

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1752

5 By: Representative Fortner
6 By: Senator B. Sample
7

For An Act To Be Entitled

9 AN ACT TO ENABLE THE ARKANSAS RACING COMMISSION TO
10 REQUIRE CERTAIN EMPLOYEES AND SERVICE INDUSTRY
11 PERSONNEL TO APPLY FOR A LICENSE; TO REQUIRE
12 BACKGROUND CHECKS ON AN APPLICANT FOR AN EMPLOYEE
13 LICENSE OR A SERVICE INDUSTRY LICENSE; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO ENABLE THE ARKANSAS RACING COMMISSION
19 TO REQUIRE CERTAIN EMPLOYEES AND SERVICE
20 INDUSTRY PERSONNEL TO APPLY FOR A LICENSE
21 AND BE SUBJECT TO BACKGROUND CHECKS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 23, Chapter 117, Subchapter 1, is
27 amended to add an additional section to read as follows:

28 23-117-102. Licenses for employees and service industry – Background
29 checks.

30 (a) The Arkansas Racing Commission may require a person employed by a
31 franchise holder or casino licensee in the conduct of wagering on casino
32 gaming games or devices to obtain an employee license from the commission.

33 (b) A person shall not sell or otherwise supply casino gaming devices
34 or services to a franchise holder or casino licensee for the conduct of
35 wagering on the casino gaming devices as authorized in this chapter or
36 provide repair or other services to casino gaming devices unless the person



1 has:

2 (1) Demonstrated to the satisfaction of the commission that the
3 person has the capability and qualifications necessary to reasonably furnish
4 the equipment and perform the services to be provided by the supplier; and

5 (2) Obtained a service industry license from the commission.

6 (c)(1)(A)(i) An applicant for an employee license under this section
7 shall be fingerprinted to determine the applicant's suitability to be issued
8 an employee license by the commission.

9 (ii) An employee of an applicant for a service
10 industry license under this section shall be fingerprinted to determine the
11 applicant's suitability to be issued service industry license by the
12 commission.

13 (B) The commission shall forward the fingerprints obtained
14 under subdivision (c)(1)(A) of this section to the Division of Arkansas State
15 Police for statewide criminal and noncriminal background checks.

16 (C) After completion of the statewide criminal and
17 noncriminal background checks under subdivision (c)(1)(B) of this section,
18 the division shall forward the fingerprints obtained under subdivision
19 (c)(1)(A) of this section to the Federal Bureau of Investigation for a
20 national criminal history record check.

21 (2) An applicant for a license under this section shall sign a
22 release that authorizes the:

23 (A) Division to forward the applicant's fingerprint card
24 to the Federal Bureau of Investigation for a national criminal history record
25 check; and

26 (B) Release of the results of the statewide criminal and
27 noncriminal background check and the national criminal history record check
28 performed under this section to the commission.

29 (3)(A) Any information received by the commission from the
30 statewide criminal and noncriminal background check or the national criminal
31 history record check required under this section shall be kept confidential
32 and shall be used by the commission only for the purpose of determining the
33 applicant's suitability to be licensed by the commission under this section.

34 (B) The commission may disclose information received by
35 the commission from the statewide criminal and noncriminal background check
36 and the national criminal history record check required under this section to

1 the applicant or the applicant's authorized representative.

2 (4) A statewide criminal and noncriminal background check or
3 national criminal history record check is not required of applicants for
4 certain classes of licenses that have been exempted from investigation under
5 rules promulgated by the commission.

6 (5) The commission shall promulgate rules to implement this
7 subsection.

8 (d) A person who knowingly makes a false statement on a license
9 application under this section upon conviction is guilty of a Class A
10 misdemeanor.

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12 SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective on and
13 after January 1, 2022.