

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1553

5 By: Representative Bryant
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE EARN AND LEARN ACT OF 2021; TO
10 ALLOW INDIVIDUALS TO WORK AND EARN A PAYCHECK WHILE
11 ALSO FULFILLING LICENSING REQUIREMENTS AND GAINING
12 THE SKILLS TO FILL THE NEEDS OF AN EXPANDING
13 WORKFORCE; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO CREATE THE EARN AND LEARN ACT OF 2021;
17 AND TO ALLOW INDIVIDUALS TO WORK AND EARN
18 A PAYCHECK WHILE ALSO FULFILLING
19 LICENSING REQUIREMENTS AND GAINING THE
20 SKILLS TO FILL THE NEEDS OF AN EXPANDING
21 WORKFORCE.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code Title 17 is amended to add an additional
28 chapter to read as follows:

CHAPTER 4

EARN AND LEARN ACT OF 2021

17-4-101. Title.

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32 This chapter shall be known and may be cited as the "Earn and Learn Act
33 of 2021".
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17-4-102. Legislative findings – Purpose.

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1 (a) The General Assembly finds that:

2 (1) Apprenticeships prioritize on-the-job training and provide
3 workers the opportunity to earn a paycheck while working towards industry-
4 recognized credentials;

5 (2) Apprenticeships allow employers to build a skilled workforce
6 according to industry standards; and

7 (3) Occupational licensing prevents the citizens of this state
8 from taking full advantage of apprenticeships because many apprenticeship-
9 friendly jobs require a license to legally work in this state.

10 (b) It is the purpose of this chapter to allow individuals to work and
11 earn a paycheck while also fulfilling licensing requirements and gaining the
12 skills to fill the needs of an expanding workforce.

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14 17-4-103. Definitions.

15 As used in this chapter:

16 (1) "Apprenticeship" means a program that meets the federal
17 guidelines set out in 29 C.F.R. Part 29, including industry-recognized
18 programs;

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

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

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28 17-4-104. Treatment of apprenticeships regarding licenses.

29 (a) A licensing entity shall grant a license to an applicant who:

30 (1) Completes an apprenticeship in the licensed occupation or
31 profession;

32 (2) Passes an examination, if deemed to be necessary by the
33 licensing entity;

34 (3) Pays any fees deemed necessary by the licensing entity; and

35 (4) Does not have a disqualifying criminal record as determined
36 by the licensing entity under state law.

1 (b) If a licensing entity denies a license to an applicant under this
2 subchapter, the licensing entity shall:

3 (1) Provide the applicant with a denial in writing; and

4 (2) Explain the reason for the denial in the written decision
5 such as whether the licensing entity determined that the applicant's
6 apprenticeship program does not correspond to the profession or occupation or
7 level of license for which the applicant applied.

8 (c)(1) A licensing entity shall establish a passing score for
9 examinations that does not exceed the passing score required under the
10 standard licensing processes.

11 (2) If the licensing entity does not require an examination for
12 the standard licensing process for a profession or occupation, an applicant
13 who completes an apprenticeship for the profession or occupation is not
14 required to pass an examination.

15 (d)(1) A licensing entity shall establish a licensing fee that does
16 not exceed the licensing fee required under the standard licensing processes.

17 (2) If the licensing entity does not require a fee for the
18 standard licensing process for a profession or occupation, an applicant who
19 completes an apprenticeship in the profession or occupation is not required
20 to pay a fee.

21 (e) Except as otherwise required by federal law, an apprenticeship for
22 a profession or occupation is not required to exceed the number of hours
23 required by the licensing entity for the profession or occupation.

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25 SECTION 2. DO NOT CODIFY. Rules.

26 (a) All licensing entities shall promulgate rules necessary to
27 implement this act.

28 (b)(1) When adopting the initial rules to implement this act, the
29 final rule shall be filed with the Secretary of State for adoption under §
30 25-15-204(f):

31 (A) On or before January 1, 2022; or

32 (B) If approval under § 10-3-309 has not occurred by
33 January 1, 2022, as soon as practicable after approval under § 10-3-309.

34 (2) A licensing entity shall file the proposed rule with the
35 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,
36 2022, so that the Legislative Council may consider the rule for approval

1 before January 1, 2022.

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3 SECTION 3. EFFECTIVE DATE.

4 This act shall be effective on and after January 1, 2022.

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