

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 781 OF 1993
HOUSE BILL 1406

4 **By: Representatives Mullenix, McGee, Stalnaker, Wallis**

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For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR THE SUSPENSION OF THE DRIVER_S
9 LICENSE OF ANY MINOR WHO COMMITS A CRIMINAL OFFENSE
10 INVOLVING THE ILLEGAL POSSESSION OR USE OF PROHIBITED
11 WEAPONS UPON THE PROPERTY OF THE PUBLIC SCHOOLS OR IN OR
12 UPON ANY SCHOOL BUS; AND FOR OTHER PURPOSES."

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Subtitle

15 "SUSPENSION OF THE DRIVER_S LICENSE OF ANY MINOR
16 POSSESSING A WEAPON ON SCHOOL PROPERTY."

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

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20 SECTION 1. Whenever a person who is less than nineteen (19) years of
21 age at the time of the commission of the offense pleads guilty or nolo
22 contendere and the plea is accepted by the court or is found guilty of any
23 criminal offense under Chapter 73 of Title 5 of the Arkansas Code, provided
24 that the State proves that the offense was committed upon the property of the
25 public schools or in or upon any school bus, or is found by a juvenile court
26 to have committed such an offense, the court shall prepare and transmit to the
27 Department of Finance and Administration within twenty-four (24) hours after
28 the plea or finding an order of denial of driving privileges for the person.
29 In cases of extreme and unusual hardship, the order may provide for the
30 issuance of a restricted driving permit to allow driving to and from a place
31 of employment or driving to and from school.

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33 SECTION 2. Upon receipt of an order of denial of driving privileges
34 under this act, the Department of Finance and Administration shall suspend the
35 *motor vehicle operator's license of the person for not less than twelve (12)*
36 *months nor more than thirty-six (36) months.*

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SECTION 3. Penalties prescribed herein shall be in addition to all other penalties prescribed by law for the offenses covered by this Act.

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 7. EMERGENCY. It is hereby found and determined by the General Assembly of the State of Arkansas that additional enforcement mechanisms are urgently needed to deter persons under nineteen (19) years of age from illegally using or possessing prohibited weapons upon the property of the public schools or in or upon any school bus; and this Act provides an additional enforcement mechanism; and that this Act should go into effect immediately in order to grant law enforcement officers and courts greater flexibility in dealing with the illegal use or possession of prohibited weapons in the public schools. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

/s/Ted E. Mullenix, et al

As Engrossed: 3/24/93

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APPROVED: 3/29/93

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