

1 State of Arkansas  
2 86th General Assembly  
3 First Extraordinary Session, 2008  
4

Call Item 04

# A Bill

HOUSE BILL 1003

5 By: Representatives Hyde, Bond  
6 By: Senator Salmon  
7

## For An Act To Be Entitled

10 AN ACT TO ENSURE CONTINUED ACCOUNTABILITY AND  
11 EFFICIENCY FOR SCHOOL DISTRICTS INVOLVED IN  
12 DESEGREGATION LITIGATION; AND FOR OTHER PURPOSES.  
13

### Subtitle

14 AN ACT TO ENSURE CONTINUED  
15 ACCOUNTABILITY AND EFFICIENCY FOR SCHOOL  
16 DISTRICTS INVOLVED IN DESEGREGATION  
17 LITIGATION.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 6-20-416(b)(1)(D), concerning desegregation  
24 funding, is amended to read as follows:

25 (D) Ensure that the total of any financial obligation  
26 created or established for the state in any one (1) year shall not exceed the  
27 state's desegregation obligation for the ~~2007-2008~~ 2008-2009 school year.  
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29 SECTION 2. Arkansas Code § 6-20-416(c)(2), concerning the  
30 reimbursement of desegregation litigation costs, is amended to read as  
31 follows:

32 (2) To be eligible for possible reimbursement under this  
33 subsection (c) for legal fees incurred, motions seeking unitary status or  
34 partial unitary status shall be filed no later than October 30, 2007, and the  
35 school districts must be declared unitary or at least partially unitary by  
36 the federal district court no later than ~~June 14, 2008~~ December 31, 2008.



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SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the state’s provision of school systems that are free from the vestiges of racial discrimination is a vital part of providing a general, suitable, and efficient school system; that children who receive a quality education grow into responsible adults who create positive effects on the culture and economy of this state; that without a diligent pursuit of unitary status by the three (3) Pulaski County school districts, there is no assurance that the school districts are free of the vestiges of racial discrimination; that the state has enacted legislation to assist the Pulaski County school districts in achieving unitary status in desegregation litigation and provide assurance to the children in those districts that the promise of unitary status will be fulfilled within a reasonable amount of time; that under that legislation, the school districts filed their requests for a court order on unitary status, but the court’s docket will not permit a resolution by June 14, 2008, the stated deadline; and that this act is immediately necessary to ensure that the Pulaski County school districts diligently pursue unitary status before the end of 2008 and that the state’s provision of school systems that are free from the vestiges of racial discrimination. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.