

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: H3/10/15 H3/13/15

# A Bill

HOUSE BILL 1618

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

8 AN ACT TO LIMIT THE USE OF CRIMINAL RECORDS CHECKS  
9 INFORMATION; TO INCREASE OPPORTUNITIES FOR EMPLOYMENT  
10 FOR PERSONS WITH CRIMINAL RECORDS; AND FOR OTHER  
11 PURPOSES.  
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### Subtitle

14 TO LIMIT THE USE OF CRIMINAL RECORDS  
15 CHECKS INFORMATION; AND TO INCREASE  
16 OPPORTUNITIES FOR EMPLOYMENT FOR PERSONS  
17 WITH CRIMINAL RECORDS.  
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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 11, Chapter 3, Subchapter 2, is amended  
24 to add an additional section to read as follows:

25 11-3-206. Criminal background checks.

26 (a) An employer shall not conduct or obtain a criminal background  
27 check for an applicant for employment until the applicant becomes the  
28 finalist or one (1) of the finalists for a position or the employer has  
29 extended a conditional offer of employment to the applicant.

30 (b)(1)(A) If the applicant becomes the finalist or one (1) of the  
31 finalists for a position or an employer offers an applicant a position of  
32 employment, the employer may inquire into and consider a criminal conviction  
33 or arrest.

34 (B) However, with respect to an arrest, the employer shall  
35 make an inquiry into whether the conduct underlying the arrest makes the  
36 applicant unfit for the position.



