

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/29/21

A Bill

HOUSE BILL 1592

5 By: Representative Lowery
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE ARKANSAS STUDENT PROTECTION ACT;
9 AND FOR OTHER PURPOSES.

Subtitle

10 TO CREATE THE ARKANSAS STUDENT PROTECTION
11 ACT.
12

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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15 SECTION 1. Arkansas Code Title 6, Chapter 18, is amended to add an
16 additional subchapter to read as follows:
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Subchapter 22 – Arkansas Student Protection Act

6-18-2201. Creation.

18 This subchapter shall be known and may be cited as the "Arkansas
19 Student Protection Act".
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6-18-2202. Definition.

21 As used in this subchapter:

22 (1)(A) "Abortion" means the act of using or prescribing an
23 instrument, medicine, drug, device, or other substance or means with the
24 intent to terminate the clinically diagnosable pregnancy of a woman with
25 knowledge that the termination by those means will with reasonable likelihood
26 cause the death of the unborn child.

27 (B) An action taken under subdivision (1)(A) of this
28 section is not an abortion if the action taken is performed with the intent
29 to:
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- 1 (i) Save the life of the mother;
2 (ii) Save the life or preserve the health of the
3 unborn child;
4 (iii) Remove a dead unborn child caused by
5 spontaneous abortion; or
6 (iv) Remove an ectopic pregnancy;
7 (2) "Abortion referral" means the act of recommending a pregnant
8 woman to a doctor, clinic, or other person or entity for the purpose of
9 obtaining or learning about obtaining an abortion;
10 (3) "Affiliate" means an individual or entity that, directly or
11 indirectly, owns, controls, is controlled by, or is under the common control
12 of another person or entity, in whole or in part, or a subsidiary, parent, or
13 sibling entity; and
14 (4) "Transaction" means a formal or informal agreement,
15 contract, or arrangement of any kind between a public school or open-
16 enrollment public charter school and a private entity, regardless of whether
17 the private entity or the public school or open-enrollment public charter
18 school receives anything of value in return.

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20 6-18-2203. Prohibited transactions.

21 A public school or open-enrollment public charter school shall not
22 knowingly enter into any type of transaction with an individual or entity
23 that:

- 24 (1) Performs abortions;
25 (2) Induces abortions; or
26 (3) Provides abortions.

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28 6-18-2204. Rules – Enforcement.

29 (a) The Division of Elementary and Secondary Education shall
30 promulgate rules to implement this subchapter.

31 (b) Each public school and open-enrollment public charter school shall
32 promulgate policies for the implementation of this subchapter and the rules
33 promulgated by the division.

34 (c) A public school or an open-enrollment public charter school that
35 knowingly violates this subchapter shall, at the direction of the division or
36 the State Board of Education, appear before the state board for the purpose

1 of determining:

2 (1) Why this subchapter and division rules were violated; and

3 (2) How to prevent the violation of this subchapter and division
4 rules in the future.

5 /s/Lowery

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8 **APPROVED: 4/21/21**

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