

West's Arkansas Code Annotated

Title 20. Public Health and Welfare (Refs & Annos)

Subtitle 2. Health and Safety (Chapters 6 to 44)

Chapter 7. State Board of Health--Department of Health (Refs & Annos)

Subchapter 1. General Provisions

A.C.A. § 20-7-101

§ 20-7-101. Violations--Penalties

Effective: July 24, 2019

Currentness

(a)(1) Every firm, person, or corporation violating any of the provisions of this act or any of the orders or rules made and promulgated in pursuance hereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or by imprisonment not exceeding one (1) month, or both.

(2) Each day of violation shall constitute a separate offense.

(b)(1)(A)(i) Every firm, person, or corporation who violates any of the rules issued or promulgated by the State Board of Health or who violates any condition of a license, permit, certificate, or any other type of registration issued by the board may be assessed a civil penalty by the board. The penalty shall not exceed one thousand dollars (\$1,000) for each violation.

(ii) Each day of a continuing violation may be deemed a separate violation for purposes of penalty assessments.

(B) However, no civil penalty may be assessed until the person charged with the violation has been given the opportunity for a hearing on the violation.

(2) All fines collected under this subsection shall be deposited into the State Treasury and credited to the Public Health Fund to be used to defray the costs of administering this section.

(3) Subject to such rules as may be implemented by the Chief Fiscal Officer of the State, the disbursing officer for the Department of Health may transfer all unexpended funds relative to fines collected under this subsection, as certified by the Chief Fiscal Officer of the State, to be carried forward and made available for expenditures for the same purpose for any following fiscal year.

(4) All rules promulgated pursuant to this subsection shall be reviewed by the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor or appropriate subcommittees thereof.

Credits

Acts of 1913, Act 96, § 28; Acts of 1987, Act 146, § 2; Acts of 1991, Act 990, §§ 1, 5; Acts of 1997, Act 179, § 19, eff. Feb. 17, 1997; Acts of 2019, Act 315, § 1802, eff. July 24, 2019.

Formerly C. & M. Dig., § 5146; Pope's Dig., § 6417; A.S.A. 1947, § 82-121.

A.C.A. § 20-7-101, AR ST § 20-7-101

The constitution and statutes are current through the end of the 2019 Regular Session of the 92nd Arkansas General Assembly.

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