

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: S3/5/97 H3/28/97

## A Bill

SENATE BILL 486

4  
5 By: Senator Malone  
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### For An Act To Be Entitled

8  
9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-17-1113 TO  
10 PROVIDE THAT THE DEPARTMENT OF EDUCATION INSURE SCHOOL  
11 DISTRICTS AGAINST CIVIL LIABILITY THROUGH SELF INSURANCE  
12 OR A GROUP INSURANCE POLICY; AND FOR OTHER PURPOSES."  
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### Subtitle

14  
15 "TO PROVIDE THAT THE DEPARTMENT OF  
16 EDUCATION INSURE SCHOOL DISTRICTS  
17 AGAINST CIVIL LIABILITY THROUGH SELF  
18 INSURANCE OR A GROUP INSURANCE POLICY"  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Annotated 6-17-1113 is amended to read as  
23 follows:

24 "6-17-1113. Civil liability insurance.

25 (a) The Department of Education is authorized and directed to establish  
26 a self-insurance fund or to negotiate for and procure a group or blanket  
27 policy or policies of insurance, or both, insuring education service  
28 cooperatives, education service cooperative board members, school districts,  
29 school board members, school treasurers/bookkeepers school nurses, school  
30 secretaries, substitute teachers, authorized volunteers, school custodians,  
31 food service workers employed by public schools, bus drivers and mechanics  
32 employed by public schools, maintenance personnel employed by public schools,  
33 each employee of a public school district and each employee of the Arkansas  
34 School for the Deaf and the Arkansas School for the Blind who is required to  
35 hold a teaching certificate issued by the Department of Education, each  
36 teacher's aide and each student teacher in a public school district or in the

1 Arkansas School for the Deaf or the Arkansas School for the Blind, and each  
2 member of the dormitory staff of the Arkansas School for the Deaf or the  
3 Arkansas School for the Blind against civil liability for acts or omissions of  
4 each employee in the performance of his or her official duties as a school  
5 employee, including civil liability for administering corporal punishment to  
6 students, in the amount of two hundred fifty thousand dollars (\$250,000) for  
7 each incident.

8 (b) The premium on such policy or policies shall be paid annually out  
9 of funds in the Public School Fund that are set aside for distribution to the  
10 various school districts under Acts 1977, No. 384 [repealed].

11 (c) The Department of Education shall adopt appropriate rules and  
12 regulations necessary to carry out the purposes of this section.

13 (d) Any school districts previously covered by the self-insurance  
14 program of the Department of Education shall be deemed a proper expenditure of  
15 state funds."

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

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21 SECTION 3. If any provision of this act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or applications of the act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 act are declared to be severable.

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

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30 /s/Senator Malone

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