

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: H3/19/97

A Bill

HOUSE BILL 2200

4
5 By: Representative Madison
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-18-502 TO
10 REPEAL THE REQUIREMENT THAT SCHOOL DISTRICT WRITTEN
11 DISCIPLINE POLICIES PROHIBIT STUDENT POSSESSION OF
12 BEEPERS, PAGERS, OR OTHER ELECTRONIC COMMUNICATION DEVICES
13 AND TO REPEAL § 5-71-227 MAKING IT A MISDEMEANOR FOR
14 PERSONS UNDER EIGHTEEN (18) YEARS OF AGE TO POSSESS
15 BEEPERS, PAGERS, OR SIMILAR COMMUNICATION DEVICES ON
16 SCHOOL PROPERTY; AND FOR OTHER PURPOSES."

Subtitle

17
18
19 "TO REPEAL THE REQUIREMENT THAT SCHOOL
20 DISTRICT WRITTEN DISCIPLINE POLICIES
21 PROHIBIT POSSESSION OF BEEPERS, PAGERS,
22 OR OTHER ELECTRONIC COMMUNICATION
23 DEVICES."
24

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

26

27 SECTION 1. Arkansas Code Annotated § 6-18-502(b)(3) is amended to read
28 as follows:

29 "(3) Student discipline policies shall include, but not be limited to,
30 the following offenses:

31 (A) Willfully and intentionally assaulting or threatening to
32 assault or abuse any teacher, principal, superintendent, or other employee of
33 a school system;

34 (B) Possession by students of any firearm or other weapon
35 prohibited upon the school campus by law or by policies adopted by the school
36 board;

1 (C) Using, offering for sale, or selling beer, alcoholic
 2 beverages, or other illicit drugs by students on school property; and
 3 ~~————— (D) Possession by a student of any paging device, beeper, or~~
 4 ~~similar electronic communication device on the school campus; however, the~~
 5 ~~policy may provide an exemption for possession of such a device by a student~~
 6 ~~who is required to use such a device for health or other compelling reasons;~~
 7 ~~and~~
 8 ~~————— (E)(D) Willfully or intentionally damaging, destroying, or~~
 9 ~~stealing of school property by students."~~

10

11 SECTION 2. Arkansas Code Annotated § 5-71-227 is repealed.

12 ~~————— 5-71-227. Possession of paging device, etc., by students.~~

13 ~~————— (a) It shall be unlawful for an individual enrolled as a student in a~~
 14 ~~public or private elementary or secondary school or for any individual~~
 15 ~~eighteen (18) years of age or younger to possess an electronic paging device,~~
 16 ~~beeper, or similar communications device while on property owned by a public~~
 17 ~~or private elementary or secondary school.~~

18 ~~————— (b) Violation of this section shall be a Class C misdemeanor. It shall~~
 19 ~~be a defense to prosecution under this section that the individual in~~
 20 ~~possession of the paging device, beeper, or similar communications device has~~
 21 ~~been granted an exemption to possess such device by the board of directors of~~
 22 ~~the school or school board in which such individual is enrolled as a student.~~

23

24 SECTION 3. All provisions of this act of a general and permanent nature
 25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 26 Revision Commission shall incorporate the same in the Code.

27

28 SECTION 4. If any provision of this act or the application thereof to
 29 any person or circumstance is held invalid, such invalidity shall not affect
 30 other provisions or applications of the act which can be given effect without
 31 the invalid provision or application, and to this end the provisions of this
 32 act are declared to be severable.

33

34 SECTION 5. All laws and parts of laws in conflict with this act are
 35 hereby repealed.

36

/s/Rep. Madison