

1 INTERIM STUDY PROPOSAL 2015-035

2 State of Arkansas
3 90th General Assembly
4 Regular Session, 2015

As Engrossed: S3/5/15

A Bill

SENATE BILL 486

5
6 By: Senators S. Flowers, *Irvin, U. Lindsey, B. Sample*

7 Filed with: Senate Interim Committee on Children and Youth
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO AMEND THE LAW CONCERNING AN ADJUDICATION
11 HEARING OF A JUVENILE; AND FOR OTHER PURPOSES.

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14 **Subtitle**

15 TO AMEND THE LAW CONCERNING AN
16 ADJUDICATION HEARING OF A JUVENILE.

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

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21 SECTION 1. Arkansas Code § 9-27-327(a), concerning an adjudication
22 hearing of a juvenile, is amended to add an additional subdivision to read as
23 follows:

24 (4)(A) As used in this section a “disability” is a physical or
25 mental illness recognized under the Individuals with Disabilities Education
26 Act, 20 U.S.C. § 1400 et seq.

27 (B) When a juvenile has a disability and the court
28 determines that the behavior of the juvenile was a result of the disability,
29 the court shall:

30 (i) Dismiss the petition when the case is a family
31 in need of services petition; or

32 (ii) Consider it as a mitigating factor when issuing
33 its disposition order when the case is a delinquency petition.

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35 */s/S. Flowers*
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Referred by the Arkansas Senate

Prepared by: VJF