

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2766

"AN ACT TO AUTHORIZE CRIMINAL HISTORY BACKGROUND CHECKS FOR
VOLUNTEERS."

Amendment No. 1 to House Bill No. 2766.

Amend House Bill No. 2766 as originally introduced:

Page 1, delete line 5, and substitute the following:
"By: Representatives Thompson, Mahony"

AND

Page 1, line 28, delete "criminal history or"

AND

Page 2, line 2, delete "of the listed offenses" and substitute "offense"

AND

Page 2, delete lines 8 through 14, and substitute the following:
"Department of Arkansas State Police on an individual;
(4) "Domestic abuse" means the same as defined in § 9-4-102;"

AND

Page 2, line 15, delete "(4)" and substitute "(5)"

AND

Page 2, line 16, delete "(5)" and substitute "(6)"

AND

Page 2, line 21, delete "(6)" and substitute "(7)"

AND

Page 2, delete lines 25 and 26



AND

Page 2, line 33, delete “care” and substitute “services”

AND

Page 3, line 8, delete “agency” and substitute “organization”

AND

Page 3, delete line 14 and substitute the following:

“check information.”

(c) If the volunteer organization desires to receive criminal background check information from the Federal Bureau of Investigation, the volunteer organization shall include a copy of the minutes from its most recent board meeting that lists offenses that the organization considers to disqualify an applicant from serving as a volunteer with the agency.”

AND

Page 3, line 16, delete “Application” and substitute “Request”

AND

Page 3, delete line 18 and substitute the following:

“background check information from the Arkansas Crime Information Center or the Federal Bureau of Investigation concerning volunteers may apply to the Identification”

AND

Page 3, line 22, delete “agency” and substitute “organization”

AND

Page 3, delete lines 23 thorough 36, and substitute the following:

(2) The request form submitted by the volunteer organization shall include:

(A) The name of the volunteer organization;

(B) The identifying information of the person for whom the background check is sought; and

(C) A signed authorization form executed by the volunteer authorizing the Identification Bureau to release criminal history information.

AND

Page 4, delete lines 1 through 3

AND

Page 4, line 4, delete “application” and substitute “request”

AND

Page 4, line 7, delete "application" and substitute "request"

AND

Page 4, line 8, delete "application" and substitute "request"

AND

Page 4, delete line 11, and substitute the following:

"(a)(1) Upon receipt of a proper request from a volunteer organization,"

AND

Page 4, line 14, delete "bureau" and substitute "Bureau"

AND

Page 4, delete line 15, and substitute the following:

"obtained from the Arkansas background check to the volunteer organization."

AND

Page 4, delete lines 17 through 20, and substitute the following:

"(i) All pending Arkansas felony arrests;
(ii) All Arkansas criminal convictions; and"

AND

Page 4, delete lines 23 and 24 and substitute the following:

"(b)(1) Upon the completion of the Arkansas background check, the"

AND

Page 4, line 25, delete "bureau a state" and substitute "Bureau a"

AND

Page 4, line 26, delete "and"

AND

Page 4, line 28, delete "(2)(A)" and substitute "(2)"

AND

Page 4, delete lines 31 through 33 and substitute the following:

"(3) The national background check shall comply with federal standards in effect as of January 1, 2005, including, but not limited to,

standards concerning the requirement of the submission of the fingerprints of the volunteer.”

AND

Page 4, line 34, delete “(3) The Identification bureau” and substitute “(4) The Identification Bureau”

AND

Page 4, line 35, delete “agency” and substitute “organization”

AND

Page 5, line 1, delete “the application for a criminal background check” and substitute “its registration to obtain criminal background check information on volunteers”

AND

Page 5, line 3, delete “agency” and substitute “organization”

AND

Page 5, line 27, delete “Federal” and substitute “System”

AND

Page 5, delete line 31, and substitute the following:

“history system and the automated fingerprint identification system.

12-12-1610. Extent of disclosure.

(a) The Department of Arkansas State Police and the Arkansas Crime Information Center shall disseminate criminal history information to the extent entries have been made at the time of the request for the information.

(b) Any event, activity, or any portion of the criminal history information which has not been processed by the department or the center shall not be required to be included in the dissemination.

(c) Requests for information, supporting documents, and any responses to a request for criminal background check information under this subchapter shall not be subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.”

The Amendment was read _____
By: Representative Mahony
MBM/JGH - 03-15-2005 11:39
MBM321 _____ Chief Clerk