

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/8/21
A Bill

HOUSE BILL 1465

By: Representative Dotson
By: Senator Hester

For An Act To Be Entitled

AN ACT TO REQUIRE LICENSING ENTITIES TO CONSIDER THE GOOD MORAL CHARACTER OF AN INDIVIDUAL BEFORE ISSUING A LICENSE TO AN INDIVIDUAL; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE LICENSING ENTITIES TO CONSIDER THE GOOD MORAL CHARACTER OF AN INDIVIDUAL BEFORE ISSUING A LICENSE TO AN INDIVIDUAL.

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

SECTION 1. Arkansas Code § 17-3-101, concerning definitions regarding occupational criminal background checks, is amended to add an additional subdivision to read as follows:

(4) "Good moral character" means a personal history of honesty, trustworthiness, fairness, a good reputation for fair dealings, and respect for the rights of others and for state and federal laws.

SECTION 2. Arkansas Code § 17-3-102(d), concerning licensing restrictions based on criminal records, is amended to read as follows:

(d) A licensing entity shall not, as a basis upon which a license may be granted or denied+

~~(1) Use vague or generic terms, including without limitation the phrases "moral turpitude" and "good character"; or~~

~~(2) Consider consider arrests without a subsequent conviction.~~



SECTION 3. Arkansas Code Title 17, Chapter 3, Subchapter 1, is amended to add an additional section to read as follows:

17-3-105. Good moral character.

A licensing entity shall consider the good moral character of an individual before issuing a license to the individual.

SECTION 4. DO NOT CODIFY. Rules.

(a) All licensing entities shall promulgate rules necessary to implement this act.

(b)(1) When adopting the initial rules to implement this act, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(A) On or before January 1, 2022; or

(B) If approval under § 10-3-309 has not occurred by January 1, 2022, as soon as practicable after approval under § 10-3-309.

(2) A licensing entity shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so the Legislative Council may consider the rule for approval before January 1, 2022.

/s/Dotson