

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1774

5 By: Representative Beaty Jr.
6 By: Senator B. Johnson
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE MEMBERSHIP OF THE ARKANSAS FAIR
10 HOUSING COMMISSION; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE MEMBERSHIP OF THE ARKANSAS
14 FAIR HOUSING COMMISSION.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 16-123-303 is amended to read as follows:
20 16-123-303. Creation – Members.

21 (a) There is created the Arkansas Fair Housing Commission, which shall
22 consist of seven (7) members.

23 (b) The seven (7) members of the Arkansas Fair Housing Commission
24 shall be selected as follows:

25 (1) Five (5) members with knowledge or experience in the fields
26 of real estate, homebuilding, mortgage lending, banking, or other related
27 fields, appointed by the Governor, subject to confirmation by the Senate;

28 (2) One (1) member who has demonstrated active involvement or
29 interest in fair housing issues, appointed by the President Pro Tempore of
30 the Senate; and

31 (3) One (1) member who has demonstrated active involvement or
32 interest in fair housing issues, appointed by the Speaker of the House of
33 Representatives.

34 ~~(b)(1) The Arkansas Fair Housing Commission shall consist of thirteen~~
35 ~~(13) voting members, to be selected as follows: Seven (7) appointed by the~~
36 ~~Governor subject to confirmation by the Senate, three (3) appointed by the~~



1 ~~Speaker of the House of Representatives, and three (3) appointed by the~~
2 ~~President Pro Tempore of the Senate, as set forth in this subchapter, for~~
3 ~~terms of four (4) years whose terms begin on January 1 and end on December 31~~
4 ~~of the fourth year or when their respective successors are appointed and~~
5 ~~qualified.~~

6 ~~(2)(A)(i) One (1) member shall have been a licensed real estate~~
7 ~~broker or licensed real estate salesperson engaged in the practice of~~
8 ~~residential real estate sales for not fewer than five (5) years prior to his~~
9 ~~or her appointment.~~

10 ~~(ii) One (1) member shall have been a licensed real~~
11 ~~estate broker or licensed real estate salesperson engaged in the practice of~~
12 ~~multifamily real estate property management for no fewer than five (5) years~~
13 ~~prior to his or her appointment.~~

14 ~~(iii) One (1) member shall have been a licensed real~~
15 ~~estate broker or licensed real estate salesperson engaged in the practice of~~
16 ~~real estate for no fewer than five (5) years prior to his or her appointment.~~

17 ~~(B) The Governor shall appoint members to fill vacancies~~
18 ~~under subdivision (b)(2)(A) of this section after consulting the Arkansas~~
19 ~~Realtors Association, subject to confirmation by the Senate.~~

20 ~~(3)(A) One (1) member shall have been a licensed homebuilder~~
21 ~~engaged in the homebuilding business for not fewer than five (5) years.~~

22 ~~(B) The Governor shall appoint a member to fill a vacancy~~
23 ~~for the member to represent subdivision (b)(3)(A) of this section after~~
24 ~~consulting the Arkansas Home Builders Association and subject to confirmation~~
25 ~~by the Senate.~~

26 ~~(4)(A) One (1) member shall have been a mortgage broker employed~~
27 ~~for not fewer than five (5) years by a registered mortgage loan company or~~
28 ~~loan broker.~~

29 ~~(B) The Governor shall appoint a member to fill a vacancy~~
30 ~~for the member to represent subdivision (b)(4)(A) of this section after~~
31 ~~consulting the Mortgage Bankers Association of Arkansas and subject to~~
32 ~~confirmation by the Senate.~~

33 ~~(5)(A) One (1) member shall have been a banker engaged in the~~
34 ~~banking business for not fewer than five (5) years.~~

35 ~~(B) The Governor shall appoint a member to fill a vacancy~~
36 ~~for the member to represent subdivision (b)(5)(A) of this section after~~

1 consulting ~~Arkansas Community Bankers and the Arkansas Bankers Association~~
2 ~~and subject to confirmation by the Senate.~~

3 ~~(6)(A)(i) Seven (7) members shall represent consumers and shall~~
4 ~~not be actively engaged in or retired from the business of real estate,~~
5 ~~homebuilding, mortgage lending, or banking, including one (1) member who~~
6 ~~shall be appointed by the Governor to represent persons meeting the~~
7 ~~definition of individuals with a disability in this subchapter after~~
8 ~~consulting the Governor's Commission on People with Disabilities and subject~~
9 ~~to confirmation by the Senate.~~

10 ~~(ii) Three (3) of the members to be appointed~~
11 ~~pursuant to subdivision (b)(6)(A)(i) of this section shall be appointed by~~
12 ~~the Speaker of the House of Representatives, one (1) member who shall be a~~
13 ~~fair housing attorney or advocate with at least five (5) years of experience~~
14 ~~in advocacy for fair housing issues.~~

15 ~~(iii) Three (3) of the members to be appointed~~
16 ~~pursuant to subdivision (b)(6)(A)(i) of this section shall be appointed by~~
17 ~~the President Pro Tempore of the Senate, one (1) member of whom shall be~~
18 ~~sixty (60) years of age or older who shall represent the elderly.~~

19 ~~(B) A minimum of four (4) appointments made pursuant to~~
20 ~~subdivision (b)(6)(A)(i) of this section shall be given to persons protected~~
21 ~~under §§ 16-123-310 — 16-123-316.~~

22 (c) Members of the Arkansas Fair Housing Commission shall serve a term
23 of four (4) years, or until a successor has been appointed and qualified.

24 (d) A vacancy arising in the membership of the Arkansas Fair Housing
25 Commission shall be filled for the balance of the unexpired term by the
26 appointing authority in the same manner as provided for initial appointments.

27 (e) The appointing authorities shall make an effort to ensure that the
28 membership of the Arkansas Fair Housing Commission is reflective of the
29 geographic diversity of the state.

30 ~~(e)(f) All members shall be full voting members of the Arkansas Fair~~
31 ~~Housing Commission.~~

32 ~~(d)(1) Members of the Arkansas Fair Housing Commission appointed by~~
33 ~~the Governor shall at all times include one (1) member from each Arkansas~~
34 ~~congressional district.~~

35 ~~(2) Appointments by the President Pro Tempore of the Senate and~~
36 ~~the Speaker of the House of Representatives shall be as follows:~~

1 ~~(A) The three (3) members appointed by the President Pro~~
 2 ~~Tempore of the Senate shall be from the First Congressional District and the~~
 3 ~~Second Congressional District and the three (3) members appointed by the~~
 4 ~~Speaker of the House of Representatives shall be from the Third Congressional~~
 5 ~~District and the Fourth Congressional District;~~

6 ~~(B) At the next time for appointments, the three (3)~~
 7 ~~members appointed by the President Pro Tempore of the Senate shall be from~~
 8 ~~the Third Congressional District and the Fourth Congressional District and~~
 9 ~~the three (3) members appointed by the Speaker of the House of~~
 10 ~~Representatives shall be from the First Congressional District and the Second~~
 11 ~~Congressional District; and~~

12 ~~(C) Future appointments shall alternate between the~~
 13 ~~requirements of subdivisions (d)(2)(A) and (B) of this section.~~

14 ~~(e)(g)~~ The Arkansas Fair Housing Commission shall elect a chair from
 15 its membership.

16 ~~(f)(h)~~ The Arkansas Fair Housing Commission shall meet at least
 17 quarterly.

18 ~~(g)(1) The members of the Arkansas Fair Housing Commission shall serve~~
 19 ~~four-year terms, except that the initial appointees shall serve staggered~~
 20 ~~terms determined by a procedure established by the Arkansas Fair Housing~~
 21 ~~Commission so that six (6) serve a two year term and seven (7) serve a four-~~
 22 ~~year term.~~

23 ~~(2) No member may serve more than two (2) four year terms.~~

24 ~~(h)(i)~~ Each commissioner may receive expense reimbursement and
 25 stipends in accordance with § 25-16-905.

26
 27 SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Changes in membership.

28 (a)(1) Upon the effective date of this act, the existing members of
 29 the Arkansas Fair Housing Commission shall continue to serve and shall
 30 exercise the powers and duties assigned to the Arkansas Fair Housing
 31 Commission until the expiration of the members' terms.

32 (2) This act shall not shorten the term of any current member of
 33 the Arkansas Fair Housing Commission.

34 (b) The new membership requirements shall be implemented as the terms
 35 expire and by filing vacancies in the Arkansas Fair Housing Commission.

36 (c) If the terms of all existing members of the Arkansas Fair Housing

1 Commission have expired on or before the effective date of this act, the
2 appointing authorities shall appoint new members of the Arkansas Fair Housing
3 Commission in compliance with this act.

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