

State of Arkansas

77th General Assembly

A Bill

HOUSE BILL

Third Extraordinary Session, 1989

CALL ITEM 1051

By: Representatives Lipton, Newman, Glover, Forgey and Arrington

For An Act To Be Entitled

"AN ACT TO AMEND TITLES 12 AND 14 OF THE ARKANSAS CODE OF 1987 TO PROVIDE ACCESS TO CRIMINAL RECORDS FOR HOUSING AUTHORITIES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 12-12-211(a) is hereby amended to read as follows:

"12-12-211. Access to records. (a) The center shall make criminal records on persons available only to criminal justice agencies in their official capacity, to regulatory agencies with specific statutory authority of access, to housing authorities established pursuant to Ark. Code §14-169-207 and to any person or his attorney who has reason to believe that a criminal history record is being kept on him, or wherein the criminal defendant is charged with either a misdemeanor or felony."

SECTION 2. Arkansas Code 14-169-237 is hereby amended to read as follows:

"14-169-237. Rentals and tenant selection. In the operation or management of housing projects, a housing authority shall at all times observe the following duties with respect to rentals and tenant selection:

(1) It may rent or lease the dwelling accommodations in them only to persons of low income;

(2) It may rent or lease the dwelling accommodations in them only at rentals within the financial reach of persons of low income;

(3) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants without overcrowding;

(4) (A) It shall not accept any person as a tenant in any housing project if the persons who would occupy the dwelling accommodations have an annual income in excess of five (5) times the annual rental of the quarters to be furnished the persons. However, in the case of families with three (3) or more minor dependents, the ratio shall not exceed six (6) to one (1).

(B) In computing the rental for the purpose of selecting tenants, there shall be included in the rental the average annual cost to the occupants, as determined by the authority, of heat, water, electricity, gas, cooking range, and other necessary services or facilities, whether or not the charge for those services and facilities is in fact included in the rental.

(5) It shall not accept any person as a tenant in any housing project if any person who would occupy the dwelling accommodations has a criminal record of felony convictions or misdemeanor convictions involving violence during the past ten years."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.