

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016

SR 5

4
5 By: Senator B. Sample
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7 **SENATE RESOLUTION**

8 TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION
9 BILL CONCERNING THE COMMISSION AS A SCHOOL SECURITY
10 OFFICER OR A SECURITY OFFICER.
11

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13 **Subtitle**

14 TO AUTHORIZE THE INTRODUCTION OF A
15 NONAPPROPRIATION BILL CONCERNING THE
16 COMMISSION AS A SCHOOL SECURITY OFFICER
17 OR A SECURITY OFFICER.
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20 BE IT RESOLVED BY THE SENATE OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE
21 OF ARKANSAS:
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23 That Representative John Vines is authorized to introduce a bill which as
24 introduced will read substantially as follows:
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26 "For An Act To Be Entitled
27 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE COMMISSION AS A SCHOOL SECURITY
28 OFFICER OR A SECURITY OFFICER; AND FOR OTHER PURPOSES.
29

30 Subtitle
31 TO AMEND ARKANSAS LAW CONCERNING THE COMMISSION AS A SCHOOL SECURITY OFFICER
32 OR A SECURITY OFFICER.
33

34 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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36 SECTION 1. Arkansas Code § 17-40-337 is amended to read as follows:



1 17-40-337. Commission – Applicant qualifications.

2 (a) A Except as provided in subsection (b) of this section, a
3 commission as a commissioned security officer or a commissioned school
4 security officer shall not be issued under this chapter to an individual who:

5 (1) Is under twenty-one (21) years of age;

6 (2) Has been found guilty of or who has pleaded guilty or nolo
7 contendere to an offense listed under § 17-40-306(d);

8 (3) Has committed an act that would be grounds for suspension or
9 revocation under this chapter;

10 (4) Does not meet the qualifications for a commission as
11 determined by the Director of the Department of Arkansas State Police;

12 (5) May not lawfully possess a firearm;

13 (6)(A) Has not successfully completed a state and national
14 criminal background check to be conducted by the Department of Arkansas State
15 Police and the Federal Bureau of Investigation.

16 (B) Criminal history records from the Arkansas Crime
17 Information Center shall be available to the director for review of the
18 applicant’s qualifications.

19 (C) The state and national criminal background check shall
20 conform to applicable federal standards and shall include the taking of
21 fingerprints.

22 (D) The individual applicant shall sign a release of
23 information to the director and shall make payment of any fee associated with
24 the state and national criminal background check;

25 (7) Has been adjudicated as mentally incompetent or has been
26 involuntarily committed to a mental institution or mental health treatment
27 facility;

28 (8) Is a registered sex offender or required to be registered as
29 a sex offender under the Sex Offender Registration Act of 1997, § 12-12-901
30 et seq.;

31 (9) Is suffering from habitual drunkenness or from narcotics
32 addiction or dependence;

33 (10) Has been discharged from the United States Armed Forces
34 under dishonorable conditions;

35 (11) Is not in compliance with any other reasonable
36 qualification that the director may set by rule; or

1 (12) Has been found guilty of or who has pleaded guilty or nolo
2 contendere by any court to any felony, Class A misdemeanor crime involving an
3 act of violence, any crime involving use of a firearm, any crime involving
4 the use of alcohol while in possession of a firearm, any crime involving
5 moral turpitude, or a comparable offense in another state, including a
6 previously sealed or expunged offense, by any court.

7 (b) A commission as a commissioned security officer or a commissioned
8 school security officer may be issued to an individual who has been found
9 guilty of or who has pleaded guilty or nolo contendere to:

10 (1) Failure to appear, under § 5-54-120; or

11 (2) A Class A misdemeanor, if the individual was found guilty of
12 or pleaded guilty or nolo contendere to the Class A misdemeanor ten (10) or
13 more years before the date of the application.

14 (c) The director shall not issue a commission as a commissioned
15 security officer or as a commissioned school security officer to an applicant
16 employed by a licensee or the security department of a private business
17 unless the applicant submits evidence satisfactory to the director that he or
18 she meets all qualifications established by this chapter and by the rules of
19 the director."
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