

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1686

5 By: Representatives Womack, Harris
6 By: Senator A. Clark
7

For An Act To Be Entitled

9 AN ACT TO ALLOW CRIMINAL HISTORY CHECKS AND CHILD
10 MALTREATMENT CENTRAL REGISTRY CHECKS OF VOLUNTEERS IN
11 PUBLIC EDUCATION; TO DECLARE AN EMERGENCY; AND FOR
12 OTHER PURPOSES.
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Subtitle

16 TO ALLOW CRIMINAL HISTORY CHECKS AND
17 CHILD MALTREATMENT CENTRAL REGISTRY
18 CHECKS OF VOLUNTEERS IN PUBLIC EDUCATION;
19 AND TO DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 12-12-1603, concerning the definition of
25 "volunteer organization" under the Criminal History for Volunteers Act, is
26 amended to read as follows:

27 (9) "Volunteer organization" means an individual, group of
28 individuals, association, partnership, corporation, limited liability company
29 or partnership, business, public school, school district, person or
30 organization designated by a public school or school district to organize
31 volunteers for the public school or school district, or other entity that has
32 volunteers who provide services to children, the elderly, victims of domestic
33 abuse, or individuals with disabilities.
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35 SECTION 2. Arkansas Code § 12-18-909(g)(21), concerning the persons to
36 whom the Department of Human Services may provide a report of a true finding



on the Child Maltreatment Central Registry, is amended to read as follows:

(21) ~~Any~~ To the extent necessary to carry out a responsibility to ensure that children are protected while in the school environment or during off-campus school activities:

(A) A school district superintendent, or other district-level administrator;

(B) A public school principal, or a person in an equivalent position, or other building-level administrator;

(C)(i) Another person or organization designated by a public school or school district to organize volunteers for the public school or school district upon the submission of a signed, notarized release from the volunteer.

(ii) The registry shall release only the following information on true reports to person or organization:

(a) That the employee, applicant, or volunteer has a true report;

(b) The date the investigation was completed;
and

(c) The type of true report; and

(D) ~~the~~ The Department of Education to the extent necessary to carry out its responsibility to ensure that children are protected while in the school environment or during off-campus school activities.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that Arkansas public school students and their parents or guardians should be confident that any person who is allowed to volunteer at a school district or an education service cooperative does not have a criminal record and is not a potential threat to the safety of children; and that this act is immediately necessary to afford additional protection to school children from all persons in school districts or education service cooperatives who might sexually, physically, or emotionally abuse students entrusted into their care. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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