUIRE FLORISTS TO OBTAIN A PERMIT TO CONDUCT
BUSINESS; AND FOR OTHER PURPOSES."

Subtitle

"TO REQUIRE FLORISTS TO OBTAIN A PERMIT TO CONDUCT
BUSINESS."

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

SECTION 1. As used in this act:

(1) "Florist" means:

(A) any person who operates a retail establishment for the
primary purpose of selling fresh cut flowers;

(B) any retail establishment which maintains a supply of fresh
cut flowers and floral related items available to the consumer at all times
during regular business hours;

(C) a retail establishment which has on premises a floral cooler
which maintains a temperature acceptable for display and storage of fresh cut
flowers; or

(D) any person who purchases floral merchandise from floral
wholesalers for the purpose of reselling such merchandise.

(2) "Floral wholesaler" means any establishment where fresh cut flowers
and/or items related to the floral industry are sold to florists.

SECTION 2. (a) Any florist located in or operating in Arkansas shall
be required to obtain a permit from the State Plant Board upon payment of a
fee of twenty-five dollars (\$25.00) for each location as a condition of the
right to carry on the business. The permit will enable a florist to purchase

1 fresh cut flowers and floral merchandise from floral wholesalers.

2 (b) Permits shall be issued on an annual basis and shall expire one (1)
3 year from date of issue.

4 (c) No permit is transferable and no permit issued pursuant to this act
5 has value for sale or exchange as property.

6 (c) A late fee equal to ten dollars (\$10.00) shall be charged in
7 addition to the permit fee in order to renew a permit within sixty (60) days
8 after the expiration date.

9

10 SECTION 3. (a) All floral wholesalers shall maintain on file a copy of
11 the permit of each florist to whom they sell their merchandise.

12 (b) Any floral wholesaler who sells any fresh cut flowers to any person
13 or entity that does not have a valid florist_s permit may be subject to fine.

14

15 SECTION 4. All money collected by the State Plant Board under this act
16 shall be deposited and used in the same manner as moneys collected under
17 Arkansas Code § 2-16-210.

18

19 SECTION 5. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

22

23 SECTION 6. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

28

29 SECTION 7. All laws and parts of laws in conflict with this act are
30 hereby repealed.

31

32

33

34

35

