

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1820 of the Regular Session

1 State of Arkansas
2 8th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/29/05

A Bill

SENATE BILL 1015

5 By: Senator Madison
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8 **For An Act To Be Entitled**

9 AN ACT TO AMEND THE YOUTH SERVICES ACT AND THE
10 EDUCATION LAW; AND FOR OTHER PURPOSES.
11

12 **Subtitle**

13 AN ACT TO AMEND THE YOUTH SERVICES ACT
14 AND THE EDUCATION LAW.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 9-28-208 is amended to read as follows:
20 9-28-208. Order of commitment.

21 (a) (1) An order of commitment to the Division of Youth Services of the
22 Department of Human Services shall state that the juvenile is found to be
23 delinquent ~~or to have committed a crime~~ and shall state information regarding
24 the underlying facts of the adjudication.

25 (2) All health care providers shall transmit to the Division of
26 Youth Services within three (3) days from the request of the Division of
27 Youth Services all medical and health information on the committed juvenile
28 including individually identifiable health information needed for the
29 division to assume the role of caretaker for the committed juvenile.

30 (3) The committed juvenile's school or current educational
31 setting shall transmit the education record, as defined by Department of
32 Education rule, to the Division of Youth Services within ten (10) school days
33 from the request from the Division of Youth Services.

34 (b) (1) Upon entry of an order of detention and commitment to a youth
35 services center pursuant to § 9-27-330 or § 9-27-509, A a court shall, with a



1 ~~committing order~~, transmit to the division:

2 (A) A copy of the commitment order;

3 (B) a A copy of the risk assessment instrument; and a
4 report on the juvenile, setting forth in detail all available pertinent
5 information concerning the juvenile's background, family status, school
6 record, behavioral tendencies, and all other pertinent information that it
7 may have, including the reasons for the juvenile's commitment.

8 (C) Records or information pertaining to the juvenile
9 compiled by the intake officer or juvenile probation officer that shall
10 include:

11 (i) Information on the juvenile's background,
12 history, behavioral tendencies, and family status;

13 (ii) The reasons for the juvenile's commitment;

14 (iii) The name of the school in which the juvenile
15 is currently or was last school enrolled;

16 (iv) The juvenile's offense history;

17 (v) The juvenile's placement history;

18 (vi) A copy of all psychological or psychiatric
19 evaluations or examinations performed on the juvenile admitted into evidence
20 or ordered by the court while under the jurisdiction of the court or the
21 supervision of the court staff;

22 (vii) A comprehensive list of all current
23 medications taken by the juvenile; and

24 (viii) A comprehensive list of all medical treatment
25 currently being provided to the juvenile.

26 (2) The records or information specified in subdivision (b)(1)
27 of this section shall be delivered to the Division of Youth Services prior to
28 or at the time the juvenile is transported to a youth services center.

29 ~~(2)(3)~~ Information relating to the committing offense is
30 exclusively for the benefit of the division and shall not be disclosed by
31 division officials or employees without written authorization of the
32 committing court, except for data and statistical compilations as otherwise
33 provided by law.

34 (c) Except when an extended juvenile jurisdiction offender is
35 committed to the division, an order of commitment shall remain in effect for
36 an indeterminate period not exceeding two (2) years subject to extension by

1 the committing court for additional periods of one (1) year if the court
2 finds an extension is necessary to safeguard the welfare of the juvenile or
3 the interest of the public.

4 (d) Commitment shall not exceed the twenty-first birthday of a
5 juvenile.

6 (e) When an order of commitment includes recommendations for a
7 specific type of placement, the division shall consider those recommendations
8 in making a placement.

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/s/ Madison

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APPROVED: 4/06/2005

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