

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1685

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

8 AN ACT TO CLARIFY THE CRIMINAL BACKGROUND CHECKS  
9 REQUIRED FOR AN APPLICANT OR EMPLOYEE OF A CHILD CARE  
10 FACILITY OR A CHURCH-EXEMPT CHILD CARE FACILITY; AND  
11 FOR OTHER PURPOSES.  
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## Subtitle

14 TO CLARIFY THE CRIMINAL BACKGROUND CHECKS  
15 REQUIRED FOR AN APPLICANT OR EMPLOYEE OF  
16 A CHILD CARE FACILITY OR A CHURCH-EXEMPT  
17 CHILD CARE FACILITY.  
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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 § 20-38-103(a)(3) and (4), concerning  
24 criminal background checks for applicants and employees of service providers,  
25 are amended to read as follows:

26 (3) ~~If the service provider can verify that the applicant has~~  
27 ~~lived continuously in the state for the past five (5) years, the service~~  
28 ~~provider shall require the applicant to submit a criminal history records~~  
29 ~~check form and shall:~~

30 ~~(A) Initiate a state criminal history records check on the~~  
31 ~~applicant with the Identification Bureau of the Department of Arkansas State~~  
32 ~~Police; and~~

33 ~~(B) Conduct a registry check on the applicant in~~  
34 ~~accordance with the rules of the appropriate licensing or certifying agency.~~

35 (4) ~~If the service provider cannot verify that the applicant has~~  
36 ~~lived continuously in the state for the past five (5) years~~ the applicant is



1 seeking employment at a child care facility as defined by § 20-78-202 or a  
 2 church-exempt child care facility as recognized under § 20-78-209, regardless  
 3 of the length of time that the applicant has lived in the state, the service  
 4 provider shall require the applicant to submit a criminal history records  
 5 check form and a complete set of fingerprints and shall:

6 (A) Initiate a state criminal history records check on the  
 7 applicant with the Identification Bureau of the Department of Arkansas State  
 8 Police;

9 (B) Forward the applicant's fingerprints to the  
 10 Identification Bureau of the Department of Arkansas State Police to initiate  
 11 a national criminal history records check on the applicant; and

12 (C) Conduct a registry records check on the applicant in  
 13 accordance with the rules of the appropriate licensing or certifying agency.

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