

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1782

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING STUDENT RESTRAINTS
IN PUBLIC SCHOOLS OR EDUCATIONAL SETTINGS; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING STUDENT
RESTRAINTS IN PUBLIC SCHOOLS OR
EDUCATIONAL SETTINGS.

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

SECTION 1. Arkansas Code § 6-18-2402(a), concerning the applicability of the subchapter pertaining to student restraints in public schools or educational settings, is amended to read as follows:

(a)(1) This subchapter applies to any school-aged and enrolled student regardless of whether the student has an identified disability.

(2) This subchapter does not apply to:

(A) An emergency situation; or

(B) A situation that is unsafe or poses a threat to the safety of an individual.

SECTION 2. Arkansas Code § 6-18-2402, concerning the applicability of the subchapter pertaining to the student restraints in public schools or educational settings, is amended to add an additional subsection to read as follows:

(d)(1) School personnel who act in good faith under this subchapter shall not be liable for any civil damages for an act or omission so long as



the act or omission was not gross negligence or willful misconduct.

(2) Subdivision (d)(1) of this section does not provide immunity for school personnel who engage in wanton, willful, or intentional misconduct.