

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H2/10/99*

## A Bill

Act 226 of 1999  
SENATE BILL 113

5 By: Senator Riggs  
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### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-17-410 TO  
10 CLARIFY THAT THE DEPARTMENT OF EDUCATION WILL BE  
11 RESPONSIBLE FOR PAYING FEES FOR PUBLIC EDUCATION  
12 EMPLOYEES REQUIRED TO HAVE A CRIMINAL RECORD CHECK FOR  
13 LICENSE RENEWAL; AND FOR OTHER PURPOSES. "

### Subtitle

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16 "TO AMEND A. C. A. § 6-17-410 TO CLARIFY  
17 THAT THE DEPARTMENT OF EDUCATION WILL  
18 PAY CRIMINAL RECORD CHECK FEES FOR  
19 CERTAIN PUBLIC EDUCATION EMPLOYEES. "

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Annotated § 6-17-410(a) and (b) are amended to  
26 read as follows:

27 "(a)(1)(A)(i) Each first-time applicant for a license issued by the  
28 State Board of Education and each applicant for his or her first license  
29 renewal on or after July 1, 1997, shall be required to apply to the  
30 Identification Bureau of the Department of Arkansas State Police for a state  
31 and nationwide criminal records check, to be conducted by the Federal Bureau  
32 of Investigation.

33 (ii) The check shall conform to the applicable federal  
34 standards and shall include the taking of fingerprints.

35 (B) Such applicant shall sign a release of information to  
36 the Department of Education and shall be responsible to the Department of

1 Arkansas State Police for the payment of any fee associated with the criminal  
2 records check. The Department of Education shall be responsible to the  
3 Department of Arkansas State Police for the payment of any fee associated with  
4 the criminal records check at the time of license renewal for employees of  
5 Arkansas public school districts, employees of other public education  
6 institutions located in Arkansas, and employees of the Department of  
7 Education. Funding for such fees shall come from the Public School Fund.

8 (2) Upon completion of the criminal records check, the  
9 Identification Bureau of the Department of Arkansas State Police shall forward  
10 all information obtained concerning the applicant in the commission of any  
11 offense listed in subsection (c) of this section to the Department of  
12 Education.

13 (3) At the conclusion of any background check required by this  
14 subsection, the Identification Bureau of the Department of Arkansas State  
15 Police shall promptly destroy the fingerprint card of the applicant.

16 (b)(1) The State Board of Education is authorized to issue a six-month  
17 nonrenewable letter of provisional eligibility for licensure to a first-time  
18 applicant pending the results of the criminal records check; provided,  
19 however, that the Director of the Department of Education, ~~General Education~~  
20 ~~Division~~, is authorized to extend the period of provisional eligibility to the  
21 end of that contract year if:

22 (A) The applicant is employed by a local school district;  
23 and

24 (B) Results of the criminal records check are delayed.

25 (2) Upon receipt of information from the Identification Bureau of  
26 the Department of Arkansas State Police that the person holding such letter of  
27 provisional eligibility for licensure has pleaded guilty or nolo contendere  
28 to, or been found guilty of, any offense listed in subsection (c) of this  
29 section, the State Board of Education shall immediately revoke the provisional  
30 eligibility. "

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32 SECTION 2. All provisions of this act of a general and permanent  
33 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
34 Code Revision Commission shall incorporate the same in the Code.

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36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

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6 SECTION 4. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

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*/s/ Riggs*

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APPROVED: 2/24/1999

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