

REVENUE: No revenue impact  
FISCAL: Fiscal statement issued

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Action: Do Pass  
Vote: 3 - 1 - 1  
Yeas: Monnes Anderson, Prozanski, Shields  
Nays: Baertschiger  
Exc.: George  
Prepared By: Channa Newell, Administrator  
Meeting Dates: 5/17

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**WHAT THE MEASURE DOES:** Allows state agency making fitness determination on individual to request previously-made fitness determinations from other authorized agency. Requires Department of Administrative Services adopt rules to establish categories of individuals subject to criminal record checks, information required from individuals to conduct check within each category, type of crimes that may be considered for each category, and when to conduct nationwide fingerprint-based criminal records check. Specifies categories in which to group individuals.

**ISSUES DISCUSSED:**

- Some applicants required to undergo multiple, repetitive background checks
- Government efficiency improvements
- Recommendations of work group
- Balance between efficiency, safety and protections
- Exclusion of criminal justice employees
- Ability of Department of Administrative Services to develop additional categories by rule

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 2012, the Legislative Assembly enacted House Bill 4091, which directed the Department of Administrative Services to convene a work group to consider conducting criminal background checks under a single state-wide system and to evaluate potential improvements in the current system. House Bill 3168 represents a recommendation from that work group.

House Bill 3168 allows an authorized agency to request an earlier fitness determinations made by another authorized agency on an individual. It also requires the Department of Administrative Services to establish rules specifying specific categories of individuals subject to background checks and to establish requirements relating to such checks. The categories are defined by who the individual has direct access to or who the individual is providing services to: children, the elderly, those with disabilities, those with mental illnesses, the general public, and individuals licensed, registered, or authorized to practice a profession or trade in the state.