

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Pollan**

A Bill

ACT 1336 OF 1995
HOUSE BILL 1842

For An Act To Be Entitled

8 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE
9 PERTAINING TO THE ARKANSAS CHILD ABUSE/RAPE/DOMESTIC
10 VIOLENCE COMMISSION AND THE CHILD ABUSE/RAPE/DOMESTIC
11 VIOLENCE SECTION OF THE UNIVERSITY OF ARKANSAS FOR MEDICAL
12 SCIENCES; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT TO AMEND PROVISIONS PERTAINING
16 TO THE ARKANSAS CHILD
17 ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION
18 AND THE CHILD ABUSE/RAPE/DOMESTIC
19 VIOLENCE SECTION OF UAMS."

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23 SECTION 1. Arkansas Code § 20-82-201 is amended to read as follows:

24 "20-82-201. Creation - Members.

25 (a) There is hereby created the Arkansas Child Abuse/Rape/Domestic
26 Violence Commission to be composed of *twenty-seven (27)* persons appointed by
27 the Governor for two-year staggered terms and until the successor is appointed
28 and qualified.

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

30 (1) A representative of domestic violence programs or domestic
31 violence service providers in Arkansas;

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

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

34 (4) A prosecuting attorney who is a member of the Arkansas
35 Prosecuting Attorneys' Association;

36 (5) A defense attorney;

- 1 (6) A representative of a victim witness program;
- 2 (7) A representative of the Arkansas Law Enforcement Training
- 3 Academy;
- 4 (8) A representative of education;
- 5 (9) A representative of the Division of Children and Family
- 6 Services of the Department of Human Services;
- 7 (10) A representative of a parent's group;
- 8 (11) A mental health professional specializing in the treatment
- 9 of child abuse or domestic violence or rape;
- 10 (12) A representative of the Arkansas Department of Correction
- 11 Sex Offender Treatment Program;
- 12 (13) A member of the Arkansas House of Representatives;
- 13 (14) A member of the Arkansas Senate;
- 14 (15) A representative of city or county law enforcement;
- 15 (16) A representative of children with disabilities;
- 16 (17) A municipal judge or circuit judge;
- 17 (18) A chancery judge;
- 18 (19) A representative of the State Crime Laboratory;
- 19 (20) A representative of the Arkansas Department of Health;
- 20 (21) A representative of rape crisis centers;
- 21 (22) A representative of the Arkansas Hospital Association;
- 22 (23) A representative of the Office of the Attorney General;
- 23 (24) One (1) member at large;
- 24 (25) A Court Appointed Special Advocate representative;
- 25 (26) A guardian ad litem; and
- 26 (27) A representative of AHEC Programs.

27 (c) Members of the commission shall be entitled to mileage
28 reimbursement for each meeting attended in accordance with that provided by
29 state law for state employees."

30

31 SECTION 2. Arkansas Code § 20-82-202 is amended to read as follows:

32 "20-82-202. Powers and duties.

33 The commission shall be an advisory body only and shall act in an
34 advisory capacity to the Child Abuse/Rape/Domestic Violence Section of the
35 Office of the Chancellor of the University of Arkansas for Medical Sciences."

1

2 SECTION 3. Arkansas Code § 20-82-203 is amended to read as follows:

3 "20-82-203. Disbursement of funds.

4 (a) Effective July 1, 1995, the designated state grantee who receives
5 funds received through the Victims of Crime Act shall not disburse any funds
6 received without prior review and advice of the commission. The Office of the
7 Prosecutor Coordinator shall not disburse any funds received through the
8 Victims of Crime Act without the prior approval of the commission.

9 (b) *If the Governor designates the Office of the Prosecutor Coordinator*
10 *as the grant administrator, then the Prosecutor Coordinator shall be entitled*
11 *to utilize three thousand dollars (\$3,000) of the Victims of Crime Act (VOCA)*
12 *funds for audit and other administrative expenses each fiscal year without the*
13 *consent of the Arkansas Commission on Child Abuse, Rape and Domestic Abuse."*

14

15 SECTION 4. Arkansas Code § 20-82-204 is amended to read as follows:

16 "20-82-204. Arkansas Child Abuse/Rape/Domestic Violence Commission.

17 The administrative and associated operating costs and expenses of the
18 Arkansas Child Abuse/Rape/Domestic Violence Commission may be paid from and
19 administered through the normal contractual processes of the University of
20 Arkansas for Medical Sciences."

21

22 SECTION 5. Arkansas Code § 20-82-205 is amended to read as follows:

23 "20-82-205. Child Abuse/Rape/Domestic Violence Section - Creation.

24 There is hereby created the Child Abuse/Rape/Domestic Violence Section
25 within the Office of the Chancellor of the University of Arkansas for *Medical*
26 *Sciences."*

27

28 SECTION 6. Arkansas Code § 20-82-206 is amended to read as follows:

29 "§ 20-82-206. Child Abuse/Rape/Domestic Violence Section - Duties.

30 The Child Abuse/Rape/Domestic Violence Section shall have the authority
31 and responsibility to:

32 (1) Administer and disburse funds received through the Children's
33 Justice Act and rape funds received through the Preventive Health Services
34 Block Grant and any other federal and grant funds;

35 (2) Receive and expend grants, donations, and funds from public

1 and private sources to carry out its responsibilities;

2 (3) Educate professionals, law enforcement officers, prosecuting
3 attorneys, trial and appellate judges, municipal judges, Department of Human
4 Services employees, and other victim service providers regarding issues,
5 interventions, and other matters associated with child abuse, rape, and
6 domestic violence;

7 (4) Research, develop and disseminate resource materials as
8 needed;

9 (5) Facilitate the development of and contract with local
10 multidisciplinary teams throughout the state, the purpose of which is to
11 provide coordinated investigation and service delivery to child victims of
12 *severe maltreatment*;

13 (6) *Authorize local multidisciplinary teams throughout the state*
14 *to review instances of child deaths involving children ages birth through*
15 *eleven (11) years of age*;

16 (7) Provide support, coordination and technical assistance to
17 providers of services for rape, domestic violence and child abuse victims ;

18 (8) Develop a data base for use in Arkansas which addresses
19 information about the effectiveness of treatment programs and other
20 intervention efforts in the area of domestic violence, child abuse, child
21 sexual abuse, and rape, and which focuses on interventions with victims,
22 families, and perpetrators;

23 (9) Advise the Governor as to the immediate needs and priorities
24 surrounding the issues of child abuse, domestic violence, and rape;

25 (10) Establish and develop standards and guidelines and
26 administer a state guardian ad litem/court appointed special advocate program
27 that provides services to abused, neglected or dependent children involved in
28 judicial proceedings;

29 (11) Contract and be contracted with;

30 (12) Provide consultation and technical assistance to
31 professionals regarding child abuse, rape and domestic violence; and

32 (13) *Work with the AHEC Program of University of Arkansas for*
33 *Medical Sciences to research, develop and disseminate resource material for*
34 *regions in the state."*

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1 SECTION 7. Arkansas Code § 20-82-207 is amended to read as follows:
2 "20-82-207. Child Abuse/Rape/Domestic Violence Section - Budget - Staff.
3 The Child Abuse/Rape/Domestic Violence Section of the Office of the
4 Chancellor of the University of Arkansas for Medical Sciences shall consist of
5 such staff and shall operate within such budget as may be authorized by the
6 appropriation of federal funds by the General Assembly."
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8 SECTION 8. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.
11

12 SECTION 9. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.
17

18 SECTION 10. All laws and parts of laws in conflict with this act are
19 hereby repealed.
20

21 SECTION 11. EMERGENCY. It is hereby found and determined by the
22 General Assembly that it is essential for the effective of administration of
23 state government this act is necessary immediately. Therefore, an emergency
24 is hereby declared to exist and this act being necessary for the preservation
25 of the public peace, health and safety shall be in full force and effect on
26 and after July 1, 1995.
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/s/Rep. Pollan

APPROVED: 4-17-95

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As Engrossed: 3/14/95 4/7/95

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