

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.

Act 2173 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H4/7/05 S4/12/05

A Bill

HOUSE BILL 1398

5 By: Representative Bright
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8 **For An Act To Be Entitled**

9 AN ACT TO PERMIT THE ARKANSAS DEVELOPMENT FINANCE
10 AUTHORITY TO REQUEST A CRIMINAL BACKGROUND CHECK
11 ON APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR ON
12 EMPLOYEES; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 AN ACT TO PERMIT THE ARKANSAS
16 DEVELOPMENT FINANCE AUTHORITY TO REQUEST
17 A CRIMINAL BACKGROUND CHECK ON
18 APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR
19 ON EMPLOYEES.
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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 Title 15, Chapter 5, Subchapter 2 is amended
25 to add a new section as follows:

26 15-5-214. Criminal background check.

27 (a) The Arkansas Development Finance Authority may require a state and
28 federal criminal background check, which shall conform to the applicable
29 federal standards and shall include the taking of fingerprints, on:

30 (1) An applicant of a program administered by the authority,
31 including individual members of an entity that may participate in a program
32 administered by the authority;

33 (2) An applicant for employment with the authority; or

34 (3) An employee of the authority.

35 (b) The criminal background check shall be performed through the



1 Identification Bureau of the Department of the Arkansas State Police and the
2 Federal Bureau of Investigation.

3 (c) Prior to a criminal background check the applicant or employee
4 shall sign a release authorizing the background check.

5 (d) The results of the background check shall be used by the authority
6 to determine the fitness or suitability of:

7 (1) The applicant for participation in an authority program or
8 for employment with the authority; or

9 (2) An employee for continued employment with the authority.

10 (e) The authority shall treat the criminal background information of
11 an applicant or employee as confidential.

12 (f) A criminal background check obtained under this section shall be
13 destroyed by the authority within six (6) months of the receipt of the
14 background check.

15 (g) The authority shall promulgate rules for the requesting and use of
16 criminal background checks under this section.

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18 /s/ Bright

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21 APPROVED: 4/13/2005
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