

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/3/17
A Bill

HOUSE BILL 1685

By: Representative Tucker

For An Act To Be Entitled

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

Subtitle

TO CLARIFY THE CRIMINAL BACKGROUND CHECKS
REQUIRED FOR AN APPLICANT OR EMPLOYEE OF
A CHILD CARE FACILITY OR A CHURCH-EXEMPT
CHILD CARE FACILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-38-103(a)(3) and (4), concerning criminal background checks for applicants and employees of service providers, are amended to read as follows:

(3) ~~If~~ Except as provided in subdivision (a)(4) of this section, *if the service provider can verify that the applicant has lived continuously in the state for the past five (5) years, the service provider shall require the applicant to submit a criminal history records check form and shall:*

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

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

(4) *If the service provider cannot verify that the applicant has lived continuously in the state for the past five (5) years or if the*



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

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

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

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

/s/Tucker

APPROVED: 03/22/2017