

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 1072

4 **By: Representatives Argue and Landers**

5

6

7

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 6, CHAPTER 17, SUBCHAPTER 11 OF THE
9 ARKANSAS CODE OF 1987, AS AMENDED, TO INCLUDE CERTAIN
10 DORMITORY STAFF IN THE INSURED GROUP; AND FOR OTHER
11 PURPOSES."

12

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

14

15 SECTION 1. Arkansas Code §6-17-1113 is hereby amended to read as
16 follows:

17 "6-17-1113. Civil liability insurance.

18 (a) The Department of Education is authorized and directed to establish
19 a self-insurance fund or negotiate for and procure a group or blanket policy
20 or policies of insurance, or both, insuring school board members, school
21 nurses, school secretaries, substitute teachers, authorized volunteers, and
22 each employee of a public school district and each employee of the Arkansas
23 School for the Deaf and Arkansas School for the Blind who is required to hold
24 a teaching certificate issued by the Department of Education, and each
25 teacher's aide and each student teacher in a public school district or in the
26 Arkansas School for the Deaf or Arkansas School for the Blind and each member
27 of the dormitory staff of the Arkansas School for the Deaf or Arkansas School
28 for the Blind against civil liability for acts or omissions of each employee
29 in the performance of his or her official duties as a school employee,
30 including civil liability for administering corporal punishment to students,
31 in the amount of two hundred fifty thousand dollars (\$250,000) for each
32 incident.

33 (b) The premium on such policy or policies shall be paid annually out
34 of funds in the Public School Fund that are set aside for distribution to the

1 various school districts under Acts 1977, No. 384 repealed.

2 (c) The Department of Education shall adopt appropriate rules and
3 regulations necessary to carry out the purposes of this section.

4

5 SECTION 2. All provisions of this act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.

8

9 SECTION 3. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

14

15 SECTION 4. All laws and parts of laws in conflict with this act are
16 hereby repealed.

17

18 SECTION 5. EMERGENCY. It is hereby found and determined by the General
19 Assembly of the State of Arkansas that throughout the state some confusion has
20 arisen concerning the establishment of the self-insurance fund for civil
21 liability of certain school employees; that the immediate enactment of this
22 bill upon its passage is necessary to clarify the intent of this fund.
23 Therefore, an emergency is hereby declared to exist and this act being
24 necessary for the immediate preservation of the public peace, health, and
25 safety, shall be in full force and effect from and after its passage and
26 approval.

27

/s/James Argue and Lacy Landers

28

29

30

31

32

33

34