

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

SENATE BILL 10

4
5 By: Senators L. Chesterfield, Elliott, J. English, J. Hutchinson, E. Williams, A. Clark, Bond
6 By: Representatives E. Armstrong, Blake, Brown, Davis, L. Fite, Hammer, House, Love, Johnson,
7 Lowery, Sabin, Tucker, F. Allen, A. Mayberry

For An Act To Be Entitled

8
9
10 AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS CODE
11 CONCERNING GOVERNING BOARDS OF TECHNICAL COLLEGES; TO
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

13
14
15
16 TO AMEND THE PROVISIONS OF THE ARKANSAS
17 CODE CONCERNING GOVERNING BOARDS OF
18 TECHNICAL COLLEGES; AND TO DECLARE AN
19 EMERGENCY.

20
21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23
24 SECTION 1. Arkansas Code § 6-53-103(7)(B), concerning the definition
25 of "local board", is amended to read as follows:

26 (B) A local board for a community college or a technical
27 college may be the board of trustees of a four-year institution of higher
28 education or the board of trustees of a university system in the case of a
29 merger under § 6-61-520(e) or § 6-53-302(k);

30
31 SECTION 2. Arkansas Code § 6-53-302, concerning the local
32 administration of technical colleges, is amended to add an additional
33 subsection to read as follows:

34 (k)(1)(A) After a merger between a technical college and a four-year
35 institution of higher education or a university system, control of the
36 technical college shall be vested in the board of trustees of the four-year



1 institution of higher education or the board of trustees of the university
2 system.

3 (B) The board of trustees of the four-year institution of
4 higher education or the board of trustees of the university system shall
5 perform the functions, duties, and responsibilities of the former governing
6 board of the technical college.

7 (2) After a merger under subdivision (k)(1) of this section, the
8 former governing board of the technical college shall become a board of
9 visitors performing the functions as determined by the board of trustees of
10 the four-year institution of higher education or the board of trustees of the
11 university system.

12 (3) Members of the board of visitors shall:

13 (A) Be appointed by the Governor subject to the
14 confirmation of the Senate;

15 (B) Serve terms of seven (7) years;

16 (C) Possess the qualifications under subsection (c) of
17 this section; and

18 (D) Be subject to the restrictions under subsection (d) of
19 this section.

20
21 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
22 General Assembly of the State of Arkansas that clearly established procedures
23 are a necessary component of a successful merger of a technical college with
24 a four-year institution of higher education or a university system; that
25 clarity is needed in the law regarding the general authority of the board of
26 trustees and the respective roles of a governing board and a board of
27 visitors when a technical college merges with a four-year institution of
28 higher education or a university system; and that this act is immediately
29 necessary to ensure that mergers of a technical college with a four-year
30 institution of higher education or a university system can proceed without
31 confusion as to the role of the respective boards that would otherwise cause
32 harm to the merging institutions. Therefore, an emergency is declared to
33 exist, and this act being immediately necessary for the preservation of the
34 public peace, health, and safety shall become effective on:

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

36 (2) If the bill is neither approved nor vetoed by the Governor,

1 the expiration of the period of time during which the Governor may veto the
2 bill; or

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36