

State of Arkansas
93rd General Assembly
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As Engrossed: H3/29/21

A Bill

HOUSE BILL 1752

By: Representative Fortner

By: Senator B. Sample

For An Act To Be Entitled

AN ACT TO ENABLE THE ARKANSAS RACING COMMISSION TO REQUIRE CERTAIN EMPLOYEES TO APPLY FOR A LICENSE; TO REQUIRE BACKGROUND CHECKS ON AN APPLICANT FOR A LICENSE; AND FOR OTHER PURPOSES.

Subtitle

TO ENABLE THE ARKANSAS RACING COMMISSION TO REQUIRE CERTAIN EMPLOYEES TO APPLY FOR A LICENSE AND BE SUBJECT TO BACKGROUND CHECKS.

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

SECTION 1. Arkansas Code Title 23, Chapter 117, Subchapter 1, is amended to add an additional section to read as follows:

23-117-102. Licenses for employees – Background checks.

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

(b)(1)(A) An applicant for a license under this section shall be fingerprinted to determine the applicant's suitability to be issued a license by the commission.

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

(C) After completion of the statewide criminal and



noncriminal background checks under subdivision (b)(1)(B) of this section, the division shall forward the fingerprints obtained under subdivision (b)(1)(A) of this section to the Federal Bureau of Investigation for a national criminal history record check.

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

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

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

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

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

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

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

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

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

/s/Fortner

APPROVED: 4/13/21