

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/3/17

A Bill

HOUSE BILL 1685

5 By: Representative Tucker
6

For An Act To Be Entitled

8 AN ACT TO CLARIFY THE CRIMINAL BACKGROUND CHECKS
9 REQUIRED FOR AN APPLICANT OR EMPLOYEE OF A CHILD CARE
10 FACILITY OR A CHURCH-EXEMPT CHILD CARE FACILITY; AND
11 FOR OTHER PURPOSES.
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Subtitle

15 TO CLARIFY THE CRIMINAL BACKGROUND CHECKS
16 REQUIRED FOR AN APPLICANT OR EMPLOYEE OF
17 A CHILD CARE FACILITY OR A CHURCH-EXEMPT
18 CHILD CARE FACILITY.
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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 § 20-38-103(a)(3) and (4), concerning
24 criminal background checks for applicants and employees of service providers,
25 are amended to read as follows:

26 (3) If Except as provided in subdivision (a)(4) of this section,
27 if the service provider can verify that the applicant has lived continuously
28 in the state for the past five (5) years, the service provider shall require
29 the applicant to submit a criminal history records check form and shall:

30 (A) Initiate a state criminal history records check on the
31 applicant with the Identification Bureau of the Department of Arkansas State
32 Police; and

33 (B) Conduct a registry check on the applicant in
34 accordance with the rules of the appropriate licensing or certifying agency.

35 (4) If the service provider cannot verify that the applicant has
36 lived continuously in the state for the past five (5) years or if the



1 applicant is seeking employment at a child care facility as defined by § 20-
2 78-202 or a church-exempt child care facility as recognized under § 20-78-
3 209, regardless of the length of time that the applicant has lived in the
4 state, the service provider shall require the applicant to submit a criminal
5 history records check form and a complete set of fingerprints and shall:

6 (A) Initiate a state criminal history records check on the
7 applicant with the Identification Bureau of the Department of Arkansas State
8 Police;

9 (B) Forward the applicant's fingerprints to the
10 Identification Bureau of the Department of Arkansas State Police to initiate
11 a national criminal history records check on the applicant; and

12 (C) Conduct a registry records check on the applicant in
13 accordance with the rules of the appropriate licensing or certifying agency.

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/s/Tucker

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APPROVED: 03/22/2017

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