

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 842

5 By: Senator Elliott
6 By: Representative Murdock
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT CERTAIN INQUIRIES INTO A PERSON'S
10 BACKGROUND ON AN APPLICATION FOR PUBLIC EMPLOYMENT;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO PROHIBIT CERTAIN INQUIRIES INTO A
16 PERSON'S BACKGROUND ON AN APPLICATION FOR
17 PUBLIC EMPLOYMENT.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 21, Chapter 1, Subchapter 1 is amended
23 to add a new section to read as follows:

24 21-1-106. Prohibited inquiries into a person's background on a public
25 employment application.

26 (a) As used in this section, "public employer" means any governmental
27 entity or any private entity that contracts with the state or receives state
28 funds.

29 (b) A public employer shall not inquire into or consider the criminal
30 record or criminal history of an applicant for public employment until the
31 applicant has been selected for an interview by the public employer.

32 (c) This section does not apply to the Department of Correction, the
33 Department of Community Correction, the Department of Arkansas State Police,
34 or to public employers that have a statutory duty to conduct a criminal
35 history background check or otherwise take into consideration a potential
36 employee's criminal history during the hiring process.



1 (d) This section does not prohibit a public employer from notifying
2 applicants that the law or the public employer's policy will disqualify an
3 individual with a particular criminal history background from employment in a
4 particular position.

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