

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1460

4 By: Representatives Flanagin, Wilkins and Cunningham

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## For An Act To Be Entitled

8 "TO AMEND ARK. CODE § 6-13-631 TO DELETE THE EXEMPTION FOR  
9 SCHOOL DISTRICTS CURRENTLY OPERATING UNDER A FEDERAL COURT  
10 ORDER ENFORCING SCHOOL DESEGREGATION FROM THE REQUIREMENT  
11 THAT SCHOOL DISTRICTS HAVING A TEN PERCENT (10%) OR  
12 GREATER MINORITY POPULATION SHALL ELECT SCHOOL BOARD  
13 MEMBERS FROM ZONES; AND FOR OTHER PURPOSES."

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## Subtitle

15 "TO DELETE AN EXEMPTION FOR CERTAIN  
16 SCHOOLS FROM THE REQUIREMENT THAT  
17 DISTRICTS HAVING A 10% OR GREATER  
18 MINORITY POPULATION SHALL ELECT BOARD  
19 MEMBERS FROM ZONES."  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code Annotated § 6-13-631(g) is hereby amended to  
25 read as follows:

26 "(g)(1) The following school districts shall be exempt from the  
27 provisions of this section:

28 (A) A school district that is currently operating under a  
29 federal court order enforcing the federal Voting Rights Act of 1965, as  
30 amended;

31 (B) A school district that is operating under a  
32 preconsolidation agreement that is in compliance with the federal Voting  
33 Rights Act of 1965, as amended;

34 (C) A school district that has a zoned board meeting the  
35 requirements of the federal Voting Rights Act of 1965, as amended; and

1 (D) A school district that a federal court has ruled is  
2 not in violation of the federal Voting Rights Act of 1965, as amended, so  
3 long as the court order is in effect.

4 (2) A school district which on August 13, 1993, was in the  
5 process of defending a lawsuit brought under the Voting Rights Act of 1965,  
6 as amended, shall also be exempt from the provisions of this section until  
7 such time as the lawsuit has been finally resolved."

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9 SECTION 2. All provisions of this act of a general and permanent  
10 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
11 Code Revision Commission shall incorporate the same in the Code.

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13 SECTION 3. If any provision of this act or the application thereof to  
14 any person or circumstance is held invalid, such invalidity shall not affect  
15 other provisions or applications of the act which can be given effect without  
16 the invalid provision or application, and to this end the provisions of this  
17 act are declared to be severable.

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19 SECTION 4. All laws and parts of laws in conflict with this act are  
20 hereby repealed.

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