

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

Call Item 4

A Bill

HOUSE BILL 1175

5 By: Representatives Chesterfield, Bright, Dobbins, Lendall
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7

For An Act To Be Entitled

9 AN ACT TO CREATE TWO (2) DISTRICTS IN PULASKI
10 COUNTY; TO ADMINISTRATIVELY ANNEX PART OF THE
11 PULASKI COUNTY SPECIAL SCHOOL DISTRICT WITH THE
12 NORTH LITTLE ROCK SCHOOL DISTRICT; TO ANNEX PART
13 OF THE PULASKI COUNTY SPECIAL SCHOOL DISTRICT
14 WITH THE LITTLE ROCK SCHOOL DISTRICT; AND FOR
15 OTHER PURPOSES.
16

Subtitle

17 AN ACT TO CREATE TWO (2) DISTRICTS IN
18 PULASKI COUNTY BOTH NORTH AND SOUTH OF
19 THE ARKANSAS RIVER.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 6, Chapter 13, is amended to add an
26 additional subchapter to read as follows:

27 6-13-1601. Definitions.

28 As used in this subchapter:

29 (1) "Affected district" means a school district that loses
30 territory or students as a result of administrative annexation;

31 (2) "Administratively annexed" means the joining of an affected
32 school district or parts thereof with two (2) or more receiving districts and
33 shall not require the closure of any school facilities;

34 (3) "Receiving district" means a school district or districts
35 that receive territory or students, or both, from an affected district as a
36 result of annexation; and



1 (4) "Resulting district" means the new school district created
2 from an affected district or districts as a result of consolidation.

3
4 6-13-1602. Reorganization of schools.

5 (a) Upon the effective date of this subchapter, the Pulaski County
6 Special School District shall be dissolved.

7 (b) The schools in the Pulaski County Special School District shall be
8 administratively annexed by the State Board of Education as follows:

9 (1) All schools in the Pulaski County Special School District
10 that are located north of the Arkansas River shall be administratively
11 annexed to the North Little Rock School District; and

12 (2) All schools in the Pulaski County Special School District
13 that are located south of the Arkansas River shall be administratively
14 annexed to the Little Rock School District.

15 (c) Nothing in this section shall be construed to require the closing
16 of any school or school facility.

17
18 6-13-1603. Creation of a district – When part of a district taken.

19 (a) Any receiving district or resulting district created under this
20 subchapter shall become the successor in interest to the property of the
21 district dissolved, shall become liable for the contracts and debts of such a
22 district, and may sue and be sued therefor.

23 (b) When territory less than the entire district is annexed to a
24 district, the receiving district or resulting district shall take the
25 property of the district from which the territory was taken, as the State
26 Board of Education shall deem proper and shall be liable for that part of all
27 indebtedness of the district from which the territory was taken as shall be
28 assigned to it by the state board unless otherwise approved by a majority
29 vote of the affected school district's or districts' board or boards of
30 directors.

31
32 SECTION 2. Arkansas Code § 6-13-1408 is amended to read as follows:

33 6-13-1408. Annexation or consolidation not to negatively impact state-
34 assisted desegregation.

35 (a)(1) The State Board of Education shall not order any annexation or
36 consolidation under this subchapter or any other act or any combination of

1 acts which hampers, delays, or in any manner negatively affects the
 2 desegregation efforts of a school district or districts in this state.

3 (2) The State Board of Education or the Department of Education
 4 may alter or change the boundaries of the administratively annexed school
 5 districts as may be necessary to maintain a racial balance in the resulting
 6 school districts.

7 (3) The State Board of Education or the Department of Education
 8 shall work with the Office of Desegregation Monitoring and shall seek court
 9 approval prior to setting the boundaries of the resulting school districts
 10 that are operating under court orders or settlement agreements relating to
 11 desegregation.

12 (b) Prior to the entry of any order under this subchapter, the state
 13 board shall seek an advisory opinion from the Attorney General concerning the
 14 impact of the proposed annexation or consolidation on the effort of the state
 15 to assist a district or districts in desegregation of the public schools of
 16 this state.

17 (c) Any order of annexation or consolidation or combination thereof
 18 that violates the provisions of this section shall be null and void.

19
 20 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
 21 General Assembly of the State of Arkansas that the state has an absolute duty
 22 to provide an equal opportunity to an adequate education; that the Pulaski
 23 County Special School District cannot provide an opportunity for an adequate
 24 and equitable education for the children of Pulaski County because of poor
 25 administrative planning and fiscal controls which has result in large number
 26 of students being absent from school because of a lack of transportation
 27 services; and the provisions of this bill are necessary steps ensure that all
 28 children in the Pulaski County Special School District have an opportunity
 29 for an adequate and equitable education. Therefore, an emergency is declared
 30 to exist and this act being immediately necessary for the preservation of the
 31 public peace, health, and safety shall become effective on:

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

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

36 (3) If the bill is vetoed by the Governor and the veto is

1 overridden, the date the last house overrides the veto.

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