## 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)(l) 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)(l) 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

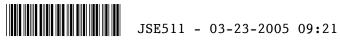
Page 11, delete line 5 and substitute:

"(B)  $\frac{Any}{Any}$  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"



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
- $\mbox{(J)}$  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	nd time and
By: Senator Madison	
JSE/JSE - 03-23-2005 09:21	
JSE511	Secretary