

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 413

By: Senator K. Hammer
By: Representative Hawk

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING A SCHOOL DISTRICT BOARD OF DIRECTORS; TO AMEND THE LAW CONCERNING THE CERTIFICATION OF AN OATH FOR A SCHOOL BOARD DIRECTOR; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING A SCHOOL DISTRICT BOARD OF DIRECTORS; AND TO AMEND THE LAW CONCERNING THE CERTIFICATION OF AN OATH FOR A SCHOOL BOARD DIRECTOR.

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

SECTION 1. Arkansas Code § 6-13-617 is amended to read as follows:
6-13-617. Oath. [Effective May 1, 2024.]

(a)(1)(A) Each director shall, within ten (10) days after receiving notice from the county clerk or his or her designee of his or her election or within ten (10) days after receiving notice from the county clerk or his or her designee of his or her appointment, subscribe to the following oath before an individual authorized to administer oaths under § 21-2-105:

“I, _____, do hereby solemnly swear or affirm, that I will support the United States Constitution and the Arkansas Constitution, and that I will not be interested, directly or indirectly, in any contract made by the district of which I am a director, except as permitted by state law, that I shall abide by the ethical guidelines and prohibitions under § 6-24-101 et seq., and that I will faithfully discharge the duties as school



director in _____ School District upon which I am about to enter.

Director's Signature

Administrator's Signature

Date

~~Accepted~~

~~Rejected~~

~~Reason for rejection~~

~~County Clerk's Signature~~".

(B) The notification from the county clerk or his or her designee shall indicate ~~the date by which the oath shall be subscribed to~~ that the oath shall be subscribed to within ten (10) days after receiving notice from the county clerk or his or her designee of the director's election or appointment.

(2)(A) After the oath is administered, the director shall submit a certification of the administration of the oath to the county clerk or his or her designee.

(B) The certification of the administration of the oath shall contain:

- (i) A copy of the oath;
- (ii) The director's signature;
- (iii) The administrator's signature; and
- (iv) The date.

(C) The certification of the administration of the oath shall be submitted to the county clerk or his or her designee no later than the close of business ~~on the date indicated in the notification from the county clerk under subdivision (a)(1) of this section~~ ten (10) days after receiving notice from the county clerk or his or her designee of the director's election or appointment.

(b)(1) The county clerk or his or her designee, upon receipt of the certification of the administration of the oath prescribed for a director, shall immediately commission the director, and the director shall immediately assume his or her duties as a director.

~~(A) Verify that the:~~

~~(i) Certification of the administration of the oath was submitted on or before the close of business on the date indicated in the notification from the county clerk or his or her designee under subdivision (a)(1) of this section; and~~

~~(ii) Individual before whom the oath was subscribed to is an individual authorized to administer oaths under § 21-2-105; and~~

~~(B) Either:~~

~~(i) Accept the certification of the administration of the oath if it complies with the requirements of this section; or~~

~~(ii) Reject the certification of the administration of the oath if it does not comply with one (1) or more of the requirements of this section.~~

~~(2)(A) Immediately following the acceptance of the certification of the administration of the oath, the county clerk or his or her designee shall:~~

~~(i) Commission the director;~~

~~(ii) Provide the director a copy of § 6-24-101 et seq.; and~~

~~(iii) Require the director to sign an acknowledgement that he or she received a copy of § 6-24-101 et seq.~~

~~(B) The term of the director shall begin upon the receiving of the commission under subdivision (b)(2)(A)(i) of this section.~~

~~(3) (2)~~ By the close of business of the day following the receipt of the certification of the administration of the oath, the county clerk or his or her designee shall either:

~~(A)(i) Notify the superintendent of the school district by phone that the individual has subscribed to the director's oath and that the county clerk has accepted the certification of the administration of the oath; and~~

~~(ii)(B) Send a copy of the certificate of the administration of the oath to the school district's central office within five (5) days; or~~

~~(B) If the certification of the administration of the oath has not been timely received or otherwise rejected by the county clerk or his or her designee, notify the superintendent of the school district by phone of~~

~~the rejection of the certification of the administration of the oath by the close of business on the day following the date indicated in the notification from the county clerk or his or her designee under subdivision (a)(1) of this section.~~

(c) The failure of an elected director to have the oath administered and submit proof that the oath was administered as required under subsection (a) of this section will result in:

(1) The individual's not being qualified to serve for the purpose of Arkansas Constitution, Article 19, § 5; and

(2) A holdover.