

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1531

5 By: Representative Harrelson  
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7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE "ARKANSAS RETIREMENT  
10 COMMUNITY PROGRAM ACT"; AND FOR OTHER PURPOSES.  
11

## Subtitle

14 TO CREATE THE "ARKANSAS RETIREMENT  
15 COMMUNITY PROGRAM ACT".  
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17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 15, Chapter 13 is amended to add an  
21 additional subchapter to read as follows:

22 15-13-101. Title.

23 This subchapter shall be known and may be cited as the "Arkansas  
24 Retirement Community Program Act".  
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26 15-13-102. Definitions.

27 As used in this subchapter:

28 (1) "Department" means the Department of Economic Development;

29 and

30 (2) "Program" means the Arkansas Retirement Community Program.  
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32 15-13-103. Arkansas Retirement Community Program -- Creation.

33 (a) The Department of Economic Development shall establish and  
34 maintain an Arkansas Retirement Community Program under which retirees and  
35 potential retirees are encouraged to make their homes in Arkansas communities  
36 that have met the criteria for certification by the department as an Arkansas



1 retirement community.

2 (b) The mission of the program is to:

3 (1) Promote Arkansas as a retirement destination to retirees and  
4 potential retirees both inside and outside Arkansas;

5 (2) Assist Arkansas communities in their efforts to market  
6 themselves as desirable retirement locations and to develop communities that  
7 retirees would find attractive for a retirement lifestyle;

8 (3) Assist in the development of retirement communities for  
9 economic development purposes and as a means of providing a potential  
10 workforce and enriching Arkansas communities; and

11 (4) Encourage tourism to Arkansas.

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13 15-13-104. Eligibility.

14 (a) To be eligible to be an Arkansas retirement community, an  
15 applicant community, acting through a board or panel that serves as the  
16 applicant community's official program sponsor, shall:

17 (1) Complete a retiree desirability assessment, as developed by  
18 the Department of Economic Development, to include facts regarding crime  
19 statistics, tax information, recreational opportunities, housing  
20 availability, and other appropriate factors, including criteria listed in  
21 subsection (b) of this section;

22 (2) Work to gain the support of churches, clubs, businesses,  
23 media, and other entities, as necessary for the success of the Arkansas  
24 Retirement Community Program in the applicant community;

25 (3) Identify emergency medical services and hospitals within a  
26 seventy-five-mile radius of the community; and

27 (4) Submit to the department:

28 (A) An application fee in an amount equal to the greater  
29 of:

30 (i) Five thousand dollars (\$5,000); or

31 (ii) Twenty-five cents (25¢) multiplied by the  
32 population of the applicant community, as determined by the most recent  
33 federal decennial census;

34 (B) A marketing plan detailing the mission as applied to  
35 the applicant community, the target market, the competition, an analysis of  
36 the applicant community's strengths, weaknesses, opportunities and dangers,

1 and the strategies the applicant community will employ to attain the goals of  
2 the program; and

3 (C) A long-term plan outlining the steps the applicant  
4 community will undertake to maintain its desirability as a destination for  
5 retirees, including an outline of plans to correct any facility and service  
6 deficiencies identified in the retiree desirability assessment required by  
7 subdivision (a)(1) of this section.

8 (b) The department shall develop and use a scoring system to determine  
9 whether an applicant community will qualify as an Arkansas retirement  
10 community. In addition to the requirements of subsection (a) of this  
11 section, the department shall consider as part of the scoring system the  
12 applicant community in relation to the following criteria:

- 13 (1) Arkansas' state and local tax structure;
- 14 (2) Housing opportunities and cost;
- 15 (3) Climate;
- 16 (4) Personal safety;
- 17 (5) Working opportunities;
- 18 (6) Health care services and other services along the continuum  
19 of care, including home-based services and community-based services, housing  
20 for the elderly, assisted living, personal care, and nursing care facilities;
- 21 (7) Transportation;
- 22 (8) Continuing education;
- 23 (9) Leisure living;
- 24 (10) Recreation;
- 25 (11) Performing arts;
- 26 (12) Festivals and events;
- 27 (13) Sports at all levels; and
- 28 (14) Other services and facilities in the applicant community  
29 that are necessary to enable persons to age and in the least restrictive  
30 environment, as may be identified by the Department of Health and Human  
31 Services.

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33 15-13-105. Services provided.

34 (a) If the Department of Economic Development finds that an applicant  
35 community successfully meets the requirements of an Arkansas retirement  
36 community, not later than ninety (90) days after the application is

1 submitted, the department shall certify the community and provide the  
 2 following services to the community:

3 (1) Assistance in the training of local staff and volunteers;

4 (2) Ongoing oversight and guidance in marketing, including  
 5 updates on retirement trends;

6 (3) Inclusion in the state's national advertising and public  
 7 relations campaigns and travel show promotions, including a prominent feature  
 8 on the department's Internet website, to be coordinated with the Internet  
 9 websites of other agencies, as appropriate;

10 (4) Eligibility for state financial assistance for brochures,  
 11 support material, and advertising; and

12 (5) An evaluation and progress assessment on maintaining and  
 13 improving the community's desirability as a home for retirees.

14 (b) The department may contract with a local or regional nonprofit  
 15 organization to provide a service described by the subsection (a) of this  
 16 section.

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 18 15-13-106. Recertification.

19 An Arkansas retirement community's certification under this section  
 20 expires on the fifth anniversary of the date the initial certification is  
 21 issued. To be considered for recertification by the Department of Economic  
 22 Development, an Arkansas retirement community must:

23 (1) Complete and submit a new application in accordance with the  
 24 requirements of § 15-13-104(a); and

25 (2) Submit data demonstrating the success or failure of the  
 26 Arkansas retirement community's efforts to market and promote itself as a  
 27 desirable location for retirees and potential retirees.

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 29 15-13-107. Arkansas Retirement Community Program Fund Account.

30 The Arkansas Retirement Community Program Fund Account shall be a fund  
 31 maintained in the General Revenue Fund Account of the State Apportionment  
 32 Fund and shall be funded by the fees collected under § 15-13-104. Moneys in  
 33 the account may be appropriated to the Department of Economic Development  
 34 only for the purposes of this subchapter, including the payment of  
 35 administrative and personnel costs of the department associated with  
 36 administering the Arkansas Retirement Community Program.

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15-13-108. Rules and regulations.

The department shall promulgate rules and regulations to implement this subchapter.