

1 INTERIM STUDY PROPOSAL 2009-243

2
3 REQUESTING THE LEGISLATIVE COUNCIL REFER TO THE HOUSE JUDICIARY
4 COMMITTEE THIS REQUEST TO STUDY THE EFFECT A MISDEMEANOR ON A
5 PERSON'S CRIMINAL HISTORY HAS ON HIS OR HER POTENTIAL EMPLOYMENT
6 OR LICENSING BY THE STATE.
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8 WHEREAS, in many instances a person may have a misdemeanor on his or
9 her criminal history; and
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11 WHEREAS, there are many professions or vocations that require licensure
12 by the State; and
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14 WHEREAS, the presence of that misdemeanor might lead a state licensing
15 board to refuse to license that person, per either state law or pursuant to
16 the agency's own rules and regulations; and
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18 WHEREAS, a misdemeanor is not a felony, which is a much more serious
19 classification of a crime, but is instead a low-level crime usually reserved
20 for relatively minor transgressions; and
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22 WHEREAS, as the result of having a misdemeanor on a person's criminal
23 history, a person can be severely inhibited in his or her ability to find
24 gainful employment in his or her chosen profession or vocation,
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26 NOW THEREFORE,

27 BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE EIGHTY-SEVENTH
28 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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30 THAT the Legislative Council refer to the House Committee on Judiciary
31 this request to study the effects on a person's employment and licensure
32 possibilities if he or she has a misdemeanor on his or her criminal history
33 and that the Committee study potential legislative solutions to addressing
34 this hurdle to a person's ability to find gainful employment;
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36 THAT the House Committee on Judiciary invite all state agencies that

1 issue professional or vocational licenses to inform the Committee on their
2 respective policies on disqualifying misdemeanors, including yearly data on
3 how many licenses are issued and how many license applications are denied due
4 to the presence of a disqualifying misdemeanor; and

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6 THAT the House Committee on Judiciary invite the Administrative Office
7 of the Courts to inform the Committee as to any data the agency possesses as
8 to how many misdemeanor convictions each county or judicial district records
9 yearly.

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11 Respectfully submitted,

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15 Representative Stephanie Flowers
16 District 17

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