

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

A Bill

ACT 887 OF 1993
HOUSE BILL 1953

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."

21
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
36 attorneys, trial and appellate judges, municipal judges, Department of Human

1 Services employees and other victim service providers regarding issues,
2 interventions and other matters associated with child abuse, rape, and
3 domestic violence;

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

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

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

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

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

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

22 (10) To contract and be contracted with.

23

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

26 "20-82-201. Creation - Members.

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

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

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

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

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

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

35 Association;

- 1 (5) The Prosecutor Coordinator;
- 2 (6) A representative of prosecuting attorney_s victim/witness support
- 3 units;
- 4 (7) A representative of the Arkansas Law Enforcement Training Academy;
- 5 (8) A representative of the Arkansas School Counselor's Association;
- 6 (9) A representative of the Division of Children and Family Services of
- 7 the Department of Human Services;
- 8 (10) A representative of Suspected Child Abuse and Neglect (SCAN);
- 9 (11) A mental health professional, specializing in the treatment of
- 10 child abuse or domestic violence or rape;
- 11 (12) A representative of the Arkansas Department of Correction Sex
- 12 Offender Treatment Program;
- 13 (13) A member of the Arkansas House of Representatives;
- 14 (14) A member of the Arkansas Senate;
- 15 (15) A representative of county sheriffs;
- 16 (16) A representative of city police chiefs;
- 17 (17) A municipal judge or circuit judge;
- 18 (18) A chancery judge;
- 19 (19) A representative of the State Crime Laboratory;
- 20 (20) A representative of the Arkansas Department of Health;
- 21 (21) A representative of rape crisis centers;
- 22 (22) A representative of the Arkansas Hospital Association;
- 23 (23) A representative of the Office of the Attorney General; and
- 24 (24) Two (2) members at large.
- 25 (c) Members of the commission shall be entitled to mileage
- 26 reimbursement for each meeting attended in accordance with that provided by
- 27 state law for state employees."

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

30 "20-82-202. Powers and duties.

31 The commission shall be an advisory body only and shall act in an

32 advisory capacity to the Child Abuse/Rape/Domestic Violence Section of the

33 office of the Chancellor of the University of Arkansas for Medical Sciences

34 with respect to all powers, functions and duties of that Section."

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

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

8 "SECTION 1. ARKANSAS CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION.

9 The administrative and associated operating costs and expenses of the Arkansas
10 Child Abuse/Rape/Domestic Violence Commission may be paid from and
11 administered through the normal contractual processes of the Department of
12 Human Services and the Office of the Prosecutor Coordinator. Members of the
13 commission shall be entitled to mileage reimbursement in accordance with that
14 provided by state law for state employees. The Commission shall subcontract
15 with the Office of Prosecutor Coordinator for administrative expenses of
16 grants referenced herein up to \$5,000 per year."

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

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25 SECTION 8. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 9. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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35 SECTION 10. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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

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15 APPROVED: 4/5/93

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