## Hall of the House of Representatives

85th General Assembly - Regular Session, 2005 **Amendment Form** 

Subtitle of House Bill No. 1398 "TO AUTHORIZE CRIMINAL BACKGROUND CHECKS FOR EMPLOYMENT OR LICENSURE BY THIRD- PARTY VENDORS." 

## Amendment No. 1 to House Bill No. 1398.

Amend House Bill No. 1398 as originally introduced:

Delete the title and substitute:

"AN ACT TO PERMIT THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY TO REQUEST A CRIMINAL BACKGROUND CHECK ON APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR ON EMPLOYEES; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute:

"AN ACT TO PERMIT THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY TO REQUEST A CRIMINAL BACKGROUND CHECK ON APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR ON EMPLOYEES."

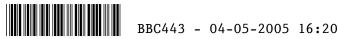
AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 15, Chapter 5, Subchapter 2 is amended to add a new section as follows:

15-5-214. Criminal background check.

- (a) The Arkansas Development Finance Authority may require a criminal background check, including the taking of fingerprints, on:
- (1) An applicant of a program administered by the authority, including individual members of an entity that may participate in a program administered by the authority;
  - (2) An applicant for employment with the authority; or
  - (3) An employee of the authority.
- (b) The criminal background check shall be performed through the Identification Bureau of the Department of the Arkansas State Police.
- (c) Prior to a criminal background check the applicant or employee shall sign a release authorizing the background check.
- (d) The results of the background check shall be used by the authority to determine the fitness of:
  - (1) The applicant for participation in an authority program or



for employment with the authority; or

- (2) An employee for continued employment with the authority.
- (e) The authority shall treat the criminal background information of an applicant or employee as confidential.
- (f) A criminal background check obtained under this section shall be destroyed by the authority within six (6) months of the receipt of the background check.
- (g) The authority shall promulgate rules for the requesting and use of criminal background checks under this section."

The Amendment was read	
By: Representative Bright	
BBC/BBC - 04-05-2005 16:20	
BBC443	Chief Clerk