

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

As Engrossed: S3/23/11 H3/30/11

A Bill

SENATE BILL 882

5 By: Senator P. Malone
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY
9 OF A STATE AGENCY TO IMPOSE FEES AND PENALTIES; AND
10 FOR OTHER PURPOSES.
11

Subtitle

14 TO AMEND ARKANSAS LAW CONCERNING THE
15 AUTHORITY OF A STATE AGENCY TO IMPOSE
16 FEES AND PENALTIES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code Title 25, Chapter 15, Subchapter 1 is amended*
22 *to add an additional section to read as follows:*

23 *25-15-105. Administrative fees and penalties.*

24 *(a) As used in this section, "agency" means the same as defined at §*
25 *25-15-202.*

26 *(b)(1) An agency shall not assess a fee or penalty without specific*
27 *statutory authority to:*

28 *(A) Assess a certain type and amount of fee or penalty; or*

29 *(B) Impose a fee or penalty in general.*

30 *(2) A fee or penalty established in the rules of an agency*
31 *before the effective date of this section that does not comply with*
32 *subdivision (b)(1) of this section may remain in effect until July 1, 2013,*
33 *but shall not be increased above the amount established by the agency for*
34 *that fee or penalty as of the effective date of this section.*

35 *(c) Subsection (b) of this section does not affect an agency's*
36 *authority to deny, suspend, and revoke licenses within its regulatory*



1 authority.

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/s/P. Malone

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