

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1365

5 By: Representative K. Brown  
6  
7

## For An Act To Be Entitled

9 AN ACT TO REMOVE RACIAL AND GENDER QUOTAS AND  
10 QUALIFICATIONS OF MEMBERSHIP FOR CERTAIN BOARDS,  
11 COMMITTEES, COUNCILS, AND COMMISSIONS; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 TO REMOVE RACIAL AND GENDER QUOTAS AND  
16 QUALIFICATIONS OF MEMBERSHIP FOR CERTAIN  
17 BOARDS, COMMITTEES, COUNCILS, AND  
18 COMMISSIONS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 6-1-703(b)(2)(B)(vii), concerning the  
24 creation and membership of the Arkansas Financial Education Commission, is  
25 amended to read as follows:

26 (vii) Three (3) members who have various financial  
27 backgrounds, ~~one (1) member of the three (3) to be a female, one (1) member~~  
28 ~~of the three (3) to be a racial minority,~~ appointed by the Treasurer of  
29 State.  
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31 SECTION 2. Arkansas Code § 6-11-101(c), concerning the membership of  
32 the State Board of Education, is repealed.

33 ~~(c) The membership of the state board shall reflect the diversity in~~  
34 ~~general education.~~  
35

36 SECTION 3. Arkansas Code § 6-15-1601(b), concerning the establishment



1 and membership of the Commission on Closing the Achievement Gap in Arkansas,  
2 is amended to read as follows:

3 (b) The commission shall consist of eleven (11) members ~~representing~~  
4 ~~the racial and ethnic diversity of Arkansas~~ as follows:

5 (1)(A) Five (5) persons appointed by the Governor.

6 (B)(i) One (1) of the Governor's appointees shall be a  
7 representative of business and industry in Arkansas, a representative of  
8 health and human services, or a public school teacher.

9 (ii)~~(a)~~ Four (4) of the Governor's appointees  
10 shall be ~~minority or~~ low-income parents concerned about the achievement gap  
11 with one (1) representative from each of the four (4) congressional  
12 districts.

13 ~~(b) A minimum of two (2) of the individuals~~  
14 ~~appointed under subdivision (b)(1)(B)(ii)(a) of this section shall be~~  
15 ~~African American.~~

16 ~~(c) A minimum of one (1) of the individuals~~  
17 ~~appointed under subdivision (b)(1)(B)(ii)(a) of this section shall be~~  
18 ~~Hispanic;~~

19 (2)(A) Three (3) persons appointed by the President Pro Tempore  
20 of the Senate.

21 (B)(i) One (1) of the President Pro Tempore of the  
22 Senate's appointees shall be a member of the school of education faculty of  
23 ~~an historically black~~ a college in the state with an accredited school of  
24 education.

25 (ii) One (1) of the President Pro Tempore of the  
26 Senate's appointees shall be a ~~minority~~ person who has demonstrated a  
27 commitment to education.

28 (iii) One (1) of the President Pro Tempore of the  
29 Senate's appointees shall be a public school teacher with a special expertise  
30 in closing the achievement gap; and

31 (3)(A) Three (3) persons appointed by the Speaker of the House  
32 of Representatives.

33 (B)(i) One (1) of the appointees of the Speaker of the  
34 House of Representatives shall be a person who has experience working with  
35 children from ~~low income~~ low-income families.

36 (ii) One (1) of the appointees of the Speaker of the

1 House of Representatives shall be a ~~minority~~ person who has demonstrated a  
2 commitment to education.

3 (iii) One (1) of the appointees of the Speaker of  
4 the House of Representatives shall be a public school administrator with a  
5 special expertise in closing the achievement gap.

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7 SECTION 4. Arkansas Code § 6-15-1603(b)(3), concerning the local task  
8 forces on closing the achievement gap, is amended to read as follows:

9 (3) Task force members shall ~~be representative of community~~  
10 ~~demographics, race, ethnic, gender, and socioeconomic diversity. It is~~  
11 ~~strongly recommended that they~~ include:

12 (A)(i) Three (3) parents, as selected by the local school  
13 district's parent organization.

14 (ii) One (1) parent who has a child at an elementary  
15 school, one (1) who has a child at a junior high or middle school, and one  
16 (1) who has a child at a high school;

17 (B) School administrators, teachers, instructional support  
18 personnel, exceptional children personnel, and second language specialists,  
19 each of whom shall be selected by the superintendent;

20 (C) One (1) member of the local board of education, as  
21 selected by that board;

22 (D) One (1) representative of the local department of  
23 social services;

24 (E) At least one (1) juvenile court counselor;

25 (F) At least one (1) representative of local law  
26 enforcement;

27 (G) One (1) representative of the local Communities in  
28 Schools Program, if present in the local school district, as selected by the  
29 executive director of that program;

30 (H) At least one (1) representative of local businesses,  
31 as selected by the local chamber of commerce;

32 (I) Representatives from community-based organizations, as  
33 selected by the superintendent upon recommendation from those organizations;

34 (J) At least one (1) representative of a university school  
35 of education, if there is one in the area, as selected by the chair of the  
36 local board of education;

1                   (K) Two (2) high school students, as recommended by their  
2 student councils and elected by the chair of the local board of education;  
3 and

4                   (L) Any other community representatives, as selected by  
5 the superintendent.

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7           SECTION 5. Arkansas Code § 6-15-2502(d)(4)(C), concerning the local  
8 advisory group related to education renewal zones, is repealed.

9                   ~~(C) The membership and staff of local advisory groups~~  
10 ~~shall be reflective of the diversity of the population of the state.~~

11  
12           SECTION 6. Arkansas Code § 6-61-529(b)(1), concerning the membership  
13 of local community college boards, is amended to read as follows:

14                   (b)(1)~~(A)~~ If the local community college board chooses to become an  
15 appointed board, positions on the board shall become vacant as current terms  
16 expire, and persons who are residents and qualified electors of the community  
17 college district shall be appointed by the Governor for terms of six (6)  
18 years.

19                   ~~(B) To the extent possible, the Governor shall assure~~  
20 ~~equitable representation on the board with regard to race and geographic~~  
21 ~~distribution from throughout the district.~~

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23           SECTION 7. Arkansas Code § 7-6-217(b)(1), concerning the creation of  
24 the Arkansas Ethics Commission, is amended to read as follows:

25                   (b)(1) In making appointments to the commission, the appointing  
26 officials shall ensure that at least ~~one (1) member of a minority race, one~~  
27 ~~(1) woman, and~~ one (1) member of the minority ~~political~~ party, as defined in  
28 § 7-1-101, serves on the commission.

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30           SECTION 8. Arkansas Code § 17-19-106(b)(3)(B), concerning the creation  
31 and membership of the Professional Bail Bond Company and Professional Bail  
32 Bondsman Licensing Board, is amended to read as follows:

33                   (B)~~(i)~~ Each congressional district shall be represented by  
34 at least one (1) member of the board.

35                   ~~(ii) At least one (1) board member shall be an~~  
36 ~~African American.~~

1                                   ~~(iii) At least one (1) board member shall be a~~  
 2 ~~female.~~

3  
 4           SECTION 9. Arkansas Code § 17-22-201(b)(8), concerning the creation  
 5 and membership of the State Athletic Commission, is amended to read as  
 6 follows:

7                           ~~(8)(A) Furthermore, one (1) of the seven (7) members of the~~  
 8 ~~commission shall be a member of a minority race.~~

9                           ~~(B)~~ One (1) of the seven (7) members shall be a senior  
 10 citizen.

11                           ~~(C)~~(B) Four (4) of the seven (7) members shall have  
 12 experience with combative sports.

13  
 14           SECTION 10. Arkansas Code § 17-27-201(b), concerning the membership of  
 15 the Arkansas Board of Examiners in Counseling, is amended to read as follows:

16                           (b) Appointments shall be made so as to ensure that the Arkansas Board  
 17 of Examiners in Counseling consists of citizens of the United States, and  
 18 residents of Arkansas, ~~at least one (1) member of each sex, and at least one~~  
 19 ~~(1) member of an ethnic minority.~~

20  
 21           SECTION 11. Arkansas Code §§ 17-80-301 and 17-80-302 are repealed.  
 22 ~~17-80-301. Purposes.~~

23 ~~The purposes of this subchapter are to:~~

24                           ~~(1) Provide appointment recommendations for Arkansas state~~  
 25 ~~boards and commissions that license or otherwise regulate health related~~  
 26 ~~professions to ensure board and commission compositions that reflect the~~  
 27 ~~diversity of the State of Arkansas; and~~

28                           ~~(2) Ensure that cultural competency, health disparities, and~~  
 29 ~~other minority health issues are adequately represented in the health policy~~  
 30 ~~decisions determined by state health related agencies, boards, and~~  
 31 ~~commissions for the State of Arkansas.~~

32  
 33           ~~17-80-302. Minority members of state health related agencies, boards,~~  
 34 ~~and commissions.~~

35                           ~~(a) The appointing authorities for state health related agencies,~~  
 36 ~~boards, and commissions shall consider appointment recommendations submitted~~

1 ~~by minority health related professional associations.~~

2 ~~(b) The recommending organizations under this section include without~~  
 3 ~~limitation:~~

4 ~~(1) The Arkansas Medical, Dental, and Pharmaceutical~~  
 5 ~~Association;~~

6 ~~(2) The Arkansas Association of Black Social Workers, Inc.;~~

7 ~~(3) The Arkansas Black Nurses Association;~~

8 ~~(4) The National Association of Hispanic Nurses, Arkansas~~  
 9 ~~Chapter;~~

10 ~~(5) The National Pharmacists Association of Arkansas; and~~

11 ~~(6) The Arkansas State Board of Nursing.~~

12 ~~(c) Recommendations for appointments under this section shall:~~

13 ~~(1) Be submitted to the appointing authorities at least thirty~~  
 14 ~~(30) days before the expiration of a position in a state health-related~~  
 15 ~~agency, board, or commission relevant to the field or practice of the~~  
 16 ~~recommending body;~~

17 ~~(2) Be submitted to the appointing authorities anytime before~~  
 18 ~~the appointing authority fills a position that has opened due to resignation~~  
 19 ~~or removal before the end of the originally appointed term;~~

20 ~~(3) Be submitted by an officially designated officer or~~  
 21 ~~committee on behalf of the recommending organization; and~~

22 ~~(4) Include correspondence on official organizational letterhead~~  
 23 ~~and the resume or curriculum vitae of a recommended candidate.~~

24 ~~(d) If a recommendation for appointment under subsection (b) of this~~  
 25 ~~section is not received within the time allotted for the appointment, the~~  
 26 ~~appointing authority may make the appointment without a recommendation.~~

27 ~~(e) The health related agencies, boards, and commissions for which~~  
 28 ~~recommendations may be considered under this section include the:~~

29 ~~(1) Arkansas Board of Podiatric Medicine;~~

30 ~~(2) Arkansas Psychology Board;~~

31 ~~(3) Arkansas Social Work Licensing Board;~~

32 ~~(4) Arkansas State Board of Dental Examiners;~~

33 ~~(5) Arkansas State Medical Board;~~

34 ~~(6) Arkansas State Board of Pharmacy;~~

35 ~~(7) Board of Examiners in Speech Language Pathology and~~  
 36 ~~Audiology; and~~

1           ~~(8) State Board of Optometry.~~

2           ~~(f) This section does not change or affect any existing delineations~~  
3 ~~for minority appointments.~~

4  
5           SECTION 12. Arkansas Code § 17-88-202(b)(1), concerning the creation  
6 and membership of the Arkansas State Occupational Therapy Examining  
7 Committee, is amended to read as follows:

8           (b)(1) The committee shall consist of five (5) members appointed by  
9 the Governor subject to confirmation by the Senate for terms of five (5)  
10 years, each of whom is a citizen of the United States and a resident of the  
11 State of Arkansas. ~~One (1) member shall be a member of a minority race.~~

12  
13           SECTION 13. Arkansas Code § 17-92-201(a), concerning the membership  
14 and qualifications of the Arkansas State Board of Pharmacy, is amended to  
15 read as follows:

16           (a) The Arkansas State Board of Pharmacy shall consist of eight (8)  
17 members, appointed by the Governor for terms of six (6) years:

18           (1) ~~Five (5)~~ Six (6) members shall be experienced pharmacists  
19 who have been actively engaged in the practice of pharmacy for the last five  
20 (5) years immediately preceding their appointments, to be appointed by the  
21 Governor after consulting the Arkansas Pharmacist's Association and subject  
22 to confirmation by the Senate;

23           ~~(2) One (1) member shall be a minority who is a licensed~~  
24 ~~practicing pharmacist in this state, to be appointed by the Governor after~~  
25 ~~consulting the Pharmaceutical Section of the Arkansas Medical, Dental, and~~  
26 ~~Pharmaceutical Association, Inc., and subject to confirmation by the Senate;~~  
27 and

28           ~~(3)(A)(2)(A)~~ (2)(A) Two (2) members of the board shall not be actively  
29 engaged in or retired from the practice of pharmacy. One (1) member shall  
30 represent consumers, and one (1) member shall be sixty (60) years of age or  
31 older and shall represent the elderly. Both shall be appointed from the state  
32 at large, subject to confirmation by the Senate. Both shall be full voting  
33 members but shall not participate in the grading of examinations.

34           (B) The two (2) positions shall not be held by the same  
35 person.

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2 SECTION 14. Arkansas Code § 20-14-508(b)(1), concerning the membership  
3 of the State Interagency Council, is amended to read as follows:

4 (1) At least twenty percent (20%) of the membership shall  
5 include parents, ~~including minorities~~, of infants and toddlers with  
6 disabilities, or a child with a disability who is twelve (12) years of age or  
7 younger, with knowledge of or experience with programs for infants and  
8 toddlers with disabilities, and at least one (1) of the members shall be a  
9 parent of a child who is six (6) years of age or under;

10  
11 SECTION 15. Arkansas Code § 20-47-505(a)(2)(B), concerning the  
12 creation and membership of the Child and Adolescent Service System Program  
13 Coordinating Council, is repealed.

14 ~~(B) A member of an ethnic minority;~~

15  
16 SECTION 16. Arkansas Code § 20-48-203(a)(1), concerning the creation  
17 and membership of the Board of Developmental Disabilities Services, is  
18 amended to read as follows:

19 (a)(1) The Board of Developmental Disabilities Services shall consist  
20 of seven (7) members, ~~at least one (1) of whom shall be a woman~~, who shall be  
21 citizens and residents of the State of Arkansas and more than twenty-five  
22 (25) years of age.

23  
24 SECTION 17. Arkansas Code § 20-78-703(b)(7), concerning the membership  
25 of the Rita Rowell Hale Prenatal and Early Childhood Nurse Home Visitation  
26 Program Advisory Council, is amended to read as follows:

27 (7) Two (2) members from the public at large, at least one (1)  
28 of whom shall be active in child advocacy within the state ~~and one (1) of~~  
29 ~~whom shall be African American.~~

30  
31 SECTION 18. Arkansas Code § 22-3-303(b)(3), concerning the creation  
32 and membership of the Capitol Zoning District Commission, is amended to read  
33 as follows:

34 (3) Four (4) resident electors of this state, to be designated  
35 by the Governor and who shall serve three-year terms, ~~one (1) of whom shall~~  
36 ~~be a black;~~



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SECTION 19. Arkansas Code § 23-61-1011(b)(7)(A), concerning the membership of the Health and Economic Outcomes Accountability Oversight Advisory Panel, is amended to read as follows:

(7)(A) Three (3) community members who represent health, business, or education, ~~who reflect the broad racial and geographic diversity in the state,~~ and who have demonstrated a commitment to improving the health and welfare of Arkansans, appointed as follows:

- (i) One (1) member shall be appointed by and serve at the will of the Governor;
- (ii) One (1) member shall be appointed by and serve at the will of the President Pro Tempore of the Senate; and
- (iii) One (1) member shall be appointed by and serve at the will of the Speaker of the House of Representatives.

SECTION 20. Arkansas Code § 24-7-301(3), concerning the membership of the Board of Trustees of the Arkansas Teacher Retirement System, is amended to read as follows:

- (3) One (1) trustee shall be a ~~minority, as defined under § 1-2-503,~~ person who:
- (A) Is an active or retired member of the system;
  - (B) Is elected from the active and retired membership of the system; and
  - (C) Has at least five (5) years of actual service;

SECTION 21. Arkansas Code § 26-57-255(a)(3), concerning the creation and membership of the Arkansas Tobacco Control Board, is amended to read as follows:

(3) Four (4) members of the board shall be members of the public at large who are not public employees or officials, ~~at least one (1) of whom shall be an African American,~~ and two (2) of whom shall be appointed by the Governor after consulting the Arkansas Medical Society, Inc., and subject to confirmation by the Senate.

SECTION 22. DO NOT CODIFY. SEVERABILITY CLAUSE. If any provision of this act or the application of this act to any person or circumstance is held

1 invalid, the invalidity shall not affect other provisions or applications of  
2 this act which can be given effect without the invalid provision or  
3 application, and to this end, the provisions of this act are declared  
4 severable.

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