

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S3/10/21
A Bill

SENATE BILL 153

By: Senators Gilmore, *B. Ballinger, Beckham, Bledsoe, B. Davis, Flipppo, T. Garner, K. Hammer, Hester, B. Johnson, D. Sullivan, C. Tucker, D. Wallace*

By: Representatives Ray, *Beaty Jr., M. Berry, Boyd, Brooks, Brown, Furman, Haak, McCollum, Underwood, Wardlaw*

For An Act To Be Entitled

AN ACT TO CREATE THE WORKFORCE EXPANSION ACT OF 2021;
AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE WORKFORCE EXPANSION ACT OF
2021.

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

SECTION 1. Arkansas Code Title 4, Chapter 25, Subchapter 1, is amended to add an additional section to read as follows:

4-25-110. Fee waiver for certain individuals.

(a) Notwithstanding any law to the contrary, the initial filing fees, permit fees, and licensing fees associated with the formation of a business in this state shall be waived for applicants who meet the requirements in the Workforce Expansion Act of 2021, § 17-4-101 et seq.

(b) Appropriate state entities shall:

(1) Publish notice of the fee waiver on:

(A) The website maintained by the appropriate state entity; and

(B) Any relevant forms that an applicant is required to complete; and

(2) Promulgate any necessary rules to implement this section.



SECTION 2. Arkansas Code Title 17, is amended to add an additional chapter to read as follows:

Chapter 4 – Workforce Expansion Act of 2021

17-4-101. Title.

This chapter shall be known and may be cited as the "Workforce Expansion Act of 2021".

17-4-102. Legislative findings – Purpose.

(a) The General Assembly finds that:

(1) Entrepreneurs and workers must pay various fees in order to work in a government-regulated profession or occupation or to start a small business in Arkansas;

(2) Families trying to break the cycle of government dependency should not have to pay the state to earn a living; and

(3) Arkansas should waive initial fees associated with occupational and professional regulations and the formation of a business for low-income individuals.

(b) It is the purpose of this chapter to increase access to professional and occupational licenses that would otherwise be cost prohibitive for certain individuals.

17-4-103. Definitions.

As used in this chapter:

(1) "License" means a license, certificate, registration, permit, or other form of authorization required by law or rule that is required for an individual to engage in a particular occupation or profession; and

(2)(A) "Licensing entity" means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a particular occupation or profession.

(B) "Licensing entity" does not include a political subdivision of the state or any other local or regional governmental entity, including without limitation a city of the first class, a city of the second class, an incorporated town, or a county.

17-4-104. Fee waiver.

(a) Notwithstanding any law to the contrary, a licensing entity shall not require an initial fee for individuals who are seeking to receive a license in this state if the applicant:

(1) Is receiving assistance through the Arkansas Medicaid Program, the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Temporary Assistance for Needy Families Program, or the Lifeline Assistance Program;

(2) Was approved for unemployment within the last twelve (12) months; or

(3) Has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

(b) The waiver of the initial fee does not include fees for:

(1) A criminal background check;

(2) An examination or a test; or

(3) A medical or drug test.

(c) The Department of Human Services and the Division of Workforce Services shall collaborate with a licensing entity concerning verification of eligibility for public benefits for applicants, which may include obtaining a signed consent form from the applicant.

17-4-105. Licensing entity duties.

A licensing entity shall:

(1) Publish notice of the fee waiver on:

(A) The website maintained by the licensing entity; and

(B) Any relevant forms that an applicant is required to complete; and

(2) Promulgate any necessary rules to implement this chapter.

SECTION 3. EFFECTIVE DATE.

SECTIONS 1 and 2 of this act shall be effective on and after January 1, 2022.

/s/Gilmore