

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H4/6/21

A Bill

HOUSE BILL 1831

5 By: Representatives M. Berry, Beaty Jr., Bentley, Crawford, Dotson, Haak, Speaks, Vaught, Watson,
6 McGrew, B. Smith, S. Smith, Slape, Hollowell, Fortner, Lundstrum, McClure, Coleman, Cloud,
7 Christiansen, Lowery
8 By: Senators J. English, B. Ballinger, *D. Wallace*
9

For An Act To Be Entitled

11 AN ACT TO CREATE THE STAR-SPANGLED BANNER ACT; AND
12 FOR OTHER PURPOSES.
13
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Subtitle

16 TO CREATE THE STAR-SPANGLED BANNER ACT.
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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 Title 6, Chapter 10, is amended to add an
22 additional section to read as follows:

23 6-10-135. Star-Spangled Banner Act.

24 (a) This section shall be known and may be cited as the "Star-Spangled
25 Banner Act".

26 (b) The General Assembly finds that:

27 (1) It is of the utmost importance that Arkansas youth learn the
28 importance of the national anthem, "The Star-Spangled Banner";

29 (2) The regular playing of "The Star-Spangled Banner" will
30 foster patriotism and celebrate the common American experience; and

31 (3) "The Star-Spangled Banner" should be played in solemn
32 observance and recognition for the men and women who have sacrificed their
33 lives in defense of the American Experiment.

34 (c) Each school district board of directors shall:

35 (1) Adopt a policy requiring each public kindergarten through
36 grade twelve (K-12) school to broadcast "The Star-Spangled Banner" at:



1 (A)(i) The commencement of each school-sanctioned sporting
2 event.

3 (ii) However, if any part of two (2) or more school-
4 sanctioned sporting events occur on the same day at the same school, a public
5 school may choose to broadcast "The Star-Spangled Banner" at only one (1) of
6 the events; and

7 (B) Public kindergarten through grade twelve (K-12)
8 schools at least one (1) time each week during school hours; and

9 (2) Except as provided in subsection (d) of this section, select
10 for broadcast from any recording of "The Star-Spangled Banner" that adheres
11 to rules promulgated by the Division of Elementary and Secondary Education.

12 (d) A school district board of directors may adopt a policy that
13 allows any of the following to be played at school-sanctioned sporting
14 events, at schools during school hours, or both:

15 (1) The performance of "The Star-Spangled Banner" from original
16 sheet music that adheres to division rules and is performed by a school-
17 sanctioned band program;

18 (2) The performance of "The Star-Spangled Banner" from original
19 sheet music that adheres to division rules and is performed by a school-
20 sanctioned chorale program, vocal group, or vocalist; or

21 (3) The performance of "The Star-Spangled Banner" by the
22 attendees of a school-sanctioned event led by a vocalist selected by the
23 principal of the public school hosting the school-sanctioned event.

24 (e) The division shall promulgate rules to implement this section.
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26 SECTION 2. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended
27 to add an additional section to read as follows:

28 6-60-113. Star-Spangled Banner Act.

29 (a) This section shall be known and may be cited as the "Star-Spangled
30 Banner Act".

31 (b) The General Assembly finds that:

32 (1) It is of the utmost importance that Arkansas youth learn the
33 importance of the national anthem, "The Star-Spangled Banner";

34 (2) The regular playing of "The Star-Spangled Banner" will
35 foster patriotism and celebrate the common American experience; and

36 (3) "The Star-Spangled Banner" should be played in solemn

1 observance and recognition for the men and women who have sacrificed their
2 lives in defense of the American Experiment.

3 (c) Each state-supported institution of higher education shall:

4 (1)(A) Adopt a policy requiring the broadcast of "The Star-
5 Spangled Banner" at the commencement of each school-sanctioned sporting
6 event.

7 (B) However, if any part of two (2) or more school-
8 sanctioned sporting events occur on the same day at the same school, a state-
9 supported institution of higher education may choose to broadcast "The Star-
10 Spangled Banner" at only one (1) of the events; and

11 (2) Except as provided in subsection (d) of this section, select
12 for broadcast from any recording of "The Star-Spangled Banner" that adheres
13 to rules promulgated by the Division of Higher Education.

14 (d) A state-supported institution of higher education may adopt a
15 policy that allows any of the following to be played at school-sanctioned
16 sporting events:

17 (1) The performance of "The Star-Spangled Banner" from original
18 sheet music that adheres to division rules and is performed by a school-
19 sanctioned band program;

20 (2) The performance of "The Star-Spangled Banner" from original
21 sheet music that adheres to division rules and is performed by a school-
22 sanctioned chorale program, vocal group, or vocalist; or

23 (3) The performance of "The Star-Spangled Banner" by the
24 attendees of a school-sanctioned event led by a vocalist selected by the
25 state-supported institution of higher education hosting the school-sanctioned
26 event.

27 (e) The division shall promulgate rules to implement this section.
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29 SECTION 3. DO NOT CODIFY. Rules.

30 (a) When adopting the initial rules required under this act, the
31 Division of Elementary and Secondary Education shall file the final rules
32 with the Secretary of State for adoption under § 25-15-204(f):

33 (1) On or before January 1, 2022; or

34 (2) If approval under § 10-3-309 has not occurred by January 1,
35 2022, as soon as practicable after approval under § 10-3-309.

36 (b) The division shall file the proposed rules with the Legislative

1 Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so
2 that the Legislative Council may consider the rules for approval before
3 January 1, 2022.

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5 SECTION 4. DO NOT CODIFY. Rules.

6 (a) When adopting the initial rules required under this act, the
7 Division Higher Education shall file the final rules with the Secretary of
8 State for adoption under § 25-15-204(f):

9 (1) On or before January 1, 2022; or

10 (2) If approval under § 10-3-309 has not occurred by January 1,
11 2022, as soon as practicable after approval under § 10-3-309.

12 (b) The division shall file the proposed rules with the Legislative
13 Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so
14 that the Legislative Council may consider the rules for approval before
15 January 1, 2022.

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17 */s/M. Berry*

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20 **APPROVED: 4/27/21**