

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1504

5 By: Representative M. McElroy  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE PUBLIC EDUCATION REORGANIZATION  
9 ACT; TO AMEND THE CONDITIONS UNDER WHICH A PUBLIC  
10 SCHOOL DISTRICT SHALL BE ADMINISTRATIVELY  
11 CONSOLIDATED BY THE STATE BOARD OF EDUCATION; TO  
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

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15 TO AMEND THE PUBLIC EDUCATION  
16 REORGANIZATION ACT; TO AMEND THE  
17 CONDITIONS UNDER WHICH A PUBLIC SCHOOL  
18 DISTRICT SHALL BE ADMINISTRATIVELY  
19 CONSOLIDATED BY THE STATE BOARD OF  
20 EDUCATION; AND TO DECLARE AN EMERGENCY.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 6-13-1603(a)(3), concerning school  
27 districts on the consolidation list published by the Division of Elementary  
28 and Secondary Education, is amended to read as follows:

29 (3)(A) A Except as provided under subdivision (a)(3)(B) of this  
30 section, a school district on the consolidation list that does not submit a  
31 petition under subdivision (a)(2)(A) of this section or that does not receive  
32 approval by the state board for a voluntary consolidation or annexation  
33 petition shall be administratively consolidated by the state board with or  
34 into one (1) or more school districts by May 1, to be effective July 1  
35 immediately following the publication of the list required under § 6-13-1602  
36 unless the school district has been granted a waiver under § 6-13-1613.



1                   (B)(i) However, a school district that is on the  
2 consolidation list that does not submit a petition under subdivision  
3 (a)(2)(A) of this section or does not receive approval by the state board for  
4 a voluntary consolidation or annexation petition shall not be  
5 administratively consolidated if:

6                   (a) The school district is currently  
7 classified as in need of Level 5 – Intensive support under § 6-15-2913 and §  
8 6-15-2915; and

9                   (b) A public school student enrolled in the  
10 school district that is on the consolidation list would have to ride a bus  
11 for more than forty (40) miles in order to arrive at and attend a receiving  
12 district.

13                   (ii)(a) If each of the conditions under subdivision  
14 (a)(3)(B)(i) of this section exist, the state board shall:

15                   (1) Assume authority of the school  
16 district;

17                   (2) Not close a public school or public  
18 school facility within the school district; and

19                   (3) Remove permanently the  
20 superintendent and assistant superintendent, if applicable, of the school  
21 district.

22                   (b) If at least one (1) of the conditions  
23 under subdivision (a)(3)(B)(i) of this section ceases to exist, then the  
24 state board may proceed with the administrative consolidation of the school  
25 district.

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27           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
28 General Assembly of the State of Arkansas that some public school districts  
29 in the State of Arkansas are currently facing administrative consolidation;  
30 that there is a designated timeline for administrative consolidations  
31 conducted by the State Board of Education; and that this act is immediately  
32 necessary in order to statutorily address conditions under which the State  
33 Board of Education may administratively consolidate public school districts  
34 that are currently facing administrative consolidation. Therefore, an  
35 emergency is declared to exist, and this act being immediately necessary for  
36 the preservation of the public peace, health, and safety shall become

1 effective on:

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

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

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

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