

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 138 of the Regular Session

1 State of Arkansas

As Engrossed: H1/26/07 S2/8/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1196

4
5 By: Representatives S. Prater, Abernathy, T. Bradford, Cheatham, Cook, Dickinson, Everett, Hardy, J.
6 Johnson, Lamoureux, M. Martin, Rainey, Reynolds, Rosenbaum, Saunders, Wood

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9 **For An Act To Be Entitled**

10 AN ACT TO CONTINUE THE ARKANSAS COMMISSION ON EYE
11 AND VISION CARE OF SCHOOL AGE CHILDREN; TO CREATE
12 THE SCHOOL-AGE CHILDREN EYE AND VISION CARE FUND;
13 AND FOR OTHER PURPOSES.

14
15 **Subtitle**

16 AN ACT TO CONTINUE THE ARKANSAS
17 COMMISSION ON EYE AND VISION CARE OF
18 SCHOOL AGE CHILDREN AND TO CREATE THE
19 SCHOOL-AGE CHILDREN EYE AND VISION CARE
20 FUND.

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

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25 SECTION 1. Uncodified Section 3 of Act 755 of 2003 as amended by
26 uncodified Section 2 of Act 1438 of 2005, concerning the Arkansas Commission
27 on Eye and Vision Care of School Age Children, is amended to read as follows:

28 SECTION 3. Duties.

29 (a) The Arkansas Commission on Eye and Vision Care of School Age
30 Children shall:

31 (1) Study the eye and vision needs of the school age children of
32 Arkansas;

33 (2) Study and evaluate vision screening programs in the schools,
34 and their effectiveness;

35 (3) Study and evaluate whether children are receiving adequate



1 eye and vision care, and correction of vision problems;

2 (4) Study the effects of inadequate vision on the performance of
3 children in the classroom; and

4 (5) Continue to develop a strategic statewide plan to ensure
5 adequate eye and vision care of school age children.

6 (b) The commission and the Department of Education shall report ~~its~~
7 their findings and updates to the Governor, the Legislative Council, and the
8 House and Senate Interim Committees on Public Health, Welfare, and Labor two
9 (2) times per year.

10 (c)(1) The commission may accept any and all donations, grants of
11 money, gifts, appropriations, instruments, equipment, supplies, materials,
12 and services, conditional or otherwise from private sources, from municipal
13 and county governments, from the state, and from the federal government. The
14 commission may use any of its resources to further the commission's purposes
15 and functions.

16 (2)(A) There is created on the books of the Treasurer of State,
17 Auditor of State, and Chief Fiscal Officer of the State a special revenue
18 fund to be known as the "School-Age Children Eye and Vision Care Fund".

19 (B)(i) All moneys collected under this section shall be
20 deposited into the State Treasury to the credit of the fund as special
21 revenues.

22 (ii) The fund shall also consist of any other
23 revenues authorized by law.

24 (iii) Within thirty (30) days after the effective
25 date of this subchapter, the Arkansas Commission on Eye and Vision Care of
26 School Age Children shall transfer all funds currently held to the School-Age
27 Children Eye and Vision Care Fund.

28 (C) The fund shall be used by the commission for the
29 purpose of carrying out its responsibilities under this section.

30 (D) Any money not used by the commission within a fiscal
31 year to carry out its responsibilities under this section shall be carried
32 forward into the next fiscal year.

33 (d) The commission shall develop criteria for the distribution of
34 commission resources to individuals and school districts in need of financial
35 or other assistance necessary to satisfy the requirements of Arkansas Code §§
36 ~~6-18-1301 through 6-18-1306~~ 6-18-1501 through 6-18-1506.

1 (e) In conjunction with the Department of Education, the commission
2 shall develop criteria for passage or failure of a vision screening and
3 criteria for referral for a comprehensive eye examination. The Department of
4 Education shall adopt the criteria as rules promulgated under the
5 Administrative Procedure Act, § 25-15-201 et seq.

6 (f) In conjunction with the Department of Education, the commission
7 shall develop standardized forms to be used with regard to conducting and
8 reporting the results of eye and vision screenings.

9 (g) The commission and the Department of Education shall evaluate and
10 approve the vision screening instruments, equipment, and other testing items
11 that are used to conduct the eye and vision screenings.

12 (h) The commission shall conduct a pilot study to evaluate the pre-
13 and post-performance test scores of school children who have been screened
14 and referred for vision problems. The study shall encompass rural, urban,
15 and empowerment zone school systems.

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17 SECTION 2. Uncodified Section 5 of Act 755 of 2003 as amended by
18 uncodified section 4 of Act 1438 of 2005 is amended to read as follows:

19 SECTION 5. The commission shall expire on June 30, ~~2007~~ 2011.

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21 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
22 General Assembly of the State of Arkansas that the Arkansas Commission on Eye
23 and Vision Care of School Age Children expires at the end of the current
24 state fiscal year; that the commission serves a critical function in ensuring
25 that all Arkansas school children, especially those with eye and vision
26 problems, have an equal opportunity to access the learning opportunities
27 available through a public school education; and that this act is immediately
28 necessary because any delay in the effective date of this act would work
29 irreparable harm on the ability of the commission to carry out its
30 responsibilities in service to Arkansas' public school system. Therefore, an
31 emergency is declared to exist, and this act being necessary for the
32 preservation of the public peace, health, and safety shall become effective
33 on:

34 (1) The date of its approval by the Governor;

35 (2) If the bill is neither approved nor vetoed by the Governor,
36 the expiration of the period of time during which the Governor may veto the

1 bill; or

2 (3) If the bill is vetoed by the Governor and the veto is
3 overridden, the date the last house overrides the veto.

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5 /s/ S. Prater

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7 APPROVED: 2/21/2007

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