

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/29/21

A Bill

HOUSE BILL 1752

5 By: Representative Fortner
6 By: Senator B. Sample
7

For An Act To Be Entitled

9 AN ACT TO ENABLE THE ARKANSAS RACING COMMISSION TO
10 REQUIRE CERTAIN EMPLOYEES TO APPLY FOR A LICENSE; TO
11 REQUIRE BACKGROUND CHECKS ON AN APPLICANT FOR A
12 LICENSE; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO ENABLE THE ARKANSAS RACING COMMISSION
16 TO REQUIRE CERTAIN EMPLOYEES TO APPLY FOR
17 A LICENSE AND BE SUBJECT TO BACKGROUND
18 CHECKS.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

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

26 23-117-102. Licenses for employees – Background checks.

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

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

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

36 (C) After completion of the statewide criminal and



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

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

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

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

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

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

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

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

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

31
32 SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective on and
33 after January 1, 2022.

34
35 */s/Fortner*