

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

A Bill

HOUSE BILL 2914

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5 By: Representative Cowling
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For An Act To Be Entitled

9 AN ACT TO REQUIRE A CRIMINAL BACKGROUND CHECK ON
10 AND SUBMISSION OF FINGERPRINTS BY APPLICANTS FOR
11 AN ALCOHOLIC BEVERAGE CONTROL DIVISION PERMIT;
12 AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT TO REQUIRE ALCOHOLIC BEVERAGE
15 CONTROL DIVISION APPLICANTS TO SUBMIT TO
16 A CRIMINAL BACKGROUND CHECK AND TO
17 SUBMIT FINGERPRINTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 3, Chapter 2, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 3-2-103. Information to be submitted by applicants.

26 (a) Any person applying for any permit issued by the Alcoholic
27 Beverage Control Division, except as provided in subsection (b) or (c) of
28 this section, shall meet the following requirements:

29 (1) No applicant shall have been found guilty of or pleaded
30 guilty or nolo contendere to:

31 (A) Any felony by any court in the State of Arkansas; or

32 (B) Any similar offense by a court in another state or of
33 any similar offense by a military or federal court;

34 (2)(A) In order to determine the applicant's suitability for a
35 permit, the applicant shall be fingerprinted, and the fingerprints shall be
36 forwarded for a background check through the Department of Arkansas State



1 Police.

2 (B) After the completion of the state background check
3 through the Department of Arkansas State Police, the fingerprints shall be
4 forwarded by the Department of Arkansas State Police to the Federal Bureau of
5 Investigation for a national crime history record check; and

6 (3) The applicant shall sign a release that allows the
7 Department of Arkansas State Police to release:

8 (A) An Arkansas noncriminal justice background check to
9 the Alcoholic Beverage Control Board; and

10 (B) A fingerprint card of the applicant to the Federal
11 Bureau of Investigation to allow a federal fingerprint-based background check
12 to be performed.

13 (b) No fingerprint submission or criminal background check shall be
14 required for any applicant for a nonresident seller's permit or for a
15 wholesale support center permit as authorized by § 3-5-1301 et seq.

16 (c) No fingerprint submission shall be required for any person
17 applying for any permit that has a stated duration of five (5) days or less.

18 (d) This law is supplementary to any and all requirements that exist
19 for various permits issued by the Alcoholic Beverage Control Division, and
20 all other individual permit requirements shall continue to apply to those
21 respective permit applications.

22 (e) The Alcoholic Beverage Control Division may adopt rules to
23 implement the provisions of this section.

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