

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H3/28/23

A Bill

HOUSE BILL 1551

5 By: Representative McClure
6

For An Act To Be Entitled

8 AN ACT CONCERNING COMMUNITY COLLEGES; TO REPEAL THE
9 REQUIREMENT THAT A FEASIBILITY STUDY BE SUBMITTED IN
10 CONJUNCTION WITH A PROPOSED COMMUNITY COLLEGE
11 DISTRICT; TO ESTABLISH AN EXCEPTION FOR THE CREATION
12 OF A LOCAL BOARD FOR CERTAIN POSTSECONDARY
13 INSTITUTIONS; AND FOR OTHER PURPOSES.
14

Subtitle

15 CONCERNING COMMUNITY COLLEGES.
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 6-61-505(c)(2)(A), concerning duties and
21 powers of the State Community College Board, is amended to read as follows:
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23 (2)(A) It shall set forth the criteria in conformity with, but
24 not limited to, ~~the provisions of § 6-61-507 and §§ 6-61-510 - 6-61-519~~ for
25 establishment of community college districts.
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27 SECTION 2. Arkansas Code § 6-61-507 is repealed.
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29 ~~6-61-507. Formation of districts—Feasibility study.~~

30 ~~Upon request of a citizens' group representing a proposed community~~
31 ~~college district, the State Community College Board shall assist in the study~~
32 ~~of the proposed district to determine whether its formation would meet the~~
33 ~~requirements of this section, §§ 6-61-101—6-61-103, §§ 6-61-201—6-61-209,~~
34 ~~§ 6-61-211 [repealed], §§ 6-61-212—6-61-216, §§ 6-61-301—6-61-305, § 6-~~
35 ~~61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501—6-61-506, §§ 6-61-~~
36 ~~508—6-61-524, §§ 6-61-601—6-61-603, and §§ 6-61-604—6-61-612 [repealed]~~



1 ~~and the criteria established by the board for the formation of the district.~~
2 ~~As provided in § 6-61-505, the board shall make all necessary studies to~~
3 ~~determine the feasibility of the proposed district.~~

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5 SECTION 3. Arkansas Code § 6-61-508(3), concerning certifications the
6 State Community College Board shall make before calling an election for the
7 establishment of a community college district, is amended to read as follows:

8 (3)(A) Local Income: That the assessment for ad valorem tax
9 purposes of the proposed district, as published by the Assessment
10 Coordination Division, at the millage rate proposed would produce sufficient
11 income for the district to discharge its financial obligation as required ~~in~~
12 ~~this section, §§ 6-61-101—6-61-103, §§ 6-61-201—6-61-209, § 6-61-211~~
13 ~~{repealed}, §§ 6-61-212—6-61-216, §§ 6-61-301—6-61-305, § 6-61-306~~
14 ~~{repealed}, § 6-61-401, § 6-61-402, §§ 6-61-501—6-61-507, §§ 6-61-509—6-~~
15 ~~61-524, §§ 6-61-601—6-61-603, and §§ 6-61-604—6-61-612 {repealed} by this~~
16 chapter.

17 (B) However, a district may be created without a local
18 millage by following all applicable provisions of the law if it is
19 demonstrated to the board that all capital costs of the district required to
20 provide an adequate comprehensive program will be met without a local
21 millage, at least during the first five (5) years that instruction is offered
22 by the district, through available:

- 23 (i) Available existing facilities, ~~contributions;~~
- 24 (ii) Contributions already secured or committed to
25 the satisfaction of the board, ~~establishment;~~
- 26 (iii) Establishment of a permanent endowment fund, ~~;~~
27 or ~~through~~
- 28 (iv) any Any other method or any combination of
29 methods; and

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31 SECTION 4. Arkansas Code § 6-61-520, concerning the control of each
32 community college, is amended to add an additional subsection to read as
33 follows:

34 (g) The establishment of a board under this section shall not be
35 required for an institution of higher education that:

- 36 (1) Converts to a community college under § 6-53-401 et seq.;

1 and

2 (2) Is under the control of a board of trustees of a university
3 system.

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5 SECTION 5. Arkansas Code § 6-61-1002(1), concerning the definition of
6 a "board of trustees" under the Technical College and Community College
7 Capital Improvement Act of 1993, is amended to read as follows:

8 (1)(A) "Board of trustees" means the local board of trustees of
9 a technical or a community college that is a member of the Arkansas Technical
10 and Community College System under the coordination of the Arkansas Higher
11 Education Coordinating Board.

12 (B) However, "board of trustees" means the board of
13 trustees of the university system that controls a community college if a
14 local board of trustees is not required to be established under § 6-61-
15 520(g);

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17 /s/McClure

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20 APPROVED: 4/12/23

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