

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1522

By: Representatives House, Burch
By: Senators T. Garner, D. Wallace

For An Act To Be Entitled

AN ACT TO AMEND THE LAW TO EXTEND STATE BENEFITS TO
THE MEMBERS OF THE ARKANSAS NATIONAL GUARD ON STATE
ACTIVE DUTY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW TO EXTEND STATE BENEFITS
TO THE MEMBERS OF THE ARKANSAS NATIONAL
GUARD ON STATE ACTIVE DUTY.

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

SECTION 1. Arkansas Code § 6-81-716(b)(3), concerning medical school graduates and a community match contract, is amended to read as follows:

(3) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces or state active duty in the Arkansas National Guard.

SECTION 2. Arkansas Code § 6-81-1204(c)(2)(B), concerning graduate nursing students and rural advanced nursing practice or nurse educator loan contracts, is amended to read as follows:

(B) No interest shall accrue nor obligation to repay the principal sums accrued during any period of time that the recipient involuntarily serves on active duty in the United States Armed Forces or state active duty in the Arkansas National Guard.



SECTION 3. Arkansas Code § 6-81-1411(c), concerning repayment and interest under the Nursing Student Loan Program, is amended to read as follows:

(c) No interest shall accrue and no obligation to repay a loan exists during any period of time that the recipient of the loan serves on active duty in the United States Armed Forces or state active duty in the Arkansas National Guard.

SECTION 4. Arkansas Code § 6-82-601(a)(4), concerning a tuition waiver for the dependents of certain veterans, is amended to read as follows:

(4)(A) “Prisoner of war”, “person missing in action”, “person killed in action”, “person killed on ordnance delivery”, and “disabled veteran” ~~means mean any a~~ mean any a person who was a resident of the State of Arkansas at the time that person entered the service of the United States Armed Forces or whose official residence is within the State of Arkansas and who, while serving in the ~~armed forces~~ United States Armed Forces, has been declared to be a prisoner of war, a person missing in action, or a person killed in action as established by the ~~Secretary of Defense of the United States~~ United States Secretary of Defense after January 1, 1960, or a person killed on ordnance delivery, or has been declared by the United States Department of Veterans Affairs to be totally and permanently disabled one hundred percent (100%) as a result of service-connected injuries or service-connected medical conditions.

~~(B) It is not necessary for the purposes of these definitions that capture or death occur during a declared war or as a result of hostile actions~~ The defined terms under subdivision (a)(4)(A) apply whether or not capture or death occurred during a declared war or as a result of hostile action.

(C) A death as result of injuries received while serving in the United States Armed Forces or Arkansas National Guard is only covered by this statute if the death occurred while on active duty or state active duty.

SECTION 5. Arkansas Code § 6-85-209(b), concerning eligibility requirements for a current achiever student under the Arkansas Academic Challenge Scholarship Program, is amended to read as follows:

(b) The department may waive the requirements of subdivision (a)(1)(B) or (a)(2) for eligibility under this section if an applicant does not meet those eligibility requirements due to the applicant's full-time duty in the active uniformed service of the United States, including members of the National Guard and reserve components of the United States Armed Forces on active duty or state active duty orders.

SECTION 6. Arkansas Code § 7-5-201(d)(1)(B), concerning voter qualification, is amended to add an additional subdivision to read as follows:

(iv) A member of the Arkansas National Guard who is on state active duty and absent from the county on election day.

SECTION 7. Arkansas Code § 7-5-404(c), concerning applications for election ballots, is amended to add an additional subdivision to read as follows:

(4) A member of the Arkansas National Guard while in state active duty or service, including his or her spouse or dependent, who by reason of state active duty or service of the member is absent from the place of residence where the member, spouse, or dependent is otherwise qualified to vote.

SECTION 8. Arkansas Code § 7-5-406(a), concerning absentee voting for military members and other citizens residing outside of the United States, is amended to add an additional subdivision to read as follows:

(4) Members of the Arkansas National Guard while in state active duty or service, and their spouses and dependents who, by reason of the state active duty or service of the member, are absent from the place of residence where the spouses or dependents are otherwise qualified to vote.

SECTION 9. Arkansas Code § 7-5-416(c)(3), concerning the counting of absentee ballots, is amended to read as follows:

(3) The ballot of a member of the armed services or Arkansas National Guard in active duty or state active duty executed before the date of death.

SECTION 10. Arkansas Code § 11-10-711(a), concerning the temporary closing of a business due to a military absence, is amended to read as follows:

(a) Notwithstanding any inconsistent provisions of this chapter, if the Director of the Department of Workforce Services finds that an employer's business was closed solely because of the entrance of one (1) or more of the owners, officers, partners, or the majority stockholder into the armed forces of the United States or any of its allies, or of the United Nations ~~after December 31, 1949,~~ or into state active duty with the Arkansas National Guard, the employer's account shall, for experience rating purposes, not be considered as terminated. If the business is resumed by the employer within one (1) year after the discharge or release of the person from active duty in the armed forces or from state active duty with the Arkansas National Guard, the employer's experience shall be deemed to have been continuous through the closed period.

SECTION 11. Arkansas Code § 12-62-414(a), concerning extensions for renewing certain documents and paying certain fees, is amended to read as follows:

(a) A member of the National Guard or reserve component of the armed forces of the United States who is a resident of this state and who is ordered to active duty or state active duty to a duty station located outside of this state shall be allowed an extension for:

- (1) Renewing a state:
 - (A) License;
 - (B) Permit;
 - (C) Registration;
 - (D) Credential; or
 - (E) Certificate; and
- (2) Paying state:
 - (A) Taxes;
 - (B) Fees;
 - (C) Assessments; or
 - (D) Tuition.

SECTION 12. Arkansas Code § 12-62-414(c), concerning the extension for

renewing certain documents and paying certain fees, is amended to read as follows:

(c) The extension shall be effective for:

(1) The period that the service member is serving on active duty or state active duty at a duty station located outside of this state; and

(2) A period of at least ninety (90) days and not more than one (1) year after the service member is released from active duty or state active duty.

SECTION 13. Arkansas Code § 12-62-704, concerning the applicability of the Arkansas Soldiers' and Airmen's Civil Relief Act, is amended to add an additional subdivision read as follows:

(3) The soldier or airman is ordered into active duty by the Governor under state law or under Title 32 of the United States Code for any period of time as a direct result of the execution of an Emergency Management Assistance Compact or proclamation by the Governor.

SECTION 14. The introductory language of Arkansas Code § 17-86-314(a), concerning a renewal of a license when the licensee is on active duty, is amended to read as follows:

(a) If a licensee fails to renew timely his or her license because the licensee is or was on active duty with the United States Armed Forces or on state active duty with the Arkansas National Guard, the licensee may renew the license by:

SECTION 15. Arkansas Code § 17-87-308(h), concerning the renewal of a license to practice nursing, is amended to read as follows:

(h) The board shall waive the renewal fee of a nurse who:

(1) Holds a license to practice nursing in the State of Arkansas; and

(2) Is an ~~active-duty~~ active duty member of the ~~military~~ United States Armed Forces or a member of the Arkansas National Guard on state active duty.

SECTION 16. Arkansas Code § 17-90-304(a)(2), concerning the renewal of a license to practice optometry, is amended to read as follows:

(2) The board shall waive the annual renewal fee for all registered optometrists if the registered optometrist:

(A) Holds a license to practice optometry in the State of Arkansas; and

(B) Is an ~~active-duty~~ active duty member of the ~~military~~ United States Armed Forces or a member of the Arkansas National Guard on state active duty.

SECTION 17. Arkansas Code § 17-101-309, concerning the license, certificate, and registration renewal of a veterinary license or license for a veterinary technicians is amended to add an additional subsection to read as follows:

(d) The board may provide by rule for waiver of payment of any renewal fee of a licensed veterinarian or registered veterinary technician during any period when he or she is a member of the Arkansas National Guard called into state active duty.

SECTION 18. Arkansas Code § 23-64-302(9), concerning requirements for insurance licensees, is amended to read as follows:

~~(9) Any person called to active duty in any branch of the United States military services, including, but not limited to, the United States Coast Guard and reserves, during the entire period of active duty service~~ A member of the Arkansas National Guard on state active duty or a member of the United States Armed Forces on active duty, including without limitation an active duty member of the:

(A) United States Coast Guard; or

(B) United States reserves.

SECTION 19. Arkansas Code § 23-64-507(b)(2)(A), concerning an insurance license, is amended to read as follows:

(2)(A) During any period of state active duty in the Arkansas National Guard or active duty in any branch of the United States military services or a member of the Arkansas National Guard on active duty, including, but not limited to, without limitation the:

(i) United States Coast Guard; and

(ii) United States reserves.

SECTION 20. Arkansas Code § 23-64-511(a)(3), concerning temporary licenses for insurance agents, brokers, adjusters, and consultants, is amended to read as follows:

(3) To the designee of a licensed insurance producer entering active duty service in the ~~armed forces of the United States~~ United States Armed Forces or state active duty in the Arkansas National Guard; or

SECTION 21. Arkansas Code § 27-16-902(a), concerning the renewal of a driver's license, is amended to read as follows:

(a) As used in this section, "military member" means an active duty member of:

- (1) The Air National Guard, including a member on state active duty;
- (2) The Army National Guard, including a member on state active duty;
- (3) A reserve component of the United States Armed Forces; or
- (4) A branch of the United States Armed Forces.

APPROVED: 3/13/19