

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1222

5 By: Representative Hyde
6 By: Senator Salmon
7

For An Act To Be Entitled

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9
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
15 AN ACT TO ENSURE CONTINUED
16 ACCOUNTABILITY AND EFFICIENCY FOR SCHOOL
17 DISTRICTS INVOLVED IN DESEGREGATION
18 LITIGATION.
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20

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(c)(2), concerning the
24 reimbursement of desegregation litigation costs, is amended to read as
25 follows:

26 (2) To be eligible for possible reimbursement under this
27 subsection (c) for legal fees incurred, motions seeking unitary status or
28 partial unitary status shall be filed no later than October 30, 2007, and the
29 school districts must be declared unitary or at least partially unitary by
30 the federal district court no later than ~~December 31, 2008~~ December 31, 2009.
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32 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly of the State of Arkansas that the state's provision of
34 school systems that are free from the vestiges of racial discrimination is a
35 vital part of providing a general, suitable, and efficient school system;
36 that without a diligent pursuit of unitary status by the three (3) Pulaski



1 County school districts, there is no assurance that the school districts are
 2 free of the vestiges of racial discrimination; that the state has enacted
 3 legislation to assist the Pulaski County school districts in achieving
 4 unitary status in desegregation litigation and provide assurance to the
 5 children in those districts that the promise of unitary status will be
 6 fulfilled within a reasonable amount of time; that under that legislation,
 7 the school districts filed their requests for a federal court order on
 8 unitary status, but the federal court system for hearings and appeals in the
 9 case did not permit a resolution by December 31, 2008, the stated deadline;
 10 and that this act is immediately necessary to ensure that the Pulaski County
 11 school districts diligently pursue unitary status before the end of 2009 in
 12 order to ensure that the school systems are free from the vestiges of racial
 13 discrimination. Therefore, an emergency is declared to exist and this act
 14 being immediately necessary for the preservation of the public peace, health,
 15 and safety shall become effective on:

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

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

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

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