

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

As Engrossed: H4/8/21

# A Bill

HOUSE BILL 1366

5 By: Representative Penzo  
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## For An Act To Be Entitled

8 AN ACT TO CREATE A RAPBACK PROGRAM UNDER THE DIVISION  
9 OF ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.  
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### Subtitle

11 TO CREATE A RAPBACK PROGRAM UNDER THE  
12 DIVISION OF ARKANSAS STATE POLICE.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 20, Chapter 38, Subchapter 1, is  
20 amended to add an additional section to read as follows:

21 20-38-114. Rapback Program.

22 (a) The Division of Arkansas State Police shall develop and implement  
23 a Rapback Program.

24 (b) The purpose of the program is to identify employees who have  
25 committed disqualifying offenses after obtaining a favorable fitness  
26 determination under this subchapter and to reduce duplication of  
27 fingerprinting.

28 (c)(1) The division shall require all service providers to  
29 periodically verify the eligibility of employees for continued employment  
30 with the service provider through a fingerprint-based criminal history  
31 records check performed by the Federal Bureau of Investigation.

32 (2) The division may retain the fingerprints and use the  
33 fingerprints retained for cascaded searches of all files including latent  
34 files.

35 (d) If the program finds that an employee has committed a  
36 disqualifying offense, the program shall send a written notice to the service



1 provider of the employee within five (5) business days after obtaining the  
2 information.

3 (e) The division shall adopt rules to implement this section.

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*/s/Penzo*