

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representatives Mullenix, McGee, Stalnaker, Wallis**

A Bill

HOUSE BILL 1406

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."

Subtitle

14 "SUSPENSION OF THE DRIVER_S LICENSE OF ANY MINOR
15 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)*

1 months nor more than thirty-six (36) months.

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

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

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

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17 hereby repealed.

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

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/s/Ted E. Mullenix, et al

As Engrossed: 3/24/93

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