

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

A Bill

SENATE BILL 413

5 By: Senator K. Hammer
6 By: Representative Hawk
7

For An Act To Be Entitled

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

15
16 TO AMEND THE LAW CONCERNING A SCHOOL
17 DISTRICT BOARD OF DIRECTORS; AND TO
18 AMEND THE LAW CONCERNING THE
19 CERTIFICATION OF AN OATH FOR A SCHOOL
20 BOARD DIRECTOR.
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-13-617 is amended to read as follows:
25 6-13-617. Oath. [Effective May 1, 2024.]

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

31 "I, _____, do hereby solemnly swear or affirm, that I
32 will support the United States Constitution and the Arkansas Constitution,
33 and that I will not be interested, directly or indirectly, in any contract
34 made by the district of which I am a director, except as permitted by state
35 law, that I shall abide by the ethical guidelines and prohibitions under § 6-
36 24-101 et seq., and that I will faithfully discharge the duties as school



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

2 _____
3 Director's Signature

4 _____
5 Administrator's Signature

6 _____
7 Date

8 _____ Accepted

9 _____ Rejected

10 _____ Reason for rejection

11 _____
12 County Clerk's Signature".

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

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

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

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

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

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

1 ~~(A) Verify that the:~~

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

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

8 ~~(B) Either:~~

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

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

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

17 ~~(i) Commission the director;~~

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

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

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

24 ~~(3) (2)~~ By the close of business of the day following the
 25 receipt of the certification of the administration of the oath, the county
 26 clerk or his or her designee shall either:

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

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

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

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

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

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

10 (2) A holdover.

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