BEFORE THE BOARD OF ELECTRICAL EXAMINERS
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS

IN RE: KERRY KELLY – **WAIVER REQUEST**

ORDER

This matter came before the Board of Electrical Examiners (the "Board") on Wednesday October 7, 2026. The petitioner, Kerry Kelly ("Petitioner"), seeks approval to obtain an Electrical Apprentice registration which he is currently ineligible due to a prior felony conviction. The Board has authority to waive disqualification of a license based on a criminal conviction if the Board decides that the applicant meets requirements listed in the Ark. Code Annotated § 17-3-102(b)(2). Petitioner did not appear before the Board for the hearing.

FINDING OF FACT:

1. Petitioner is requesting approval from the Board to obtain an apprentice registration. Due to his prior felony conviction from March 2020, he is currently ineligible to obtain the license.
2. Petitioner did not appear before the Board for the hearing.
3. The Board heard from Petitioner and reviewed the submitted documents.

CONCLUSIONS OF LAW:

1. The Board has authority to waive disqualification of a registrant license based on a criminal conviction pursuant to Ark. Code Ann. § 17-3-102(b)(1).
2. A basis upon which a waiver may be granted includes without limitation:
   a. The age at which the offense was committed;
   b. The circumstances surrounding the offense;

c. The length of time since the offense was committed;

d. Subsequent work history since the offense was committed;

e. Employment references since the offense was committed;

f. Character references since the offense was committed;

g. Relevance of the offense to the occupational license; and

h. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health and safety of the public. Ark. Code Ann. § 17-3-102(b)(2).

3. In the present case, the Board was informed of the nature of the criminal conviction and the facts surrounding the conviction.

4. The Board reviewed all documentation and made a motion to deny Petitioner's waiver request.

THEREFORE, the Board denies Petitioner's waiver request for an Electrical Apprentice registration.

IT IS SO ORDERED.

ARKANSAS BOARD OF ELECTRICAL EXAMINERS, DEPARTMENT OF LABOR AND LICENSING, STATE OF ARKANSAS

By: _____
Richard Ledbetter, Chair

Date: 10-27-26

Approved as to form:
/s/ Lacie Kirchner
Lacie Kirchner, 2014041
Attorney, AR Dept. of Labor & Licensing