

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

SENATE BILL 1019

4
5 By: Senator Madison
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For An Act To Be Entitled

8
9 AN ACT TO PROVIDE THAT THE ARKANSAS STATE CLAIMS
10 COMMISSION DOES NOT HAVE JURISDICTION OVER CLAIMS
11 ARISING FROM ACTS OF A MINOR WHILE OPERATING A
12 MOTOR VEHICLE IN THE CUSTODY OF THE DEPARTMENT OF
13 HUMAN SERVICES; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 TO PROVIDE THAT THE ARKANSAS STATE
17 CLAIMS COMMISSION DOES NOT HAVE
18 JURISDICTION OVER CLAIMS ARISING FROM
19 ACTS OF A MINOR WHILE OPERATING A MOTOR
20 VEHICLE IN THE CUSTODY OF THE DEPARTMENT
21 OF HUMAN SERVICES.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 19-10-204(b)(1)(A), concerning the
27 jurisdiction of the Arkansas State Claims Commission, is amended to read as
28 follows:

29 (b)(1)(A)(i) The commission shall have no jurisdiction of, or
30 authority with respect to, claims arising under the Workers' Compensation
31 Law, § 11-9-101 et seq., the Arkansas Employment Security Law, § 11-10-101 et
32 seq., the Arkansas Teacher Retirement System Act, § 24-7-201 et seq., the
33 Arkansas Public Employees' Retirement System Act, § 24-4-101 et seq., the
34 State Police Retirement System Act, § 24-6-201 et seq., or under laws
35 providing for old age assistance grants, child welfare grants, blind
36 pensions, or any laws of a similar nature.



1 (ii) Additionally, the commission shall have no
2 jurisdiction over claims against the state for repayment of child support,
3 except in cases where the underlying support order is set aside as void ab
4 initio by the court and the child support paid was retained by the state as
5 reimbursement for public assistance paid on behalf of a child.

6 (iii) The commission shall have no jurisdiction
7 over:

8 (a) A claim by a member of the uniformed armed
9 services against the department, the militia, or any subdivision thereof, if
10 the claim arises out of the performance of the claimant's military duty;

11 (b) Claims against the Department of Community
12 Correction for acts committed by a person while that person is subject to
13 conditions of parole or probation under Arkansas law; ~~or~~

14 (c) Claims against the Department of
15 Correction for acts committed by inmates while on authorized release from the
16 Department of Correction; or

17 (d) Claims against the Department of Human
18 Services or its employees for any act committed by a minor, licensed to drive
19 under § 27-16-702(a)(1)(D), in the custody of the department while operating
20 a motor vehicle.

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