

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 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 2380

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5 By: Representative Rainey  
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## For An Act To Be Entitled

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9 AN ACT TO AMEND ARKANSAS CODE § 6-17-414  
10 CONCERNING CRIMINAL BACKGROUND CHECKS FOR  
11 NONCERTIFIED PUBLIC SCHOOL PERSONNEL; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

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15 AN ACT TO AMEND ARKANSAS CODE § 6-17-414  
16 CONCERNING CRIMINAL BACKGROUND CHECKS  
17 FOR NONCERTIFIED PUBLIC SCHOOL  
18 PERSONNEL.  
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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 § 6-17-414(b), concerning criminal records  
24 check as a condition for initial employment of noncertified public school  
25 personnel, is amended to read as follows:

26 (b) No person, including without limitation noncertified persons who  
27 provide services as a substitute teacher, shall be eligible for employment,  
28 whether initial employment, re-employment, or continued employment, by a  
29 local school district or education service cooperative in a noncertified  
30 staff position if that person has pleaded guilty or nolo contendere to or has  
31 been found guilty of any of the following offenses by any court in the State  
32 of Arkansas or of any similar offense by a court in another state or of any  
33 similar offense by a federal court:

34 (1) Capital murder as prohibited in § 5-10-101;

35 (2) Murder in the first degree as prohibited in § 5-10-102 and  
36 murder in the second degree as prohibited in § 5-10-103;



- 1 (3) Manslaughter as prohibited in § 5-10-104;
- 2 (4) Battery in the first degree as prohibited in § 5-13-201 and
- 3 battery in the second degree as prohibited in § 5-13-202;
- 4 (5) Aggravated assault as prohibited in § 5-13-204;
- 5 (6) Terroristic threatening in the first degree as prohibited in
- 6 § 5-13-301;
- 7 (7) Kidnapping as prohibited in § 5-11-102;
- 8 (8) Rape as prohibited in § 5-14-103;
- 9 (9) Sexual assault in the first degree, second degree, third
- 10 degree, and fourth degree, as prohibited in § 5-14-124 - 5-14-127;
- 11 (10) Incest as prohibited in § 5-26-202;
- 12 (11) Engaging children in sexually explicit conduct for use in
- 13 visual or print media, transportation of minors for prohibited sexual
- 14 conduct, employing or consenting to the use of a child in a sexual
- 15 performance, or producing, directing, or promoting a sexual performance by a
- 16 child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;
- 17 (12) Distribution to minors as prohibited in § 5-64-406;
- 18 (13) Any felony in violation of the Uniform Controlled
- 19 Substances Act, § 5-64-101 et seq.;
- 20 (14) Criminal attempt, criminal solicitation, or criminal
- 21 conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to
- 22 commit any of the offenses listed in this subsection;
- 23 (15) Sexual indecency with a child as prohibited in § 5-14-110;
- 24 (16) Endangering the welfare of a minor in the first degree as
- 25 prohibited in § 5-27-205;
- 26 (17) Pandering or possessing visual or print medium depicting
- 27 sexually explicit conduct involving a child as prohibited by § 5-27-304;
- 28 (18) False imprisonment in the first degree as prohibited in §
- 29 5-11-103;
- 30 (19) Permanent detention or restraint as prohibited in § 5-11-
- 31 106;
- 32 (20) Permitting abuse of a child as prohibited in § 5-27-
- 33 221(a)(1) and (3);
- 34 (21) Negligent homicide as prohibited by § 5-10-105(a);
- 35 (22) Assault in the first degree as prohibited by § 5-13-205;
- 36 (23) Coercion as prohibited by § 5-13-208;

- 1 (24) Public sexual indecency as prohibited by § 5-14-111;
- 2 (25) Indecent exposure as prohibited by § 5-14-112;
- 3 (26) Endangering the welfare of a minor in the second degree as
- 4 prohibited by § 5-27-206;
- 5 (27) Computer child pornography as prohibited in § 5-27-603; and
- 6 (28) Computer exploitation of a child in the first degree as
- 7 prohibited in § 5-27-605.

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