

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 803

5 By: Senator Teague
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For An Act To Be Entitled

8 AN ACT TO PROVIDE THAT THE STATE BOARD OF HEALTH MAY
9 PROMULGATE RULES TO ESTABLISH FEES TO SUSTAIN THE
10 PROGRAM OPERATIONS OF THE STATE RADIATION CONTROL
11 AGENCY MANDATED PROGRAMS; AND FOR OTHER PURPOSES.
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Subtitle

14 TO PROVIDE THAT THE STATE BOARD OF HEALTH
15 MAY PROMULGATE RULES TO ESTABLISH FEES TO
16 SUSTAIN THE PROGRAM OPERATIONS OF THE
17 STATE RADIATION CONTROL AGENCY MANDATED
18 PROGRAMS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 20-21-217(b)(1), concerning the fees
25 charged by the State Radiation Control Agency, is amended to read as follows:

26 (b) The Until the State Board of Health promulgates rules under
27 subsection (c) of this section, the agency may charge and collect the
28 following annual fees associated with licensing and registration of sources
29 of ionizing radiation:

- 30 (1) Hospitals or medical centers:
 - 31 (A) Category I-A \$900.00
 - 32 (B) Category I-B 700.00
 - 33 (C) Category II-A 650.00
 - 34 (D) Category II-B 450.00
 - 35 (E) Category III 200.00

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1 SECTION 2. Arkansas Code § 20-21-217(c)-(g), concerning fees for
2 radioactive material, are amended to read as follows:

3 (c)(1) The board shall adopt rules to establish fees at a level to
4 sustain operations of the State Radiation Control Agency's mandated programs.

5 (2) The fees shall not:

6 (A) Conflict with federal program schedules; or

7 (B) Exceed twenty-five percent (25%) of the fees that
8 would be levied by the United States Nuclear Regulatory Commission if the
9 commission were to regulate the State Radiation Control Agency's mandated
10 programs.

11 (d) Each application for reciprocal recognition of an out-of-state
12 license or of an out-of-state registration shall be accompanied by the
13 applicable annual fee, provided that no fee has been submitted during the
14 calendar year of the application.

15 ~~(d)(1)~~ (e)(1) The annual fee shall be based upon the calendar year,
16 January 1 through December 31, with fees for any given year due by December
17 31 of the previous year.

18 (2) Applications for new licenses or registrations shall be
19 accompanied by the appropriate fees. The applicants shall be charged for a
20 full calendar year regardless of the month the license or registration is
21 issued.

22 (3) Applications for amendments to licenses or registration
23 certificates which result in a change to a more costly category shall be
24 accompanied by a fee equal to the difference between the fee for the current
25 category and the one to which the amended license or certificate will
26 escalate.

27 (4) Fee payments shall be by check, draft, or money order made
28 payable to the ~~Division of Health of the~~ Department of Health and Human
29 ~~Services.~~

30 (5) In any case in which the agency finds that an applicant for
31 a new license or new certificate of registration has failed to pay the fee
32 prescribed in this section, the agency shall not process that application
33 until the fee is paid.

34 (6) In any case in which the agency finds that a person has
35 failed to pay a fee prescribed by this section within ninety (90) days of the
36 date due, the agency may issue an order to show cause why that registration,

1 license, or other service should not be revoked, suspended, or terminated, as
2 appropriate.

3 ~~(e)~~ (f) ~~No annual~~ Annual fees shall not be required for those
4 applicants, licensees, registrants, or other applicable persons whose use of
5 sources of radiation is certified as financed solely by the General Revenue
6 Fund of the State of Arkansas.

7 ~~(f)~~ (g) All fees levied and collected under this section are declared
8 to be special revenues and shall be deposited into the State Treasury, there
9 to be credited to the Public Health Fund.

10 ~~(g)~~ (h) Subject to the rules and regulations as may be implemented by
11 the Chief Fiscal Officer of the State, the disbursing officer for the
12 ~~division~~ department may transfer all unexpended funds relative to licensing
13 and registration for use of radioactive materials and X-ray equipment that
14 pertain to fees collected, as certified by the Chief Fiscal Officer of the
15 State, to be carried forward and made available for expenditures for the same
16 purpose for any following fiscal year.

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