

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:	9 - 0 - 0
Yeas:	Doherty, Johnson, Keny-Guyer, Lively, Richardson, Smith, Thatcher, Vega Pederson, Holvey
Nays:	0
Exc.:	0
Prepared By:	Bob Estabrook, Administrator
Meeting Dates:	3/21, 4/11

WHAT THE MEASURE DOES: Requires Department of State Police to establish Voluntary Central Criminal Records Check Registry. Allows individual subject to criminal records check to enroll in registry and submit evidence of enrollment in registry in lieu of submitting to additional criminal records check. Authorizes Department to establish requirements for enrollment and to enroll individuals meeting certain criteria. Limits enrollment in registry to two years unless renewed and requires Department to conduct annual records check on all enrollees and remove individuals no longer meeting criteria for enrollment. Requires Department to notify agency that accepted evidence of enrollment of individual's removal from registry. Becomes operative January 1, 2014. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Redundancy of checks currently required, particularly in certain professions
- Potential discrimination against individuals not participating in registry
- Existing requirement that fingerprints be destroyed instead of retained
- Potential barriers to employment created by decentralization and redundancy of checks

EFFECT OF COMMITTEE AMENDMENT: Allows enrollee to withdraw from registry. Directs Department of State Police to establish by rule process for requesting withdrawal. Reduces frequency of Department records check on all enrollees from quarterly to annual. Allows mass transit and transportation districts to participate in registry. Requires Department to establish by rule process for appealing denial of enrollment or removal from registry. Requires offer of employment be extended before agency may inquire about whether individual is enrolled in registry.

BACKGROUND: In 2012, the Legislative Assembly directed the Department of Administrative Services (DAS) to convene a work group to make recommendations for performing criminal records checks (House Bill 4091). The report of the work group contains seven recommendations for further action, including the development of a cluster of entities that could form a pilot project on the use of a voluntary registry system.

House Bill 3331 A establishes a Voluntary Central Criminal Records Check Registry in the Department of State Police and directs the Department to annually check the records of enrollees and remove individuals who are no longer eligible for enrollment. Agencies that require criminal record checks may accept evidence of enrollment in the registry as an alternative to conducting a check on an individual, and the Department is required to notify agencies who have accepted such evidence of the removal of an individual from the registry. The Department is authorized to administer the registry, including setting fees and other rules necessary to its operation. Provisions of the bill become operative on January 1, 2014.

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This summary has not been adopted or officially endorsed by action of the committee.