

INTERIM STUDY PROPOSAL 2021-016

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

As Engrossed: H4/8/21
A Bill

HOUSE BILL 1366

5
6 By: Representative Penzo

7 Filed with: House Committee on Public Health, Welfare, and Labor
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 *AN ACT TO CREATE A RAPBACK PROGRAM UNDER THE DIVISION*
11 *OF ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.*

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14 **Subtitle**

15 *TO CREATE A RAPBACK PROGRAM UNDER THE*
16 *DIVISION OF ARKANSAS STATE POLICE.*

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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 20, Chapter 38, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 20-38-114. Rapback Program.

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

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

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

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

1 (d) If the program finds that an employee has committed a
2 disqualifying offense, the program shall send a written notice to the service
3 provider of the employee within five (5) business days after obtaining the
4 information.

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

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/s/Penzo

10 Referred requested by the Arkansas House of Representatives
11 Prepared by: MBM/KFW

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