

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 S4/14/03

A Bill

HOUSE BILL 1750

5 By: Representatives Thyer, Petrus
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7

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; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO PROVIDE AN ADMINISTRATIVE
14 HEARING UNDER THE ARKANSAS CHILD
15 MALTREATMENT ACT SHALL BE IN PERSON.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 12-12-512(c)(1), concerning notifications
22 to the subject of a true report under the Arkansas Child Maltreatment Act, is
23 amended to read as follows:

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

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

28 (C) Notification shall include the following:

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

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

33 (iii) A statement that the request must be made to
34 the department within thirty (30) days of receipt of the hand delivery or
35 mailing of the notice of determination; and

36 (iv) The name of the person making notification, the



1 person's occupation, and where he or she can be reached; and

2 (v) A statement that the administrative hearing may
3 take place in person if requested within thirty (30) days by the petitioner
4 or the petitioner's attorney.

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

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

13 (1) Little Rock;

14 (2) Fort Smith;

15 (3) Clinton;

16 (4) Jonesboro;

17 (5) Pine Bluff;

18 (6) Hot Springs;

19 (7) Fayetteville;

20 (8) Harrison;

21 (9) Arkadelphia;

22 (10) Monticello; or

23 (11) El Dorado.

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25 /s/ Thyer
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