

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: S3/18/97

A Bill

SENATE BILL 682

4
5 By: Senators Walker and Kennedy

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-71-227 TO ADD CELLULAR
10 TELEPHONES AS PROHIBITED DEVICES ON SCHOOL CAMPUSES; AND
11 FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO ADD CELLULAR TELEPHONES AS
15 PROHIBITED DEVICES ON SCHOOL CAMPUSES."

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

19 SECTION 1. Arkansas Code 5-71-227 is amended to read as follows:

20 "5-71-227. Possession of paging device, etc., by students.

21 (a) It shall be unlawful for an individual enrolled as a student in a
22 public or private elementary or secondary school or for any individual
23 eighteen (18) years of age or younger to possess a cellular telephone or to
24 possess an electronic paging device, beeper, or similar communications device
25 while on property owned by a public or private elementary or secondary school
26 during regular school hours.

27 (b) A cellular telephone for purposes of this section is defined as a
28 device which transmits wire, oral or telephonic communications and which uses
29 the eight hundred forty to eight hundred eighty megahertz (840-880 mghz.)
30 generally used by cellular telephone technology as referenced in § 5-60-120.

31 ~~—(b)~~ (c) Violation of this section shall be a Class C misdemeanor. It
32 shall be a defense to prosecution under this section that the individual in
33 possession of the cellular telephone or in possession of a paging device,
34 beeper, or similar communications device has been granted an exemption to
35 possess such device by the board of directors of the school or school board in
36 which such individual is enrolled as a student."

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

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.

/s/Walker et al