

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 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1196

5 By: Representative S. Prater  
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7

## For An Act To Be Entitled

9 AN ACT TO CONTINUE THE ARKANSAS COMMISSION ON EYE  
10 AND VISION CARE OF SCHOOL AGE CHILDREN; TO CREATE  
11 THE SCHOOL-AGE CHILDREN EYE AND VISION CARE FUND;  
12 AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO CONTINUE THE ARKANSAS  
15 COMMISSION ON EYE AND VISION CARE OF  
16 SCHOOL AGE CHILDREN AND TO CREATE THE  
17 SCHOOL-AGE CHILDREN EYE AND VISION CARE  
18 FUND.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Uncodified Section 3 of Act 755 of 2003 as amended by  
25 uncodified Section 2 of Act 1438 of 2005, concerning the Arkansas Commission  
26 on Eye and Vision Care of School Age Children, is amended to read as follows:

### SECTION 3. Duties.

28 (a) The Arkansas Commission on Eye and Vision Care of School Age  
29 Children shall:

30 (1) Study the eye and vision needs of the school age children of  
31 Arkansas;

32 (2) Study and evaluate vision screening programs in the schools,  
33 and their effectiveness;

34 (3) Study and evaluate whether children are receiving adequate  
35 eye and vision care, and correction of vision problems;

36 (4) Study the effects of inadequate vision on the performance of



1 children in the classroom; and

2 (5) Continue to develop a strategic statewide plan to ensure  
3 adequate eye and vision care of school age children.

4 (b) The commission and the Department of Education shall report ~~its~~  
5 their findings and updates to the Governor, the Legislative Council, and the  
6 House and Senate Interim Committees on Public Health, Welfare, and Labor two  
7 (2) times per year.

8 (c)(1) The commission may accept any and all donations, grants of  
9 money, gifts, appropriations, instruments, equipment, supplies, materials,  
10 and services, conditional or otherwise from private sources, from municipal  
11 and county governments, from the state, and from the federal government. The  
12 commission may use any of its resources to further the commission’s purposes  
13 and functions.

14 (2)(A) There is created on the books of the Treasurer of State,  
15 Auditor of State, and Chief Fiscal Officer of the State a special revenue  
16 fund to be known as the “School-Age Children Eye and Vision Care Fund”.

17 (B)(i) All moneys collected under this section shall be  
18 deposited into the State Treasury to the credit of the fund as special  
19 revenues.

20 (ii) The fund shall also consist of any other  
21 revenues authorized by law.

22 (C) The fund shall be used by the commission for the  
23 purpose of carrying out its responsibilities under this section.

24 (D) Any money not used by the commission within a fiscal  
25 year to carry out its responsibilities under this section shall be carried  
26 forward into the next fiscal year.

27 (d) The commission shall develop criteria for the distribution of  
28 commission resources to individuals and school districts in need of financial  
29 or other assistance necessary to satisfy the requirements of Arkansas Code §§  
30 ~~6-18-1301 through 6-18-1306~~ 6-18-1501 through 6-18-1506.

31 (e) In conjunction with the Department of Education, the commission  
32 shall develop criteria for passage or failure of a vision screening and  
33 criteria for referral for a comprehensive eye examination. The Department of  
34 Education shall adopt the criteria as rules promulgated under the  
35 Administrative Procedure Act, § 25-15-201 et seq.

36 (f) In conjunction with the Department of Education, the commission

1 shall develop standardized forms to be used with regard to conducting and  
2 reporting the results of eye and vision screenings.

3 (g) The commission and the Department of Education shall evaluate and  
4 approve the vision screening instruments, equipment, and other testing items  
5 that are used to conduct the eye and vision screenings.

6 (h) The commission shall conduct a pilot study to evaluate the pre-  
7 and post-performance test scores of school children who have been screened  
8 and referred for vision problems. The study shall encompass rural, urban,  
9 and empowerment zone school systems.

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11 SECTION 2. Uncodified Section 5 of Act 755 of 2003 as amended by  
12 uncodified section 4 of Act 1438 of 2005 is amended to read as follows:

13 SECTION 5. The commission shall expire on June 30, ~~2007~~ 2011.

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15 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
16 General Assembly of the State of Arkansas that the Arkansas Commission on Eye  
17 and Vision Care of School Age Children expires at the end of the current  
18 state fiscal year; that the commission serves a critical function in ensuring  
19 that all Arkansas school children, especially those with eye and vision  
20 problems, have an equal opportunity to access the learning opportunities  
21 available through a public school education; and that this act is immediately  
22 necessary because any delay in the effective date of this act would work  
23 irreparable harm on the ability of the commission to carry out its  
24 responsibilities in service to Arkansas' public school system. Therefore, an  
25 emergency is declared to exist, and this act being necessary for the  
26 preservation of the public peace, health, and safety shall become effective  
27 on:

28 (1) The date of its approval by the Governor;

29 (2) If the bill is neither approved nor vetoed by the Governor,  
30 the expiration of the period of time during which the Governor may veto the  
31 bill; or

32 (3) If the bill is vetoed by the Governor and the veto is  
33 overridden, the date the last house overrides the veto.