

Stricken language would be deleted from and underlined language would be added to present law.  
Act 958 of the Regular Session

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/6/21  
**A Bill**

HOUSE BILL 1831

By: Representatives M. Berry, Beaty Jr., Bentley, Crawford, Dotson, Haak, Speaks, Vaught, Watson,  
McGrew, B. Smith, S. Smith, Slape, Hollowell, Fortner, Lundstrum, McClure, Coleman, Cloud,  
Christiansen, Lowery  
By: Senators J. English, B. Ballinger, *D. Wallace*

**For An Act To Be Entitled**

AN ACT TO CREATE THE STAR-SPANGLED BANNER ACT; AND  
FOR OTHER PURPOSES.

**Subtitle**

TO CREATE THE STAR-SPANGLED BANNER ACT.

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

SECTION 1. Arkansas Code Title 6, Chapter 10, is amended to add an additional section to read as follows:

6-10-135. Star-Spangled Banner Act.

(a) This section shall be known and may be cited as the "Star-Spangled Banner Act".

(b) The General Assembly finds that:

(1) It is of the utmost importance that Arkansas youth learn the importance of the national anthem, "The Star-Spangled Banner";

(2) The regular playing of "The Star-Spangled Banner" will foster patriotism and celebrate the common American experience; and

(3) "The Star-Spangled Banner" should be played in solemn observance and recognition for the men and women who have sacrificed their lives in defense of the American Experiment.

(c) Each school district board of directors shall:

(1) Adopt a policy requiring each public kindergarten through grade twelve (K-12) school to broadcast "The Star-Spangled Banner" at:



(A)(i) The commencement of each school-sanctioned sporting event.

(ii) However, if any part of two (2) or more school-sanctioned sporting events occur on the same day at the same school, a public school may choose to broadcast "The Star-Spangled Banner" at only one (1) of the events; and

(B) Public kindergarten through grade twelve (K-12) schools at least one (1) time each week during school hours; and

(2) Except as provided in subsection (d) of this section, select for broadcast from any recording of "The Star-Spangled Banner" that adheres to rules promulgated by the Division of Elementary and Secondary Education.

(d) A school district board of directors may adopt a policy that allows any of the following to be played at school-sanctioned sporting events, at schools during school hours, or both:

(1) The performance of "The Star-Spangled Banner" from original sheet music that adheres to division rules and is performed by a school-sanctioned band program;

(2) The performance of "The Star-Spangled Banner" from original sheet music that adheres to division rules and is performed by a school-sanctioned chorale program, vocal group, or vocalist; or

(3) The performance of "The Star-Spangled Banner" by the attendees of a school-sanctioned event led by a vocalist selected by the principal of the public school hosting the school-sanctioned event.

(e) The division shall promulgate rules to implement this section.

SECTION 2. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended to add an additional section to read as follows:

6-60-113. Star-Spangled Banner Act.

(a) This section shall be known and may be cited as the "Star-Spangled Banner Act".

(b) The General Assembly finds that:

(1) It is of the utmost importance that Arkansas youth learn the importance of the national anthem, "The Star-Spangled Banner";

(2) The regular playing of "The Star-Spangled Banner" will foster patriotism and celebrate the common American experience; and

(3) "The Star-Spangled Banner" should be played in solemn

observance and recognition for the men and women who have sacrificed their lives in defense of the American Experiment.

(c) Each state-supported institution of higher education shall:

(1)(A) Adopt a policy requiring the broadcast of "The Star-Spangled Banner" at the commencement of each school-sanctioned sporting event.

(B) However, if any part of two (2) or more school-sanctioned sporting events occur on the same day at the same school, a state-supported institution of higher education may choose to broadcast "The Star-Spangled Banner" at only one (1) of the events; and

(2) Except as provided in subsection (d) of this section, select for broadcast from any recording of "The Star-Spangled Banner" that adheres to rules promulgated by the Division of Higher Education.

(d) A state-supported institution of higher education may adopt a policy that allows any of the following to be played at school-sanctioned sporting events:

(1) The performance of "The Star-Spangled Banner" from original sheet music that adheres to division rules and is performed by a school-sanctioned band program;

(2) The performance of "The Star-Spangled Banner" from original sheet music that adheres to division rules and is performed by a school-sanctioned chorale program, vocal group, or vocalist; or

(3) The performance of "The Star-Spangled Banner" by the attendees of a school-sanctioned event led by a vocalist selected by the state-supported institution of higher education hosting the school-sanctioned event.

(e) The division shall promulgate rules to implement this section.

### SECTION 3. DO NOT CODIFY. Rules.

(a) When adopting the initial rules required under this act, the Division of Elementary and Secondary Education shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before January 1, 2022; or

(2) If approval under § 10-3-309 has not occurred by January 1, 2022, as soon as practicable after approval under § 10-3-309.

(b) The division shall file the proposed rules with the Legislative

Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so that the Legislative Council may consider the rules for approval before January 1, 2022.

SECTION 4. DO NOT CODIFY. Rules.

(a) When adopting the initial rules required under this act, the Division Higher Education shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before January 1, 2022; or

(2) If approval under § 10-3-309 has not occurred by January 1, 2022, as soon as practicable after approval under § 10-3-309.

(b) The division shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so that the Legislative Council may consider the rules for approval before January 1, 2022.

*/s/M. Berry*

**APPROVED: 4/27/21**