

INTERIM STUDY PROPOSAL 2019-036

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

**A Bill**

HOUSE BILL 1757

4 By: Representative Godfrey

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6  
7 Filed with: Arkansas Legislative Council  
8 pursuant to A.C.A. §10-3-217.

**For An Act To Be Entitled**

9 AN ACT TO AMEND THE LAWS CONCERNING TEACHING  
10 LICENSES; AND FOR OTHER PURPOSES.  
11

**Subtitle**

12 TO AMEND THE LAWS CONCERNING TEACHING  
13 LICENSES.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

22 (a) The General Assembly finds that:

23 (1) Deferred Action for Childhood Arrivals, also known as "DACA",  
24 is a national immigration policy that allows some individuals who are brought  
25 to the United States illegally as children to receive a renewable two-year  
26 period of deferred action from deportation and to become eligible for a work  
27 permit;

28 (2) In order to be eligible under the Deferred Action for  
29 Childhood Arrivals policy, a recipient cannot have a criminal record of  
30 felonies or serious misdemeanors;

31 (3) Several states allow recipients of the Deferred Action for  
32 Childhood Arrivals policy to receive occupational or professional licensure;

33 (4) Arkansas has chosen not to allow recipients of the Deferred  
34 Action for Childhood Arrivals policy to receive occupational or professional  
35 licensure, which has caused many students who are exempt under the Deferred

1 Action for Childhood Arrivals policy to leave the state after completion of  
2 their vocational or professional coursework;

3 (5) Arkansas is presently suffering from a shortage of teachers  
4 in various parts of the state, particularly teachers who reflect the  
5 background and experiences of their students; and

6 (6) It is in the best interest of Arkansas to make full use of  
7 the skills and talents in the state by ensuring that an individual who is  
8 work-authorized under the Deferred Action for Childhood Arrivals policy is  
9 able to obtain an occupational or professional license and practice his or  
10 her occupation or profession.

11 (b) It is the intent of this act to authorize recipients of the  
12 Deferred Action for Childhood Arrivals policy to receive a teaching license  
13 in Arkansas.

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15 SECTION 2. Arkansas Code Title 6, Chapter 17, Subchapter 4, is amended  
16 to add an additional section to read as follows:

17 6-17-430. Licensing of noncitizens.

18 (a) The Department of Education may grant a license under this  
19 subchapter to an individual who, in addition to fulfilling the requirements  
20 to teach in this state, satisfies the following requirements:

21 (1) The United States Department of Homeland Security has  
22 approved the individual's request for exemption under the Deferred Action for  
23 Childhood Arrivals policy;

24 (2) The individual's exemption status under the Deferred Action  
25 for Childhood Arrivals policy has not expired or has been properly renewed;  
26 and

27 (3) The individual has a current and valid employment  
28 authorization document issued by the United States Citizenship and  
29 Immigration Service.

30 (b) This section is a state law within the meaning of subsection (d)  
31 of 8 U.S.C. § 1621, as existing on January 1, 2019.

32 (c)(1) The department shall promulgate rules under this section.

33 (2)(A) When adopting the initial rules to implement this  
34 section, the final rule shall be filed with the Secretary of State for  
35 adoption under § 25-15-204(f):

36 (i) On or before January 1, 2020; or

1                    (ii) If approval under § 10-3-309 has not occurred  
2 by January 1, 2020, as soon as practicable after approval under § 10-3-309.

3                    (B) The department shall file the proposed rule with the  
4 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,  
5 2020, so that the Legislative Council may consider the rule for approval  
6 before January 1, 2020.

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9 Referred by Representative Godfrey

10 Prepared by: TNL/VJF

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