

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/27/03

A Bill

HOUSE BILL 1750

5 By: Representatives Thyer, Petrus
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For An Act To Be Entitled

9 AN ACT TO PROVIDE AN ADMINISTRATIVE HEARING UNDER
10 THE ARKANSAS CHILD MALTREATMENT ACT SHALL BE IN
11 PERSON IN THE COUNTY OF THE PETITIONER'S
12 RESIDENCE; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO PROVIDE AN ADMINISTRATIVE
16 HEARING UNDER THE ARKANSAS CHILD
17 MALTREATMENT ACT SHALL BE IN PERSON IN
18 THE COUNTY OF THE PETITIONER'S
19 RESIDENCE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 12-12-512(c)(1), concerning notifications
25 to the subject of a true report under the Arkansas Child Maltreatment Act, is
26 amended to read as follows:

27 (c)(1)(A) In every case where a report is determined to be true, the
28 department shall notify each subject of the report of the determination.

29 (B) Notification shall be in writing by certified mail,
30 restricted delivery, or by a process server.

31 (C) Notification shall include the following:

32 (i) The investigative determination, true or
33 unsubstantiated, exclusive of the source of the notification;

34 (ii) A statement that the person named as the
35 offender of the true report may request an administrative hearing;

36 (iii) A statement that the request must be made to



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1 the department within thirty (30) days of receipt of the hand delivery or
2 mailing of the notice of determination; and

3 (iv) The name of the person making notification, the
4 person's occupation, and where he or she can be reached; and

5 (v) A statement that the administrative hearing may
6 take place in person if requested by the petitioner or the petitioner's
7 attorney.

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9 SECTION 2. Arkansas Code § 12-12-512, concerning child
10 maltreatment determinations, is amended to add an additional subsection to
11 read as follows:

12 (f) If requested by the petitioner or the petitioner's attorney within
13 thirty (30) days of the notification under § 12-12-512(c), child maltreatment
14 administrative hearings shall be conducted in the physical presence of all
15 parties in the one of the following cities closest to the petitioner's
16 residence:

17 (1) Little Rock;

18 (2) Fort Smith;

19 (3) Clinton;

20 (4) Jonesboro;

21 (5) Pine Bluff; or

22 (6) Hot Springs.

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24 /s/ Thyer, et al
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