

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 1572

"AN ACT TO AMEND THE CHILD WELFARE AGENCY LICENSING ACT; AND FOR
OTHER PURPOSES."

Amendment No. 1 to House Bill No. 1572.

Amend House Bill No. 1572 as engrossed, H2/24/05 (version: 02-24-2005 08:45):

Page 8, delete line 35 and substitute:

"(e)(1) Except as provided in ~~subdivision (d)(2)~~ subdivisions (d)(2) or (h)(1) of this section, no"

AND

Page 9, delete line 8 and substitute:

"federal court unless the conviction was vacated or reversed:"

AND

Page 9, delete lines 1 through 4 and substitute:

"(c)(1) of this section shall be eligible to have direct and unsupervised contact with a child in the care of a child welfare agency if that person"

AND

Page 10, delete lines 35 through 36 and substitute:

"subdivision (e)(1) of this section, unless the conviction was vacated or reversed, shall be absolutely"

AND

Page 11, delete line 5 and substitute:

"(B) ~~Any~~ Except as provided in subdivision (h)(1) of this section, any person who is required to have a criminal check"

AND

Page 11, delete line 8 and substitute:

"subdivision (e)(1) of this section, unless the conviction was vacated or reversed, shall be presumed to be disqualified to be"



AND

Page 12, delete line 12 and substitute:

"final administrative agency action and shall not be subject to review.

(h)(1) For the purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subdivision (e)(1) of this section shall not be considered a conviction, guilty plea, or nolo contendere to the offense unless the offense is also listed in subdivision (h)(2) of this section.

(2) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification:

(A) Capital murder, as prohibited under § 5-10-101;

(B) Murder in the first degree and murder in the second degree, as prohibited under § 5-10-102 and § 5-10-103;

(C) Kidnapping, as prohibited under § 5-11-102;

(D) Rape, as prohibited under § 5-14-103;

(E) Sexual assault in the first degree and second degree, as prohibited under § 5-14-124 and § 5-14-125;

(F) Endangering the welfare of a minor in the first degree and endangering the welfare of a minor in the second degree, as prohibited under § 5-27-203 and § 5-27-204;

(G) Incest, as prohibited under § 5-26-202;

(H) Arson, as prohibited under § 5-38-301;

(I) Endangering the welfare of an incompetent person in the first degree, as prohibited under § 5-27-201; and

(J) Adult abuse that constitutes a felony, as prohibited under § 5-28-103."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Madison

JSE/JSE - 03-23-2005 09:21

JSE511

Secretary