

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S4/1/97

A Bill

HOUSE BILL 1732

4 By: Representatives Flanagan and Northcutt

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For An Act To Be Entitled

8 "AN ACT AMENDING ARK. CODE ANN. § 6-17-113 TO ENSURE
9 UNIFORM COMPLIANCE WITH THE REQUIREMENT THAT SCHOOL
10 OFFICIALS MUST REPORT VIOLENT CRIMES INVOLVING STUDENTS
11 AND OCCURRING ON SCHOOL PROPERTY TO LAW ENFORCEMENT
12 OFFICIALS; AND FOR OTHER PURPOSES."

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Subtitle

15 "TO ENSURE UNIFORM COMPLIANCE WITH THE
16 REQUIREMENT THAT SCHOOL OFFICIALS MUST
17 REPORT VIOLENT CRIMES INVOLVING STUDENTS
18 AND OCCURRING ON SCHOOL PROPERTY TO LAW
19 ENFORCEMENT OFFICIALS."

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

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SECTION 1. Arkansas Code Annotated § 6-17-113 is amended to read as follows:

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"6-17-113. Duty to report and investigate student criminal acts.

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(a) Whenever the principal or other person in charge of a public school has direct knowledge or has received information leading to a reasonable belief that a student enrolled in the public school has committed a felony on school property or while under school supervision or has committed any other ~~violent criminal act~~ crime involving an act of violence against a teacher, school employee, or student, the principal or the person in charge shall immediately report the incident to the ~~appropriate local law enforcement agency for investigation and to the appropriate~~ superintendent of the school district for resolution. The superintendent, or his designee, shall report the incident to the appropriate local law enforcement agency for investigation.

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1 (b)(1) Whenever a law enforcement officer, ~~an employee of the office of~~
2 ~~the prosecuting attorney, or an employee of the court~~ receives a report of an
3 incident pursuant to subsection (a) of this section, that officer ~~or employee~~
4 shall immediately report the incident to ~~the official in charge of the law~~
5 ~~enforcement agency, the office of the prosecuting attorney, or the court.~~

6 (2)(A) ~~Such official~~ The prosecuting attorney shall immediately
7 initiate an investigation of the incident.

8 (B) The investigation shall be conducted with all
9 reasonable haste and, upon completion, ~~immediately filed with the appropriate~~
10 ~~prosecutor or judge.~~

11 ~~Such prosecutor or judge shall immediately review the report,~~
12 ~~gather any additional information needed, and~~ the prosecuting attorney shall
13 implement the appropriate course of action.

14 (c) Any person who purposely fails to report as required by this
15 section shall be guilty of a Class C misdemeanor.

16 (d) ~~Each school district~~ The State Board of Education shall promulgate
17 rules and regulations ~~for~~ to ensure uniform compliance with the requirements
18 of this section and shall consult with the ~~prosecuting attorney of the~~
19 ~~appropriate jurisdiction~~ Office of the Attorney General concerning the
20 development of these rules and regulations."

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

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26 SECTION 3. If any provision of this act or the application thereof to
27 any person or circumstance is held invalid, such invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provision or application, and to this end the provisions of this
30 act are declared to be severable.

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

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35 /s/Flanagin et al