

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

As Engrossed: H4/7/05  
**A Bill**

HOUSE BILL 1398

4  
5 By: Representative Bright  
6  
7

8 **For An Act To Be Entitled**

9 *AN ACT TO PERMIT THE ARKANSAS DEVELOPMENT FINANCE*  
10 *AUTHORITY TO REQUEST A CRIMINAL BACKGROUND CHECK*  
11 *ON APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR ON*  
12 *EMPLOYEES; AND FOR OTHER PURPOSES.*

13  
14 **Subtitle**

15 *AN ACT TO PERMIT THE ARKANSAS*  
16 *DEVELOPMENT FINANCE AUTHORITY TO REQUEST*  
17 *A CRIMINAL BACKGROUND CHECK ON*  
18 *APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR*  
19 *ON EMPLOYEES.*

20  
21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 *SECTION 1. Arkansas Code Title 15, Chapter 5, Subchapter 2 is amended*  
25 *to add a new section as follows:*

26 *15-5-214. Criminal background check.*

27 *(a) The Arkansas Development Finance Authority may require a criminal*  
28 *background check, including the taking of fingerprints, on:*

29 *(1) An applicant of a program administered by the authority,*  
30 *including individual members of an entity that may participate in a program*  
31 *administered by the authority;*

32 *(2) An applicant for employment with the authority; or*

33 *(3) An employee of the authority.*

34 *(b) The criminal background check shall be performed through the*  
35 *Identification Bureau of the Department of the Arkansas State Police.*

36 *(c) Prior to a criminal background check the applicant or employee*



1 shall sign a release authorizing the background check.

2 (d) The results of the background check shall be used by the authority  
3 to determine the fitness of:

4 (1) The applicant for participation in an authority program or  
5 for employment with the authority; or

6 (2) An employee for continued employment with the authority.

7 (e) The authority shall treat the criminal background information of  
8 an applicant or employee as confidential.

9 (f) A criminal background check obtained under this section shall be  
10 destroyed by the authority within six (6) months of the receipt of the  
11 background check.

12 (g) The authority shall promulgate rules for the requesting and use of  
13 criminal background checks under this section.

14  
15 /s/ Bright  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36