

HOUSE AMENDMENT 1 TO sb526.

deleting the title in its entirety and substituting therefor the following:

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 16-13-327 AND 16-13-328 REGARDING JUVENILE OFFICERS_ TRAINING; AND FOR OTHER PURPOSES."

AND

by deleting the subtitle in its entirety and substituting therefor the following:

"TO AMEND ARKANSAS CODE ANNOTATED §§ 16-13-327 AND 16-13-328 REGARDING JUVENILE OFFICERS TRAINING"

AND

by deleting everything after the enacting clause and substituting therefor the following:

"SECTION 1. Arkansas Code Annotated § 16-13-327 is amended to read as follows:

"16-13-327. Probation officers.

(a) Each juvenile division of chancery court shall be provided with not less than one (1) probation officer to manage the probation services and needs of the court.

(b) Each probation officer shall be an employee of the juvenile division of chancery court and shall serve at the pleasure of the judge of the juvenile division.

(c) The probation officers shall be certified as juvenile probation officers according to the laws of this state and must complete initial certification requirements within one (1) year of the officers employment and must maintain the certification during the terms of their employment.

(1) The Juvenile Intake and Probation Officers Certification Committee, comprised of juvenile officers and juvenile judges and staffed by an employee of the Administrative Office of the Courts, shall establish certification standards for intake and probation officers.

(2) The Administrative Office of the Courts shall collect and maintain records for the juvenile officers certification documentation.

(d) The salaries of the probation officers shall be paid by the county or counties in which the probation officer works; except that, beginning August 1, 1990, the state shall pay a portion of the salary of a full-time probation officer who is certified according to the laws of this state and whose salary has been paid by the county or counties for a period of one (1) year. The portion to be paid by the state shall be the lesser of either fifteen thousand dollars (\$15,000) a year or one-half (1/2) the probation officer's average salary as calculated over the last twelve (12) months."

SECTION 2. Arkansas Code Annotated § 16-13-328 is amended to read as follows:

"16-13-328. Intake officers.

(a) Each juvenile division of chancery court shall be provided with not less than one (1) intake officer to manage the intake needs of the court.

(b) Each intake officer shall be employed by the juvenile division of chancery court and shall serve at the pleasure of the judge of the juvenile division of chancery court.

(c) The intake officers shall be certified as juvenile intake officers according to laws of this state and must complete initial certification requirements within one (1) year of the officers employment and must maintain the certification during the terms of employment.

(1) The Juvenile Intake and Probation Officers Certification Committee, comprised of juvenile officers and juvenile judges and staffed by an employee of the Administrative Office of the Courts, shall establish certification standards for intake and probation officers.

(2) The Administrative Office of the Courts shall collect and maintain records for the juvenile officers certification documentation.

(d) The salaries of the intake officers shall be paid by the county or counties in which the intake officers work; except that, beginning August 1, 1990, the state shall pay a portion of the salary of a full-time intake officer who is certified according to the laws of this state and whose salary has been paid by the county or counties for a period of one (1) year. The portion to be paid by the state shall be the lesser of either fifteen thousand dollars (\$15,000) a year or one-half (1/2) the intake officer's average salary as calculated over the last twelve (12) months.

(e) Each circuit-chancery judge whose primary responsibility is conducting hearings for the involuntary admission or commitment of persons to the Arkansas State Hospital or any other public or private hospital with a fully trained psychiatrist on the active or consultant staff shall be provided with not less than one (1) intake officer to manage the intake needs of the court. The salaries of the intake officers shall be paid by the county or counties in which the intake officers work, with the state paying a portion, the lesser of either fifteen thousand dollars (\$15,000) per year or one-half (1/2) of each full-time intake officer's annual salary.

SECTION 3. Arkansas Code Annotated §§ 9-27-201 through 9-27-206 are repealed.

~~9-27-201. Legislative intent.~~

~~The General Assembly finds and determines that the administration of juvenile justice is of statewide concern and is important to the health, safety, and welfare of the people of this state; that the state has a responsibility to ensure effective juvenile justice by establishing minimum selection, training, and educational requirements for juvenile officers, and also to encourage advanced in-service training programs; and that it is in the public interest that minimum levels of education and training be developed and made available to persons seeking to become juvenile officers and to persons presently serving as juvenile officers.~~

~~9-27-202. Definitions.~~

~~As used in this subchapter, unless the context otherwise requires:~~

~~(1) "Juvenile officer" means any person who is a juvenile intake or probation officer as set out by the Arkansas Juvenile Code of 1975, § 9-27-301 et seq.;~~

~~(2) "Advisory board" means the Advisory Board on Juvenile Justice Standards as established by § 9-27-203;~~

~~(3) "Executive commission" means the Arkansas Commission on Law Enforcement Standards and Training as provided in § 12-9-103;~~

~~(4) "Political subdivision" means any first class or second class city, incorporated town, or county of this state.~~

~~9-27-203. Advisory Board on Juvenile Justice Standards.~~

~~(a) (1) There is established an Advisory Board on Juvenile Justice Standards, hereafter called the "advisory board."~~

~~(2) The advisory board shall be composed of seven (7) members appointed by the Governor.~~

~~(3) Each of the board members shall be appointed for terms of four (4) years and shall serve for such terms unless removed for cause in a manner prescribed by law.~~

~~(b) (1) The appointed membership of the advisory board shall consist of two (2) juvenile intake officers, two (2) juvenile probation officers, one (1) juvenile referee, one (1) law enforcement officer, and one (1) prosecuting attorney.~~

~~(2) When any juvenile intake officer, juvenile probation officer, juvenile referee, law enforcement officer, or prosecutor ceases to hold his office, the person shall automatically cease to be a member of the advisory board. The vacancy shall be filled as provided in this subchapter.~~

~~(c) Any vacancy on the advisory board shall be filled in the same manner as the original appointment, but it shall be filled only for the unexpired term.~~

~~(d) The advisory board shall designate the chairman and such other officers as it deems necessary from its members. Each officer shall be selected for a term of one (1) year, but may succeed himself as many times as selected.~~

~~(e) Members of the advisory board shall serve without compensation, but they shall be entitled to receive reimbursement for actual expenses incurred in the performance of their official duties.~~

~~(f) The advisory board shall hold no less than one (1) regular meeting a year. The chairman shall fix the time and place of the meetings, either on his own motion or upon written request of any five (5) members of the advisory board.~~

~~(g) The advisory board shall have the power and duty to advise the executive commission and to provide the executive commission with any assistance in any matter relating to the administration of juvenile justice, including, but not limited to, minimum standards and training for juvenile justice officers.~~

~~9-27-204. Powers of executive commission.~~

~~In addition to powers conferred upon the executive commission by other laws, the~~

~~executive commission shall have the power to:~~

- ~~— (1) Promulgate rules and regulations for the administration of this subchapter;~~
- ~~— (2) Obtain from the juvenile courts within this state the names and dates of employment of their juvenile officers and such additional background information as deemed necessary by the commission;~~
- ~~— (3) Establish minimum selection and training standards for admission to employment as a juvenile officer. The standards may take into account different requirements for urban and rural areas;~~
- ~~— (4) Establish minimum curriculum requirements for preparatory in service and advanced courses and programs of schools operated by or for the state and political subdivisions for the specific purpose of training juvenile officers;~~
- ~~— (5) Consult and cooperate with political subdivisions, agencies of this state, other governmental agencies, and with universities, colleges, junior colleges, community colleges, and other institutions or organizations concerning the development of training programs or courses of instruction;~~
- ~~— (6) Adopt rules and minimum standards for training programs for juvenile officers and supervisory personnel which shall include, but not be limited to, the establishment of the curriculum for basic training courses and advanced training courses.~~

~~— 9 27 205. Selection and training requirements.~~

~~— (a) At the earliest practicable time, the executive commission shall provide by regulation that no person shall serve as a juvenile officer unless, within one (1) year after the person's hiring date or within one (1) year of the first training session, whichever comes later, that person shall have satisfactorily completed the training required by the executive commission.~~

~~— (b) In addition to the requirements of subsection (a) of this section and § 9 27 204(6), the executive commission, by rules and regulations, shall fix other qualifications as it deems necessary.~~

~~— (c) The executive commission shall issue a certificate evidencing satisfaction of the requirements of subsections (a) and (b) of this section to any applicant who presents such evidence as may be required by its rules and regulations of satisfactory completion of a program or course of instruction, in this or any other state, conforming to the content and quality required by the executive commission for approved education and training.~~

~~— 9 27 206. Juvenile justice training programs.~~

~~— (a) For the purposes of this subchapter, the executive commission may cooperate with federal, state, and local juvenile justice agencies in establishing and conducting instruction and training programs for juvenile justice officers of this state and its political subdivisions.~~

~~— (b) The executive commission shall establish and maintain juvenile officers' training programs through such agencies and institutions as the executive commission may deem appropriate to carry out the intent of this subchapter.~~

~~— (c) The executive commission is authorized to apply for and accept federal grants to assist funding in order to carry out the provisions of this subchapter.~~

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed."