

**ARKANSAS SENATE**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of Senate Bill No. 377**

"AN ACT TO BE KNOWN AS THE "ARKANSAS HUMAN CAPITAL RESTORATION  
ACT"."

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**Amendment No. 2 to Senate Bill No. 377.**

Amend Senate Bill No. 377 as originally introduced:

Page 2, delete line 4 and substitute the following:

"and keeping gainful employment.

SECTION 2. NOT TO BE CODIFIED.

(a)(1) The House Committee on Judiciary and Senate Committee on Judiciary shall study the issue of providing a streamlined method of restoring a citizen's rights after completing a criminal sentence.

(2) The House Committee on Judiciary and the Senate Committee on Judiciary should invite the House Committee on Public Health, Welfare and Labor, the Senate committee on Public Health, Welfare and Labor, the House of Representatives Committee on Education, and the Senate Committee on Education to participate in the study.

(b) The House Committee on Judiciary and the Senate Committee on Judiciary shall include in their study:

(1) Methods for ensuring that criminal arrest records are not a bar to state funding for higher education job training opportunities;

(2) Methods for ensuring that institutions of higher education are prohibited from excluding students with criminal records from admittance in the institution of higher education based solely on having a criminal record;

(3) Determining whether institutions of higher education admission policies unfairly discriminate against students with criminal records;

(4) Methods for encouraging state correctional facilities to provide educational and training programs tied to high growth labor market needs;

(5) The feasibility of limiting the practice of employers and other non-law enforcement agencies from inquiring about or using information about a prospective employee's arrest which did not lead to a conviction and report on "best practices" based on research;

(6) The option of providing state tax credits for employers hiring low-income individuals with a state criminal record;



(7) The cost analysis and benefits of providing six (6) months of free bonding for employers who hire persons with criminal records;

(8) A report from the Office of Personnel Management for the previous five (5) years including:

(A) State employment policies of hiring persons with criminal records;

(B) Number of persons with criminal records that have applied for a state position;

(C) Number of persons with criminal records that have:

(i) Been offered a position with a state agency; and  
(ii) Not been offered a position with a state agency; and

(D) Types of jobs person with criminal records have applied for and are working in;

(9) Who may lawfully obtain the criminal records of a person and under what circumstances;

(10) The penalty for violating state law on the dissemination of information of a person's criminal records and for dissemination of erroneous information and information not resulting in a conviction in Arkansas and other states;

(11) The number of arrests that did not lead to a conviction or a conviction that was sealed, expunged, erased, or purged for the previous five (5) years;

(12) The number of criminal records sealed, expunged, erased, or purged for the previous five (5) years;

(13) The number of persons denied an occupational license in the last five (5) years and the reason for the denial; and

(14) The rationale of the five-year waiting period to be eligible to receive an occupational license and how it compares to other states.

(c)(1) The House Committee on Judiciary and the Senate Committee on Judiciary may submit recommendations and proposed legislation to the Arkansas Legislative Council, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate for the Eighty-Eighth General Assembly.

(2) The House Committee on Judiciary and the Senate Committee on Judiciary shall conclude their study by December 1, 2010."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Elliott

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Secretary