

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/10/13
A Bill

SENATE BILL 590

By: Senator Files
By: Representative C. Douglas

For An Act To Be Entitled

AN ACT CONCERNING VENUE IN CASES INVOLVING PUBLIC SCHOOL DISTRICTS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING VENUE IN CASES INVOLVING PUBLIC SCHOOL DISTRICTS; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 16-55-213(a), concerning venue for certain lawsuits, is amended to read as follows:

(a) All civil actions other than those mentioned in §§ 16-60-101 – 16-60-103, 16-60-107, 16-60-114, ~~and~~ 16-60-115, and 16-60-119 and subsection (e) of this section must be brought in any of the following counties:

SECTION 2. Arkansas Code Title 16, Chapter 60, Subchapter 1, is amended to add a new section to read as follows:

16-60-119. Actions against a public school district.

An action, other than an action described in § 16-60-103 or § 16-60-112, against a public school district, a public school district board of directors, or a public school district's officer, agent, servant, or employee acting within the course and scope of his or her agency or employment shall be brought in the county or in the judicial district of the county in which the public school district is situated or has its principal office.



SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that school district litigation is a complex and costly endeavor; that a new venue statute would resolve many issues regarding where a lawsuit should be brought; and that this act is immediately necessary because future litigants are currently relying on venue statutes that would require litigation in an inconvenient forum. 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/Files