

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 434

By: Senator B. Ballinger
By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 17 OF
THE ARKANSAS CODE CONCERNING PROFESSIONS,
OCCUPATIONS, AND BUSINESSES; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 17
OF THE ARKANSAS CODE CONCERNING
PROFESSIONS, OCCUPATIONS, AND BUSINESSES.

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

SECTION 1. Arkansas Code § 17-39-107 is amended to correct references to read as follows:

17-39-107. Disposition of funds.

(a) All fees collected under this subchapter and ~~subchapter 2 § 17-39-201 et seq.~~ shall be deposited into the State Treasury to the credit of the ~~Department of Arkansas State Police Fund~~ Division of Arkansas State Police Fund.

(b)(1) All funds received by the ~~Department of Arkansas State Police~~ Division of Arkansas State Police shall be deposited into the State Treasury as special revenues to the credit of the ~~Department of Arkansas State Police Fund~~ Division of Arkansas State Police Fund.

(2) Money remaining at the end of the fiscal year shall not revert to any other fund but shall carry over to the next fiscal year.

SECTION 2. Arkansas Code § 17-87-309(b), concerning disciplinary



actions of the Arkansas State Board of Nursing, is amended to correct references to read as follows:

(b) The board shall refuse to issue or shall revoke the license of any person who is found guilty of or pleads guilty or nolo contendere to any offense listed in ~~§ 17-87-312(e)~~ § 17-3-102, unless the person requests and the board grants a waiver pursuant to ~~§ 17-87-312(g)~~ § 17-3-102.

SECTION 3. Arkansas Code § 17-87-310(b)(2)(B)(ii), concerning prescriptive authority of advanced practice registered nurses for drugs listed in Schedule II, is amended to clarify language to read as follows:

(ii)(a) The prescription is for a stimulant.

(b) A prescription for a stimulant shall meet
~~and meets~~ the following criteria:

~~(a)(1)~~ (1) The prescription was originally initiated by a physician;

~~(b)(2)~~ (2) The physician has evaluated the patient within six (6) months before the advanced practice registered nurse issues a prescription; and

~~(c)(3)~~ (3) The prescription by the advanced practice registered nurse is to treat the same condition as the original prescription.

SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Third General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Third General Assembly and this act:

(A) The act of the regular session of the Ninety-Third General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Third General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and
(3) This act shall make only technical, not substantive, changes
to the Arkansas Code of 1987.

APPROVED: 3/25/21