

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

A Bill

HOUSE BILL 1477

4
5 By: Representative Pickett
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For An Act To Be Entitled

8
9 AN ACT TO PROTECT PUBLIC SCHOOL BUILDINGS FROM
10 FIRE HAZARDS; TO ENSURE REGULAR FIRE INSPECTIONS
11 FOR ALL PUBLIC SCHOOL BUILDINGS IN THE STATE OF
12 ARKANSAS; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT TO PROTECT PUBLIC SCHOOL
16 BUILDINGS FROM FIRE HAZARDS AND TO
17 ENSURE REGULAR FIRE INSPECTIONS FOR ALL
18 PUBLIC SCHOOL BUILDINGS IN THE STATE OF
19 ARKANSAS.
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21

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

24 SECTION 1. Arkansas Code § 6-21-106 is amended to read as follows:
25 6-21-106. Fire hazards inspection prior to closing for breaks.

26 ~~(a)(1) At least seven (7) calendar days prior to the beginning of~~
27 ~~Christmas break, the school superintendent of each public elementary and~~
28 ~~secondary school in this state shall request an inspection of the premises by~~
29 ~~the fire department providing fire protection to the school buildings. If the~~
30 ~~chief executive officer of the fire department receives the request at least~~
31 ~~seven (7) calendar days prior to the beginning of Christmas break, he or she~~
32 ~~shall cause the school buildings to be inspected for fire hazards. The~~
33 ~~inspection shall be conducted prior to the beginning of Christmas break.~~

34 ~~(2) At least seven (7) calendar days prior to the end of the~~
35 ~~school year, the school superintendent of each public elementary and~~
36 ~~secondary school in this state shall request an inspection of the premises by~~



1 ~~the fire department providing fire protection to the school buildings. If the~~
2 ~~chief executive officer of the fire department receives the request at least~~
3 ~~seven (7) calendar days prior to the end of the school year, he or she shall~~
4 ~~cause the buildings to be inspected for fire hazards. The inspection shall~~
5 ~~occur prior to the end of the school year.~~

6 (a) Each fire department providing fire protection to a public school
7 building in this state shall inspect the public school building at least
8 seven (7) calendar days prior to:

9 (1) The beginning of Christmas break for the school district;
10 and

11 (2) The end of the school year for the school district.

12 (b) The State Fire Marshal Enforcement Section of the Department of
13 Arkansas State Police, with the advice of the Department of Education, shall
14 develop standardized criteria and reporting forms for inspections of Arkansas
15 public school buildings.

16 ~~(3)(c)~~ The chief executive officer of the fire department shall
17 file a written report of the inspection with the superintendent for the
18 school district where the public school building is located within seven (7)
19 calendar days after the inspection.

20 ~~(4)(d)~~ The inspection shall be at no cost to the school.

21 ~~(5)(e)(1)~~ The superintendent shall file a written report with
22 the chief executive officer of the fire department within seven (7) calendar
23 days after receiving the inspection report.

24 ~~(6)(2)~~ The superintendent's report shall indicate what action
25 was taken or will be taken in response to the inspection by the chief
26 executive officer of the fire department.

27 (3) If the inspection report of the fire department includes
28 deficiencies that require a response or other action, the superintendent
29 shall file the superintendent's report required by this subsection (e) with
30 the State Fire Marshal Enforcement Section of the Department of Arkansas
31 State Police.

32 (f)(1)(A) If the superintendent does not receive a written inspection
33 report for a public school building as required by this section from the
34 chief executive officer of the fire department providing fire protection to
35 the public school building, the superintendent shall notify:

36 (i) The State Fire Marshal Enforcement Section of

1 the Department of Arkansas State Police; and

2 (ii) The quorum court of the county in which the fire
3 department is located.

4 (B) The superintendent shall provide the notifications required
5 by this subdivision (f)(1) not less than thirty (30) days from the date the
6 inspection was required to take place.

7 (2) A fire department that is the subject of a
8 notification under this subsection (f) is not eligible to receive an
9 apportionment of distributions from the Fire Protection Premium Tax Fund
10 under § 14-284-403.

11 (3) If the required inspection is subsequently performed, the
12 fire department shall file the report required by subsection (c) of this
13 section with the superintendent and the State Fire Marshal Enforcement
14 Section of the Department of Arkansas State Police.

15 (4)(A) Immediately upon receipt of the required report from the
16 fire department, the superintendent will notify the quorum court that the
17 required report has been received.

18 (B) Upon receipt of the superintendent's notification to
19 the quorum court, the quorum court shall disburse any Fire Protection Premium
20 Tax Fund apportionment previously withheld due to the fire department's
21 ineligibility under this section.

22 ~~(b)(g)~~ Any person who intentionally violates this section ~~shall be~~
23 ~~guilty of a violation and is~~ subject to a fine not to exceed one hundred
24 dollars (\$100).
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26 SECTION 2. Arkansas Code § 14-284-403(a)(2), concerning apportionment
27 of funds from the Fire Protection Premium Tax Fund, is amended to read as
28 follows:

29 (2)(A) The moneys shall be apportioned by each quorum court to
30 the districts and municipalities within the county based upon population
31 unless the County Intergovernmental Cooperation Council notifies the quorum
32 court of the fire protection needs of the districts and municipalities, in
33 which case the moneys shall be apportioned by the quorum court based on those
34 needs.

35 (B) The funds shall be distributed to municipalities and
36 those certified departments in districts which are in compliance with this

1 subchapter, ~~and~~ §§ 20-22-801 - 20-22-809, and 6-21-106.

2 (C) Fire departments which are not certified by the Office
3 of Fire Protection Services pursuant to §§ 20-22-801 - 20-22-809 shall also
4 be eligible to receive moneys disbursed under this section so long as all
5 moneys received are spent directly on equipment, training, capital
6 improvements, or other expenditures necessary for upgrading the service
7 provided by the department.

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