

1 State of Arkansas

2 83rd General Assembly

3 Regular Session, 2001

A Bill

HOUSE BILL 1500

4
5 By: Representative Hendren

For An Act To Be Entitled

9 AN ACT TO REQUIRE PROSECUTORS TO REPORT TO SCHOOL
10 DISTRICTS THE STATUS AND RESULT OF TRUANCY CASES; AND
11 FOR OTHER PURPOSES.

Subtitle

14 AN ACT TO REQUIRE PROSECUTORS TO REPORT
15 TO SCHOOL DISTRICTS THE STATUS AND
16 RESULT OF TRUANCY CASES.

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code 6-18-222(a)(6), concerning truancy penalties
22 and procedures, is amended to read as follows:

23 (6)(A)(i)(a) Upon notification by the school district or the adult
24 education program to the prosecuting authority, the prosecuting authority
25 shall file in juvenile court a truancy petition pursuant to § 9-27-310 or
26 enter into a diversion agreement with the student pursuant to § 9-27-323.

27 (b) However, the prosecuting authority may file an
28 action in another court of competent jurisdiction if the prosecuting
29 authorities and the juvenile judge, upon agreement, have developed a written
30 plan for prosecuting truant students outside of juvenile court by October 1,
31 1997.

32 (c) If a prosecuting authority receives a
33 notification of truancy pursuant to this section, the prosecuting authority
34 shall provide a written report to the school district or the adult education
35 program, stating when the truancy petition was filed or when the diversions
36 agreement was entered into, and the disposition of the case.

1 (ii) For any action filed pursuant to a written plan or
2 filed in juvenile court to impose the civil penalty set forth in subdivision
3 (a)(5) of this section, the prosecuting authority shall be exempt from all
4 filing fees and shall take whatever action is necessary to collect the penalty
5 provided for therein.

6 (B) Actions under this subsection (a) shall be filed in juvenile
7 court as a matter of preference.

8 (C) Municipal attorneys may practice in juvenile court for the
9 limited purpose of filing petitions or entering into diversion agreements as
10 authorized by this subdivision (a)(6)(C) if agreed upon by all of the parties
11 pursuant to subdivision (a)(6)(A) of this section.