

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4
5 By: Senator S. Flowers
6

A Bill

SENATE BILL 798

For An Act To Be Entitled

8 AN ACT TO PROTECT CHILDREN IN DELINQUENCY CASES AND
9 FAMILIES IN NEED OF SERVICES CASES FROM UNWARRANTED
10 TESTING FOR DRUG OR ALCOHOL ABUSE; AND FOR OTHER
11 PURPOSES.

Subtitle

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14 TO PROTECT CHILDREN IN DELINQUENCY CASES
15 AND FAMILIES IN NEED OF SERVICES CASES
16 FROM UNWARRANTED TESTING FOR DRUG OR
17 ALCOHOL ABUSE.
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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 § 9-27-325(e)(2)(A), concerning hearings
24 under the Juvenile Code, is amended to read as follows:

25 (2)(A)(i) Upon motion of any party, the court may order that the
26 father, mother, and child submit to scientific testing for drug or alcohol
27 abuse.

28 (ii) In a dependency-neglect proceeding, the court
29 may order the father, mother, and child to submit to scientific testing for
30 drug or alcohol abuse.

31 (iii) In a delinquency proceeding, only the child
32 may be ordered to submit to scientific testing for drug or alcohol abuse if
33 the court has a reasonable suspicion that the test will be positive.
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35 SECTION 2. Arkansas Code § 9-27-333, concerning the disposition of
36 cases regarding families in need of services, is amended to add an additional



1 subsection to read as follows:

2 (j) A court shall not order scientific testing for drug or alcohol
3 abuse for a family unless reasonable suspicion exists that the test will be
4 positive.

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