

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

As Engrossed: H3/8/21

A Bill

HOUSE BILL 1465

5 By: Representative Dotson
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE LICENSING ENTITIES TO CONSIDER THE
10 GOOD MORAL CHARACTER OF AN INDIVIDUAL BEFORE ISSUING
11 A LICENSE TO AN INDIVIDUAL; AND FOR OTHER PURPOSES.
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Subtitle

15 TO REQUIRE LICENSING ENTITIES TO CONSIDER
16 THE GOOD MORAL CHARACTER OF AN INDIVIDUAL
17 BEFORE ISSUING A LICENSE TO AN
18 INDIVIDUAL.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 17-3-101, concerning definitions regarding
24 occupational criminal background checks, is amended to add an additional
25 subdivision to read as follows:

26 (4) "Good moral character" means a personal history of honesty,
27 trustworthiness, fairness, a good reputation for fair dealings, and respect
28 for the rights of others and for state and federal laws.
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30 SECTION 2. Arkansas Code § 17-3-102(d), concerning licensing
31 restrictions based on criminal records, is amended to read as follows:

32 (d) A licensing entity shall not, as a basis upon which a license may
33 be granted or denied+

34 ~~(1) Use vague or generic terms, including without limitation the~~
35 ~~phrases "moral turpitude" and "good character"; or~~

36 ~~(2) Consider~~ consider arrests without a subsequent conviction.



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SECTION 3. Arkansas Code Title 17, Chapter 3, Subchapter 1, is amended to add an additional section to read as follows:

17-3-105. Good moral character.

A licensing entity shall consider the good moral character of an individual before issuing a license to the individual.

SECTION 4. DO NOT CODIFY. Rules.

(a) All licensing entities shall promulgate rules necessary to implement this act.

(b)(1) When adopting the initial rules to implement this act, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

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

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

(2) A licensing entity shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so the Legislative Council may consider the rule for approval before January 1, 2022.

/s/Dotson