

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by prior reference
Vote:	7 - 0 - 1
Yeas:	Clem, Matthews, Sheehan, Smith J., Weidner, Holvey, Whisnant
Nays:	0
Exc.:	Cameron
Prepared By:	Jan Nordlund, Administrator
Meeting Dates:	2/8, 2/10

WHAT THE MEASURE DOES: Directs Department of Administrative Services to convene a work group to make recommendations regarding criminal records checks. Directs Department to report recommendations to interim committee of Legislative Assembly by November 30, 2012. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Intent to identify efficiencies in the process, not to address policy of who receives criminal records checks
- Frustration with steps needed to obtain a criminal records check
- Frustration with redundant criminal records checks
- Whether results of criminal records checks could be transferred from one hiring/licensing agency to another
- Current requirement that fingerprint cards be destroyed
- Grant to develop a “rapback” system for notification of new offenses
- Need for programs to coordinate and share criminal records checks

EFFECT OF COMMITTEE AMENDMENT: Adds to work group member who advocates for privacy rights of individuals. Broadens scope of work group and topics it is to consider.

BACKGROUND: State and local governments conduct criminal records checks on employees, volunteers, vendors, licensees for various reasons, including contact with vulnerable populations, access to private information on individuals and businesses, and access to financial records. All fingerprint-based criminal records checks are requested through the Department of State Police (OSP). If a nationwide criminal records check is required, the request agency may request the OSP to conduct the check through the Federal Bureau of Investigation. In some cases, the results of the check are turned over to the agency and the agency makes the fitness determination. In other cases, OSP holds the results and makes the fitness determination based on the criteria provided by the requester. State statute requires in all cases that fingerprint cards be destroyed after the background check is conducted. Agencies must adopt rules to implement the statutes relating to criminal records checks.