

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

ACT 1199 OF 1997  
HOUSE BILL 1930

4  
5 By: Representatives Booker, Stalnaker, and Walker

## For An Act To Be Entitled

9 "AN ACT TO AMEND THE PUBLIC SCHOOL EMPLOYEE FAIR HEARING  
10 ACT; AND FOR OTHER PURPOSES."

## Subtitle

13 "TO AMEND THE PUBLIC SCHOOL EMPLOYEE  
14 FAIR HEARING ACT."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. Arkansas Code 6-17-1703 is amended by inserting an  
19 additional subsection at the end thereof to read as follows:

20 "(e) It is the public policy of the State of Arkansas that employees,  
21 as defined herein, shall not be considered at will employees with regard to  
22 the termination of their employment, notwithstanding any contractual provision  
23 to the contrary."

25 SECTION 2. All provisions of this act of a general and permanent  
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
27 Code Revision Commission shall incorporate the same in the Code.

29 SECTION 3. If any provision of this act or the application thereof to  
30 any person or circumstance is held invalid, such invalidity shall not affect  
31 other provisions or applications of the act which can be given effect without  
32 the invalid provision or application, and to this end the provisions of this  
33 act are declared to be severable.

35 SECTION 4. All laws and parts of laws in conflict with this act are  
36 hereby repealed.

1           SECTION 5. EMERGENCY. It is found and determined by the General  
2 Assembly of the State of Arkansas that public school employees who are  
3 employed in positions not requiring a teaching certificate/license are being  
4 presented with employment contracts including language of at will. Such  
5 language leaves the employees under written contract with their employer  
6 without the rights that traditionally accompany such a contract. This act is  
7 immediately necessary to protect classified/noncertified public school  
8 employees. Therefore, an emergency is declared to exist and this act being  
9 immediately necessary for the preservation of the public peace, health and  
10 safety shall become effective on the date of its approval by the Governor. If  
11 the bill is neither approved nor vetoed by the Governor, it shall become  
12 effective on the expiration of the period of time during which the Governor  
13 may veto the bill. If the bill is vetoed by the Governor and the veto is  
14 overridden, it shall become effective on the date the last house overrides the  
15 veto.

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APPROVED: 4-08-97