

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

# A Bill

HOUSE BILL 1465

5 By: Representative Dotson  
6

## For An Act To Be Entitled

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

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

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

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

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

35 ~~(2) Consider~~ consider arrests without a subsequent conviction.  
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1 SECTION 3. Arkansas Code Title 17, Chapter 3, Subchapter 1, is amended  
2 to add an additional section to read as follows:

3 17-3-105. Good moral character.

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

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7 SECTION 4. DO NOT CODIFY. Rules.

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

10 (b)(1) When adopting the initial rules to implement this act, the  
11 final rule shall be filed with the Secretary of State for adoption under §  
12 25-15-204(f):

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

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

16 (2) A licensing entity shall file the proposed rule with the  
17 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,  
18 2022, so the Legislative Council may consider the rule for approval before  
19 January 1, 2022.