

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2515

4
5 By: Representative Chesterfield
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For An Act To Be Entitled

8
9 AN ACT TO PROHIBIT THE CREATION OF A SCHOOL
10 DISTRICT BY DETACHMENT BEFORE JANUARY 1, 2007;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO PROHIBIT THE CREATION OF A
15 SCHOOL DISTRICT BY DETACHMENT BEFORE
16 JANUARY 1, 2007.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 15 is amended
22 to add an additional section to read as follows:

23 6-13-1506. Detachment prohibited.

24 (a) The provisions of §§ 6-13-1501 through 6-13-1505 shall not be
25 effective beginning on the effective date of this section through December
26 31, 2006.

27 (b) No school district may be created by detachment prior to January
28 1, 2007.
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30 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
31 General Assembly of the State of Arkansas that the Arkansas Supreme Court in
32 Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the
33 now current system of education to be unconstitutional because it is both
34 inequitable and inadequate; and the Arkansas Supreme Court set forth the test
35 for a constitutional system to be one in which the State has an "absolute
36 duty" to provide an "equal opportunity to an adequate education"; and the



1 Arkansas Supreme Court instructed the General Assembly to define and provide
2 what is necessary to provide an adequate and equitable education for the
3 children of Arkansas forthwith. The General Assembly is providing for the
4 organization of school districts and this act needs to be in place to prevent
5 unnecessary changes in the current plan until a new plan is implemented.
6 Therefore, an emergency is declared to exist and this act being immediately
7 necessary for the preservation of the public peace, health, and safety shall
8 become effective on:

9 (1) The date of its approval by the Governor;

10 (2) If the bill is neither approved nor vetoed by the Governor,
11 the expiration of the period of time during which the Governor may veto the
12 bill; or

13 (3) If the bill is vetoed by the Governor and the veto is
14 overridden, the date the last house overrides the veto.

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