

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 10

By: Senators L. Chesterfield, Elliott, J. English, J. Hutchinson, E. Williams, A. Clark, Bond
By: Representatives E. Armstrong, Blake, Brown, Davis, L. Fite, Hammer, House, Love, Johnson,
Lowery, Sabin, Tucker, F. Allen, A. Mayberry

For An Act To Be Entitled

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

Subtitle

TO AMEND THE PROVISIONS OF THE ARKANSAS
CODE CONCERNING GOVERNING BOARDS OF
TECHNICAL 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)(B), concerning the definition of "local board", is amended to read as follows:

(B) A local board for a community college or a technical 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) or § 6-53-302(k);

SECTION 2. Arkansas Code § 6-53-302, concerning the local administration of technical colleges, is amended to add an additional subsection to read as follows:

(k)(1)(A) After a merger between a technical college and a four-year institution of higher education or a university system, control of the technical college shall be vested in the board of trustees of the four-year



institution of higher education or the board of trustees of the university system.

(B) The board of trustees of the four-year institution of higher education or the board of trustees of the university system shall perform the functions, duties, and responsibilities of the former governing board of the technical college.

(2) After a merger under subdivision (k)(1) of this section, the former governing board of the technical college shall become a board of visitors performing the functions as determined by the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

(3) Members of the board of visitors shall:

(A) Be appointed by the Governor subject to the confirmation of the Senate;

(B) Serve terms of seven (7) years;

(C) Possess the qualifications under subsection (c) of this section; and

(D) Be subject to the restrictions under subsection (d) of this section.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that clearly established procedures are a necessary component of a successful merger of a technical college with a four-year institution of higher education or a university system; that clarity is needed in the law regarding the general authority of the board of trustees and the respective roles of a governing board and a board of visitors when a technical college merges with a four-year institution of higher education or a university system; and that this act is immediately necessary to ensure that mergers of a technical college with a four-year institution of higher education or a university system can proceed without confusion as to the role of the respective boards that would otherwise cause harm to the merging institutions. 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.

APPROVED: 01/30/2017