

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

As Engrossed: H3/6/09
A Bill

HOUSE BILL 1342

5 By: Representative Flowers
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8 **For An Act To Be Entitled**

9 AN ACT TO STRENGTHEN THE HEALTH AND SAFETY OF
10 PUBLIC SCHOOL CHILDREN BY ENSURING SCHOOL
11 FACILITY INSPECTIONS ARE LAWFULLY CONDUCTED AND
12 COMPLIED WITH; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 TO STRENGTHEN THE HEALTH AND SAFETY OF
16 PUBLIC SCHOOL CHILDREN BY ENSURING
17 SCHOOL FACILITY INSPECTIONS ARE LAWFULLY
18 CONDUCTED AND COMPLIED WITH.
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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 § 6-20-1506(a)(1) concerning engineering
24 service is amended to read as follows:

25 (a)(1) The State Insurance Department ~~is authorized to~~ may maintain an
26 inspection ~~and engineering~~ service and a training program designed to reduce
27 the hazards in public school ~~buildings~~ facilities insured under this program.
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29 SECTION 2. Arkansas Code § 6-21-112(f) concerning duties of the
30 Division of Public School Academic Facilities and Transportation is amended
31 to read as follows:

32 (f) The division shall:

33 (1) Provide information or assistance to the Academic Facilities
34 Oversight Committee as requested;

35 (2) Use any recommendation or assessments of the oversight
36 committee or the General Assembly as a basis for establishing the policies



1 and procedures of the division;

2 (3) Develop and implement the Arkansas Public School Academic
3 Facilities Program Act as established in § 6-21-801 et seq.;

4 (4) Administer the various programs of state financial
5 participation in support of local academic facilities;

6 (5) Develop and implement an ongoing uniform process for
7 collecting, inventorying, and updating information on the state of condition
8 of all public school academic facilities in the state;

9 (6) Develop a facility cost index that provides a methodology
10 for comparing the cost of repairing the condition of a public school academic
11 facility to the cost of replacing the public school academic facility with a
12 facility containing the same amount of square footage;

13 (7) Conduct unannounced random on-site inspections of public
14 school academic facilities;

15 (8) Enforce through planning minimum standards for accessibility
16 to public school academic facilities and programs for individuals with
17 disabilities;

18 (9) Develop guidelines for competitive bidding, competitive
19 negotiation, and other methods of procurement for public school academic
20 facilities projects;

21 (10) Develop incentive programs to reward school districts for
22 innovative, effective, and efficient use of local and state resources with
23 regard to public school academic facilities;

24 (11) Review applicable statutes, rules, and regulations for
25 conflicts with or omission of energy-related content;

26 (12) Administer the school transportation program in the various
27 school districts of Arkansas, including without limitation, the training of
28 school bus drivers and inspection of school buses, as defined in § 6-19-110;

29 (13) Keep records showing a description of each school district
30 in the state, a map showing the school districts with current and accurate
31 boundaries, the location of the academic facilities, and the electoral zones,
32 if any, into which each school district has been divided;

33 (14) Keep records of all lawfully required inspections conducted
34 by state agencies and commissions on school facilities;

35 ~~(14)~~ (15) Report by October 1 of each year to the Governor, the
36 House Committee on Education, the Senate Committee on Education, and the

1 Academic Facilities Oversight Committee on the state of condition of academic
2 facilities statewide using the following building and design systems:

3 (A)(i) Site land and all improvements to the site, such as
4 grading, drainage, drives, parking areas, walks, landscaping, and
5 playgrounds.

6 (ii) Site improvements shall not include permanent
7 or temporary buildings;

8 (B) Roofing;

9 (C) Exterior;

10 (D) Structure;

11 (E) Interior;

12 (F) Heating, ventilation, and air conditioning;

13 (G) Plumbing and water supply;

14 (H) Electrical;

15 (I) Technology;

16 (J) Fire and safety;

17 (K) Specialty items, including equipment and furnishings;

18 and

19 (L) Space utilization;

20 (16) Report by October 1 of each even-numbered year to the
21 Governor, the House Committee on Education, the Senate Committee on
22 Education, and the Academic Facilities Oversight Committee information
23 regarding:

24 (A) Cooperation of state agencies and commissions,
25 counties, and municipalities lawfully required to perform inspections on
26 school facilities; and

27 (B) Code violations uncovered during lawfully required
28 inspections of school facilities performed by state agencies and commissions;

29 ~~(15)~~ (17) Report by October 1 of each even-numbered year to the
30 Governor, the House Committee on Education, the Senate Committee on
31 Education, and the Academic Facilities Oversight Committee on the state
32 academic facilities master plan;

33 ~~(16)~~ (18) Maintain a public access website dedicated to public
34 school academic facilities; and

35 ~~(17)~~ (19) Develop and implement a statewide facilities needs
36 priority list that provides a methodology for:

1 (A) Prioritization of state school district facility
2 needs; and

3 (B) Comparing the school district advancement of improving
4 facility conditions with school district master plans.

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6 SECTION 3. Arkansas Code Title 6, Chapter 21, Subchapter 1 is amended
7 to add an additional section to read as follows:

8 6-21-117. Required inspections and maintenance of school facilities.

9 (a) The Division of Public School Academic Facilities and
10 Transportation shall work with school districts, state agencies, and
11 commissions to ensure all lawfully required inspections are performed,
12 including inspections of:

13 (1) Boilers;

14 (2) Electrical;

15 (3) Heating, ventilation, and air conditioning;

16 (4) Natural gas;

17 (5) Plumbing;

18 (6) Water wells; and

19 (7) Other inspections required by law.

20 (b) If a code violation is reported in the course of a required
21 inspection, the division shall work closely with the school district and the
22 appropriate state agency or commission to ensure the violation is remedied
23 within thirty (30) days or as soon are reasonably possible.

24 (c) The division shall work with school districts, state agencies, and
25 commissions to ensure the division is notified of all inspections, inspection
26 reports, and code violations when school districts are notified.

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28 /s/ Flowers
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