

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2481

4
5 By: Representative Schulte
6
7

For An Act To Be Entitled

8
9 AN ACT TO CREATE THE ARKANSAS JUVENILE CODE
10 REVISION COMMISSION; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO CREATE THE ARKANSAS JUVENILE CODE
14 REVISION COMMISSION.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 9, Chapter 27, Subchapter 1 is amended
20 to add additional sections to read as follows:

21 9-27-103. The Arkansas Juvenile Code Revision Commission.

22 (a) There is created the Arkansas Juvenile Code Revision Commission.

23 (b) The commission shall consist of the following members:

24 (1) The Governor or the Governor's designee;

25 (2) A member of the House Committee on Judiciary to be appointed
26 by the Speaker of the House of Representatives;

27 (3) A member of the Senate Committee on Judiciary to be
28 appointed by the President Pro Tempore of the Senate;

29 (4) The chair of the House Committee on Aging, Children and
30 Youth, Legislative and Military Affairs or the chair's designee;

31 (5) The director of the Division of Youth Services of the
32 Department of Human Services or the director's designee;

33 (6) The director of the Division of Children and Family Services
34 or the director's designee;

35 (7) The Prosecutor Coordinator or his or her designee;

36 (8) The Juvenile Ombudsman for the Office of the Public Defender



1 or his or her designee;

2 (9) A public defender who regularly appears in the juvenile
 3 division of a circuit court in the state to be appointed by the Public
 4 Defender Commission;

5 (10) A prosecutor who regularly appears in the juvenile division
 6 of a circuit court in the state appointed by the Prosecutor Coordinator;

7 (11) An attorney who regularly practices in the area of juvenile
 8 law appointed by the President of the Arkansas Bar Association;

9 (12) A circuit judge whose case load has been at least fifty
 10 percent (50%) juvenile matters for a minimum of five (5) years to be
 11 appointed by the Chief Justice of the Arkansas Supreme Court;

12 (13) A circuit judge whose case load has been at least fifty
 13 percent (50%) juvenile matters for a minimum of five (5) years to be
 14 appointed by the Chief Judge of the Arkansas Court of Appeals;

15 (14) A judge of the Arkansas Court of Appeals to be appointed by
 16 the Chief Judge of the Arkansas Court of Appeals;

17 (15) A Supreme Court Justice selected by the Chief Justice of
 18 the Arkansas Supreme Court;

19 (16) The director of the Administrative Office of the Courts or
 20 the director's designee;

21 (17) The chair of the Arkansas Coalition for Juvenile Justice or
 22 the chair's designee;

23 (18) A sheriff to be appointed by the president of the Arkansas
 24 Sheriff's Association;

25 (19) The director of the Department of the Arkansas State Police
 26 or the director's designee;

27 (20) A professor from the University of Arkansas School of Law
 28 who has special knowledge, skills, or experience in the area of juvenile law
 29 to be appointed by the dean of the law school;

30 (21) A professor from the University of Arkansas at Little Rock,
 31 William N. Bowen School of Law, who has special knowledge, skills, or
 32 experience in the area of juvenile law to be appointed by the dean of the law
 33 school;

34 (22) The Executive Director of the Arkansas Code Revision
 35 Commission or the director's designee; and

36 (23) The Director of the Bureau of Legislative Research or the

1 director's designee.

2 (c)(1) The chair of the House Committee on Aging, Children and Youth,
3 Legislative and Military Affairs or the chair's designee shall call the first
4 meeting within thirty (30) days of the effective date of this act and shall
5 serve as chair at the first meeting.

6 (2) At the first meeting, the members of the commission shall
7 elect from its membership a chair and other officers as needed for the
8 transaction of its business.

9 (3)(A) The commission shall conduct its meetings in Pulaski
10 County at the State Capitol.

11 (B) Meetings shall be held at least once every three (3)
12 months, but may occur more often at the call of the chair.

13 (d) If any vacancy occurs on the commission, the vacancy shall be
14 filled by the same process as the original appointment.

15 (e) The commission shall establish rules and procedures for conducting
16 its business.

17 (f) Members of the commission shall serve without compensation, but
18 may receive expense reimbursement according to § 25-16-902.

19 (g) A majority of the members of the commission shall constitute a
20 quorum for transacting any business of the commission.

21 (h) The Bureau of Legislative Research shall provide staff for the
22 commission.

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24 9-27-104. Duties of the Juvenile Code Revision Commission.

25 (a) The Juvenile Code Revision Commission shall:

26 (1) Develop a comprehensive, reorganized, revised, and
27 modernized version of:

28 (A) The Arkansas Juvenile Code of 1989, § 9-27-301 et
29 seq.;

30 (B) The Arkansas Child Maltreatment Act, § 12-12-501 et
31 seq.; and

32 (C) Any provision of Chapters 25, 26, 28, and 29 of Title
33 9 of the Arkansas Code that the commission determines is in need of revision.

34 (2) Present the following to the House Interim Committee on
35 Judiciary, the Senate Interim Committees on Judiciary, the House Interim
36 Committee on Aging, Children and Youth, Legislative and Military Affairs, and

1 the Senate Interim Committee on Children and Youth no later than October 1,
2 2006:

3 (A) A bill draft that includes the commission's
4 recommended legislative changes; and

5 (B) A written explanation of the recommended legislative
6 changes.

7 (b) The chair of the commission shall:

8 (1) Create subcommittees to review the following areas of
9 juvenile law:

10 (A) Juvenile rights;

11 (B) Juvenile offenses;

12 (C) Dependency, neglect, and family services;

13 (D) Child maltreatment; and

14 (E) Any other subcommittee that the chair determines is
15 necessary for the completion of the commission's duties under this
16 subchapter.

17 (2) Appoint members to each subcommittee to review all of the
18 laws and procedures relating to juveniles within its subject area; and

19 (3) Allow each subcommittee to report on its proposed changes to
20 the full commission.

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22 SECTION 2. The commission expires July 1, 2007.
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