

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Pollan**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO CREATE THE CHILD ABUSE/RAPE/DOMESTIC VIOLENCE  
9 SECTION WITHIN THE OFFICE OF THE CHANCELLOR OF THE  
10 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES; TO PROVIDE  
11 THAT THE ARKANSAS CHILD ABUSE/RAPE/DOMESTIC VIOLENCE  
12 COMMISSION SHALL ACT IN AN ADVISORY CAPACITY TO THE CHILD  
13 ABUSE/RAPE/DOMESTIC VIOLENCE SECTION OF THE OFFICE OF THE  
14 CHANCELLOR OF THE UNIVERSITY OF ARKANSAS FOR MEDICAL  
15 SCIENCES; AND FOR OTHER PURPOSES."

## Subtitle

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18 "TO CREATE THE CHILD ABUSE/RAPE/DOMESTIC VIOLENCE SECTION  
19 WITHIN THE OFFICE OF CHANCELLOR OF THE UNIVERSITY OF  
20 ARKANSAS FOR MEDICAL SCIENCES."

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

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24 SECTION 1. There is hereby created the Child Abuse/Rape/Domestic  
25 Violence Section within the office of the Chancellor of the University of  
26 Arkansas for Medical Sciences.

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28 SECTION 2. The Child Abuse/Rape/Domestic Violence Section shall have  
29 the authority and responsibility to:

30 (1) Disburse funds received through the Family Violence Prevention and  
31 Services Act and the Children\_s Justice Act and Rape Funds received through  
32 the Preventive Health Services Block Grant;

33 (2) Receive and expend grants, donations and funds from public and  
34 private sources to carry out its responsibilities;

35 (3) Educate the public, law enforcement officers, prosecuting

1 attorneys, trial and appellate judges, municipal judges, Department of Human  
2 Services employees and other victim service providers regarding issues,  
3 interventions and other matters associated with child abuse, rape, and  
4 domestic violence;

5 (4) Develop and disseminate resource materials as needed;

6 (5) Facilitate the development of, on a local level throughout the  
7 state, and provide support, coordination and technical assistance to  
8 multidisciplinary teams, the purpose of which is to provide coordinated  
9 investigation and service delivery to victims of child abuse, rape, and child  
10 sexual abuse;

11 (6) Develop long-range training and technical assistance services on  
12 issues of child abuse and domestic violence for law enforcement officers,  
13 prosecuting attorneys, trial and appellate judges, municipal judges,  
14 Department of Human Services employees and other victim service providers;

15 (7) Develop a data base for use in Arkansas which addresses information  
16 about the effectiveness of treatment programs and other intervention efforts  
17 in the area of domestic violence, child abuse, child sexual abuse and rape and  
18 which focuses on interventions with victims, families and perpetrators;

19 (8) Advise the Governor as to the immediate needs and priorities  
20 surrounding the issues of child abuse, domestic violence and rape;

21 (9) Periodically compile its findings into reports for dissemination to  
22 the Governor, General Assembly, appropriate agencies and interested parties;

23 (10) To contract and be contracted with.

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25 SECTION 3. Arkansas Code 20-82-201 as amended by Act 175 of 1993 is  
26 amended to read as follows:

27 "20-82-201. Creation - Members.

28 (a) There is hereby created the Arkansas Child Abuse/Rape/Domestic  
29 Violence Commission to be composed of twenty-five (25) people appointed by the  
30 Governor for two-year terms.

31 (b) The membership of the commission shall consist of the following:

32 (1) A representative of domestic violence programs in Arkansas;

33 (2) A representative of the Arkansas State Police;

34 (3) A physician specializing in the treatment of child abuse;

35 (4) A representative of the Arkansas Prosecuting Attorney's

1 Association;

2 (5) The Prosecutor Coordinator;

3 (6) A representative of prosecuting attorney\_s victim/witness support  
4 units;

5 (7) A representative of the Arkansas Law Enforcement Training Academy;

6 (8) A representative of the Arkansas School Counselor's Association;

7 (9) A representative of the Division of Children and Family Services of  
8 the Department of Human Services;

9 (10) A representative of Suspected Child Abuse and Neglect (SCAN);

10 (11) A mental health professional, specializing in the treatment of  
11 child abuse or domestic violence or rape;

12 (12) A representative of the Arkansas Department of Correction Sex  
13 Offender Treatment Program;

14 (13) A member of the Arkansas House of Representatives;

15 (14) A member of the Arkansas Senate;

16 (15) A representative of county sheriffs;

17 (16) A representative of city police chiefs;

18 (17) A municipal judge or circuit judge;

19 (18) A chancery judge;

20 (19) A representative of the State Crime Laboratory;

21 (20) A representative of the Arkansas Department of Health;

22 (21) A representative of rape crisis centers;

23 (22) A representative of the Arkansas Hospital Association;

24 (23) A representative of the Office of the Attorney General; and

25 (24) Two (2) members at large.

26 (c) Members of the commission shall be entitled to mileage  
27 reimbursement for each meeting attended in accordance with that provided by  
28 state law for state employees."

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30 SECTION 4. Arkansas Code 20-82-202 is amended to read as follows:

31 "20-82-202. Powers and duties.

32 The commission shall be an advisory body only and shall act in an  
33 advisory capacity to the Child Abuse/Rape/Domestic Violence Section of the  
34 office of the Chancellor of the University of Arkansas for Medical Sciences  
35 with respect to all powers, functions and duties of that Section."

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SECTION 5. The Child Abuse/Rape/Domestic Violence Section of the office of the Chancellor of the University of Arkansas for Medical Sciences shall consist of such staff and shall operate within such budget as may be authorized by appropriation of federal funds by the General Assembly.

SECTION 6. Uncodified Section 1 of Act 948 of 1991 is amended to read as follows:

"SECTION 1. ARKANSAS CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION. The administrative and associated operating costs and expenses of the Arkansas Child Abuse/Rape/Domestic Violence Commission may be paid from and administered through the normal contractual processes of the Department of Human Services and the Office of the Prosecutor Coordinator. Members of the commission shall be entitled to mileage reimbursement in accordance with that provided by state law for state employees. The Commission shall subcontract with the Office of Prosecutor Coordinator for administrative expenses of grants referenced herein up to \$5,000 per year."

SECTION 7. If House Bill 1641 of the Seventy-Ninth General Assembly is enacted into law or if any other legislation generally limiting the percentage of appropriation that can be expended by the respective state agencies is enacted by the Seventy-Ninth General Assembly, such limitation shall not be applicable to the Child Abuse/Rape/Domestic Violence Section created by this act.

SECTION 8. 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 9. 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.

1 SECTION 10. All laws and parts of laws in conflict with this act are  
2 hereby repealed.

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4 SECTION 11. EMERGENCY. It is hereby found and determined by the  
5 General Assembly that it is essential that the transfer of the Arkansas Child  
6 Abuse/Rape/Domestic Violence Commission to the office of Chancellor of the  
7 University of Arkansas for Medical Sciences be effected on July 1; that it is  
8 essential that the removal of the cap on the operating budget of the  
9 Commission for the 1991-93 biennium be removed immediately; and that this act  
10 should be given effect immediately to permit a smooth transition under this  
11 act and to remove the Commission\_s operating budget cap. Therefore, an  
12 emergency is hereby declared to exist and this act being necessary for the  
13 preservation of the public peace, health and safety shall be in full force and  
14 effect from and after its passage and approval.

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