

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: S3/24/15  
**A Bill**

HOUSE BILL 1750

By: Representative D. Ferguson

By: Senator K. Ingram

### For An Act To Be Entitled

AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS CODE  
CONCERNING GOVERNING BOARDS OF COMMUNITY *COLLEGES*; TO  
*DECLARE AN EMERGENCY*; AND FOR OTHER PURPOSES.

### Subtitle

*TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING GOVERNING BOARDS OF COMMUNITY  
COLLEGES; AND TO DECLARE AN EMERGENCY.*

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

SECTION 1. Arkansas Code § 6-53-103(7), concerning the definition of "local board", is amended to read as follows:

(7)(A) "Local board" means the governing body of a technical college or community college.

(B) A local board for a community college may be the board of trustees of a four-year institution of higher education or the board of trustees of a university system in the case of a merger under § 6-61-520(e);

SECTION 2. Arkansas Code § 6-61-501(4), concerning the definition of "local board", is amended to read as follows:

(4)(A) "Local board" means the governing body of a community college established pursuant to the provisions of §§ 6-61-101 – 6-61-103, 6-61-201 – 6-61-209, 6-61-211 [repealed], 6-61-212 – 6-61-216, 6-61-301 – 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 – 6-61-524, 6-61-601 – 6-61-603 and 6-61-604 – 6-61-612 [repealed].



(B) A local board for a community college may be the board of trustees of a four-year institution of higher education or the board of trustees of a university system in the case of a merger under § 6-61-520(e);

SECTION 3. Arkansas Code § 6-61-520, concerning the establishment of local boards, is amended to add additional subsections to read as follows:

(e)(1) After a merger between a community college and a four-year institution of higher education or a university system, control of the community college may be vested in the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

(2) If the control of the community college is vested in the board of trustees of a four-year institution of higher education or the board of trustees of a university system, the board of trustees shall perform the functions, duties, and responsibilities of the former governing body of the community college and the provision of subsections (a)-(d) of this section and § 6-61-529 do not apply.

(f)(1) After a merger under subsection (e) of this section, the former governing body of the community college may become a board of visitors performing such functions as determined by the board of visitors and the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

(2) The membership of the board of visitors, including the number of members, term of membership, and method of appointment of members shall be decided by the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

SECTION 4. Arkansas Code § 6-61-521(4)-(6), concerning powers and duties of local boards, are amended to read as follows:

(4) To appoint and fix the compensation and the term of office of a president or chancellor of the community college, ~~who shall be the executive officer for the local board and for the community college;~~

(5) To appoint, upon the nomination of the president or chancellor, members of the administrative and teaching staffs and to fix their compensation and terms of employment;

(6) Upon the recommendation of the president or chancellor, to

appoint or employ such other officers, agents, and employees of the community college as may be required to carry out the provisions of §§ 6-61-101 – 6-61-103, 6-61-201 – 6-61-209, 6-61-212 – 6-61-216, 6-61-301 – 6-61-305, 6-61-401, 6-61-402, 6-61-501 – 6-61-524, and 6-61-601 – 6-61-603 and to fix and determine their qualifications, duties, compensation, and terms and conditions of employment;

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there are pending mergers involving community colleges; that this act is necessary to facilitate the pending mergers of community colleges; and that this act is immediately necessary because the merger will be finalized before this act would become effective without an emergency clause. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

/s/D. Ferguson

**APPROVED: 04/02/2015**