

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

As Engrossed: H3/3/17

# A Bill

HOUSE BILL 1685

5 By: Representative Tucker  
6

## 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~~ Except as provided in subdivision (a)(4) of this section,  
27 if the service provider can verify that the applicant has lived continuously  
28 in the state for the past five (5) years, the service provider shall require  
29 the applicant to submit a criminal history records 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 or if the*



1 applicant is seeking employment at a child care facility as defined by § 20-  
2 78-202 or a church-exempt child care facility as recognized under § 20-78-  
3 209, regardless of the length of time that the applicant has lived in the  
4 state, the service provider shall require the applicant to submit a criminal  
5 history records 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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15 /s/Tucker  
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