

Stricken language would be deleted from and underlined language would be added to present law.
Act 254 of the Regular Session

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S2/23/23

A Bill

SENATE BILL 264

By: Senator Irvin

By: Representative Womack

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS SOCIAL WORK LICENSING BOARD; TO REMOVE A RACIAL REQUIREMENT FOR MEMBERSHIP ON THE ARKANSAS SOCIAL WORK LICENSING BOARD; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS SOCIAL WORK LICENSING BOARD; TO REMOVE A RACIAL REQUIREMENT FOR MEMBERSHIP ON THE ARKANSAS SOCIAL WORK LICENSING BOARD; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 17-103-201(c), concerning the creation and membership of the Arkansas Social Work Licensing Board, is amended to read as follows:

(c) The Arkansas Social Work Licensing Board shall have nine (9) members, ~~with no fewer than two (2) African American members,~~ and shall be composed of the following:

(1)(A) Three (3) members who are licensed certified social workers, two (2) members who are licensed master social workers, and one (1) member who is a licensed social worker.

(B)(i) The professional members shall be appointed from the list of social workers licensed by this chapter and shall have five (5) years of full-time social work practice experience before appointment to the



Arkansas Social Work Licensing Board.

(ii) The experience required under subdivision (c)(1)(B)(i) of this section may consist of direct social work practice, teaching, or administration in social work;

(2)(A) One (1) member who is a psychiatrist certified by the American Board of Psychiatry and Neurology, Inc.

(B) The member appointed under subdivision (c)(2)(A) of this section shall be in good standing with the American Board of Psychiatry and Neurology, Inc.;

(3) One (1) member who is a representative of the public at large; and

(4)(A) One (1) member who is sixty (60) years of age or older, not actively engaged in or retired from professional social work, and shall represent the elderly.

(B) The member appointed under subdivision (c)(4)(A) of this section shall be appointed from the state at large and shall be a full voting member.

(C) The same member may not represent both the public at large and the elderly.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current membership makeup of the Arkansas Social Work Licensing Board contains an unconstitutional racial requirement that requires the Governor to meet a racial quota when appointing members to the Arkansas Social Work Licensing Board when similarly qualified Arkansas citizens would not be considered to fulfill any open positions until the racial requirement has been met; that the practice of social work affects the public health, safety, and welfare, and the Arkansas Social Work Licensing Board is tasked with ensuring the public health, safety, and welfare through the regulation of the practice of social work; and that this act is immediately necessary to ensure that the open membership positions of the Arkansas Social Work Licensing Board be filled by a qualified citizen of this state, regardless of race. 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/Irvin

APPROVED: 3/9/23