

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1692

5 By: Representative M. Brown
6 By: Senator J. Petty
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING POLYGRAPH
10 EXAMINERS AND VOICE STRESS ANALYSIS EXAMINERS; TO
11 AMEND THE LAW CONCERNING PRIVATE INVESTIGATORS AND
12 PRIVATE SECURITY AGENCIES; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND THE LAW CONCERNING POLYGRAPH
16 EXAMINERS AND VOICE STRESS ANALYSIS
17 EXAMINERS; AND TO AMEND THE LAW
18 CONCERNING PRIVATE INVESTIGATORS AND
19 PRIVATE SECURITY AGENCIES.
20
21

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

24 SECTION 1. Arkansas Code § 17-39-202(2)(A), concerning the
25 qualifications for a polygraph examiner license or an intern polygraph
26 examiner license applicant, is amended to read as follows:

27 (2)(A) Has successfully completed a criminal background check and
28 has not been found guilty of or pleaded guilty or nolo contendere to one (1)
29 or more of the following in any court in the State of Arkansas or a
30 comparable offense in another state or in a military or federal court, for
31 which a pardon has not been granted:

- 32 (i) Felony;
 - 33 (ii) Class A misdemeanor; or
 - 34 (iii) Crime involving violence; ~~or~~
 - 35 ~~(iv) Crime involving moral turpitude.~~
- 36



1 SECTION 2. Arkansas Code § 17-39-206(b)(2)(A), concerning the
 2 qualifications of an intern polygraph examiner license applicant, is amended
 3 to read as follows:

4 (2)(A) Has successfully completed a criminal background check and
 5 has not been found guilty of or pleaded guilty or nolo contendere to one (1)
 6 or more of the following in any court in the State of Arkansas or a
 7 comparable offense in another state or in a military or federal court, for
 8 which a pardon has not been granted:

9 (i) Felony;

10 (ii) Class A misdemeanor; or

11 (iii) Crime involving violence; ~~or~~

12 ~~(iv) Crime involving moral turpitude.~~

13
 14 SECTION 3. Arkansas Code § 17-39-211(10), concerning grounds for the
 15 denial, suspension, or revocation of a polygraph examiner license or an
 16 intern polygraph examiner license, is amended to read as follows:

17 (10) Arrest or indictment of an applicant or a licensee for a
 18 felony, Class A misdemeanor, crime involving an act of violence, ~~crime~~
 19 ~~involving moral turpitude~~, including a sealed and expunged offense, or an
 20 offense of comparable level if the offense occurred in another state.

21
 22 SECTION 4. Arkansas Code § 17-39-304(5)(A), concerning application
 23 requirements for a voice stress analysis examiner license, is amended to read
 24 as follows:

25 (5)(A) Has successfully completed a state and national criminal
 26 background check and has not been found guilty of or pleaded guilty or nolo
 27 contendere to one (1) or more of the following in any court in the State of
 28 Arkansas or a comparable offense in another state or in a military or federal
 29 court, for which a pardon has not been granted:

30 (i) Felony;

31 (ii) Class A misdemeanor; or

32 (iii) Crime involving violence; ~~or~~

33 ~~(iv) Crime involving moral turpitude.~~

34
 35 SECTION 5. Arkansas Code § 17-39-306(11), concerning grounds for the
 36 denial, suspension, or revocation of a certified voice stress analysis

1 examiner license, is amended to read as follows:

2 (11) Arrest or indictment of an applicant for licensure as a
3 certified voice stress analysis examiner or of a licensed certified voice
4 stress analysis examiner for a felony, Class A misdemeanor, crime involving
5 an act of violence, ~~a crime involving moral turpitude~~, or an offense of
6 comparable level if the offense occurred in another state; or

7
8 SECTION 6. Arkansas Code § 17-40-103(a)(18)(C), concerning the
9 background check required for a technician installing an alarm device on
10 property owned or leased by a person monitoring the device, is amended to add
11 an additional subdivision to read as follows:

12 (iii) The results of the state and national criminal
13 background check required under subdivision (a)(18)(C)(i) of this section
14 shall be subject to § 17-40-306(d).

15
16 SECTION 7. Arkansas Code § 17-40-208(e), concerning the training
17 requirements for a private security officer, a commissioned security officer,
18 and a commissioned school security officer, is amended to read as follows:

19 (e)(1) When an individual meets the training requirements approved by
20 the director, that individual shall not be required to be retrained until two
21 (2) years after the private security officer, ~~commissioned security officer,~~
22 ~~or commissioned school security officer~~ is commissioned.

23 (2) Refresher training for a commissioned security officer and a
24 commissioned school security officer is required each year.

25
26 SECTION 8. Arkansas Code § 17-40-307(a)(8), concerning the application
27 for a license or credential related to private investigators and private
28 security agencies, is amended to read as follows:

29 (8) A verified statement disclosing any record of arrests,
30 pending criminal charges, or convictions of the applicant of a felony, Class
31 A misdemeanor, or a crime involving an act of violence, ~~or any crime~~
32 ~~involving moral turpitude~~, including those that have been sealed or expunged;
33 and

34
35 SECTION 9. Arkansas Code § 17-40-339 is repealed.

36 ~~17-40-339. Commission Notice to law enforcement.~~

1 ~~(a) The Director of the Division of Arkansas State Police shall notify~~
 2 ~~the sheriff of the county and the chief of police of the city, if applicable,~~
 3 ~~in which the applicant resides of the application for a commission to be a~~
 4 ~~commissioned security officer or a commissioned school security officer.~~

5 ~~(b) A sheriff or chief of police who wishes to object to the issuance~~
 6 ~~of a commission as a commissioned security officer or a commissioned school~~
 7 ~~security officer to a particular applicant may do so by notifying the~~
 8 ~~director of his or her objection with specific reasons within thirty (30)~~
 9 ~~days after the date of receipt of notification under this section.~~

10 ~~(c) If a sheriff or chief of police who is given notice under this~~
 11 ~~section files an objection and the director finds good cause to consider the~~
 12 ~~objection to have merit, the director may deny the application for the~~
 13 ~~commission.~~

14
 15 SECTION 10. Arkansas Code § 17-40-340 is amended to read as follows:
 16 17-40-340. Commission – Issuance of identification card.

17 Each commission as a commissioned security officer or a commissioned
 18 school security officer issued under this chapter shall be in the form of a
 19 commission photo identification card ~~designed~~ or electronic identification
 20 card determined by the Director of the Division of Arkansas State Police that
 21 shall identify:

- 22 (1) The commission holder;
- 23 (2) The security department of a private business or school by
- 24 whom the commission holder is employed;
- 25 (3) A photograph of the credential holder; and
- 26 (4) A credential number and date of expiration.

27
 28 SECTION 11. Arkansas Code § 17-40-344 is amended to read as follows:
 29 17-40-344. Commission – Denial, suspension, or revocation.

30 The Director of the Division of Arkansas State Police may deny,
 31 suspend, or revoke a commission as a commissioned school security officer or
 32 a commission as a commissioned security officer if the applicant for a
 33 commission or the commission holder is indicted or arrested for one (1) of
 34 the following offenses or a comparable offense in another state:

- 35 (1) A felony;
- 36 (2) A Class A misdemeanor;

1 (3) A crime involving an act of violence;

2 (4) A crime involving the use of a firearm;

3 (5) A crime involving the use of alcohol or drugs while in
4 possession of a firearm; or

5 (6) A crime that results in the person's disqualifying himself or
6 herself from legally possessing a firearm under state or federal law; ~~or~~

7 ~~(7) A crime involving moral turpitude.~~

8
9 SECTION 12. Arkansas Code § 17-40-350(c)(1), concerning grounds for
10 disciplinary action pertaining to licenses, credentials, or commissions
11 related to private investigators and private security agencies, is amended to
12 read as follows:

13 (c)(1) The director may suspend a license, credential, or commission
14 of a person who is found guilty of or pleaded guilty or nolo contendere to a
15 felony, a Class A misdemeanor, or a crime involving an act of violence, ~~or a~~
16 ~~crime involving an act of moral turpitude~~ in this state or a comparable
17 offense in another state or territory of the United States or in any foreign
18 country.

19
20 SECTION 13. Arkansas Code § 19-6-301(40), concerning special revenues
21 of the state, is amended to read as follows:

22 (40) Private investigator's application fees, agency fees, and
23 license fees and security guard fines and fees, as enacted by Acts 1977, No.
24 429, known as the "Private Security Agency, Private Investigator, and School
25 Security Licensing and Credentialing Act", and all laws amendatory thereto,
26 §§ 17-40-101 – 17-40-104, 17-40-204, 17-40-207 – 17-40-209, 17-40-301, 17-40-
27 302, 17-40-306 – 17-40-317, 17-40-329 – 17-40-332, 17-40-337, ~~17-40-339~~, 17-
28 40-340, 17-40-342 – 17-40-344, and 17-40-349 – 17-40-355;