

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
4
5 By: Senator Mahony

A Bill

SENATE BILL 638

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-41-216 TO
10 CLARIFY THE TIME LIMIT FOR APPEAL OF HEARING OFFICERS'
11 DECISIONS IN HEARINGS CONDUCTED PURSUANT TO THE FEDERAL
12 INDIVIDUALS WITH DISABILITIES ACT; AND FOR OTHER
13 PURPOSES."

Subtitle

15 "TO AMEND A.C.A. § 6-41-216 TO CLARIFY
16 THE TIME LIMIT FOR APPEAL OF HEARING
17 OFFICERS' DECISIONS PURSUANT TO THE
18 FEDERAL INDIVIDUALS WITH DISABILITIES
19 ACT."
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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 § 6-41-216(e) is amended to read as
25 follows:

26 "(e) Any party aggrieved by the findings and decision made by the
27 hearing office has the right to bring a civil action in either federal
28 district court or a state court of competent jurisdiction pursuant to the
29 Individuals with Disabilities Education Act. Any aggrieved party shall have
30 thirty (30) days after the hearing officer's decision to file an appeal
31 ~~pursuant to the federal Individuals with Disabilities Education Act in state~~
32 court."

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

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

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 All laws and parts of laws in conflict with this act are hereby repealed.