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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BUSINESS AND PROFESSIONS - CRIMINAL RECORD BACKGROUND
CHECKS

Introduced By: Representatives Ajello, Martin, Tanzi, Slater, and Williams

Date Introduced: February 07, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-34-43 of the General Laws in Chapter 5-34 entitled "Nurses" is
2 hereby amended to read as follows:

3 **5-34-43. Criminal records review.** -- (a) Notwithstanding any provision of law to the
4 contrary contained in any general or public law, rule or regulation, any person seeking a license to
5 practice under this chapter, or who is previously licensed and authorized to practice under this
6 chapter and is seeking employment, shall undergo a federal and statewide criminal background
7 check (BCI), which shall be processed prior to receiving a license to practice or to enter into
8 employment.

9 (b) The applicant shall apply to the bureau of criminal identification for a national
10 criminal records check that shall include fingerprints submitted to the federal bureau of
11 investigation. Upon the discovery of any disqualifying information, the bureau of criminal
12 identification will inform the applicant in writing of the nature of the disqualifying information;
13 and, without disclosing the nature of the disqualifying information, will notify the licensing
14 agency or the potential employer in writing that disqualifying information has been discovered.

15 (c) The applicant against whom disqualifying information has been found, may request
16 that a copy of the criminal background report be sent to the licensing agency or the potential
17 employer. The licensing agency or the potential employer shall make a judgment regarding the
18 issuing of a license.

1 (d) In those situations in which no disqualifying information has been found, the bureau
2 of criminal identification shall inform the applicant and the licensing agency or the potential
3 employer in writing of this fact.

4 (e) ~~It shall be the responsibility of the applicant to pay for the criminal records check.~~

5 The criminal records check shall be provided to the applicant without charge.

6 (f) For the purposes of this section, "disqualifying information" means those offenses
7 listed in sections 11-37-8.1, 11-37-8.3 and 23-17-37.

8 (g) At the conclusion of the criminal background check required by this section, the
9 attorney general, the state police, or local police department shall promptly destroy the fingerprint
10 record of the applicant obtained pursuant to this section.

11 SECTION 2. Section 16-2-18.1 of the General Laws in Chapter 16-2 entitled "School
12 Committees and Superintendents" is hereby amended to read as follows:

13 **16-2-18.1. Criminal records review.** -- (a) Any person seeking employment with a
14 private school or public school department who has not previously been employed by a private
15 school or public school department in Rhode Island during the past twelve (12) months, as well as
16 any person who seeks to participate in any mentoring program whereby the individual shall be
17 working with a student or students as a mentor or in a mentoring situation, shall undergo a
18 national and state criminal background check to be initiated prior to or within one week of
19 employment after receiving a conditional offer of employment; provided, however, that
20 employees hired prior to August 1, 2001 and or who have been continuously employed by a
21 public school department in Rhode Island during the past twelve (12) months shall be exempted
22 from the requirements of this section and section 16-2-18.2.

23 (b) The applicant shall apply to the bureau of criminal identification (BCI), department
24 of attorney general, state police or local police department where they reside, for a national and
25 state criminal records check. Fingerprinting shall be required. Upon the discovery of any
26 disqualifying information, the bureau of criminal identification, state police or local police
27 department will inform the applicant in writing of the nature of the disqualifying information;
28 and, without disclosing the nature of the disqualifying information will notify the employer in
29 writing that disqualifying information has been discovered.

30 (c) An employee against whom disqualifying information has been found may request
31 that a copy of the criminal background report be sent to the employer who shall make a judgment
32 regarding the employment of the employee.

33 (d) In those situations in which no disqualifying information has been found, the bureau
34 of criminal identification, state police or local police department shall inform the applicant and

1 the employer in writing of this fact.

2 (e) For purposes of this section, "disqualifying information" means those offenses listed
3 in section 23-17-37, and those offenses listed in sections 11-37-8.1 and 11-37-8.3.

4 (f) The employer shall maintain on file, subject to inspection by the department of
5 elementary and secondary education, evidence that criminal records checks have been initiated on
6 all employees seeking employment subsequent to July 13, 1998, and the results of the checks.
7 ~~The applicant shall be responsible for the costs of the national and state criminal records check.~~
8 The criminal records check shall be provided to the applicant without charge.

9 (g) At the conclusion of the criminal background check required in this section, the
10 attorney general, state police or local police department shall promptly destroy the fingerprint
11 record of the applicant obtained pursuant to this chapter.

12 SECTION 3. Sections 16-48.1-5 and 16-48.1-8 of the General Laws in Chapter 16-48.1
13 entitled "Certification of Personnel Providing Educational Services to Very Young Children" are
14 hereby amended to read as follows:

15 **16-48.1-5. Criminal records check -- Employee.** -- Any person seeking employment, if
16 the employment involves supervisory or disciplinary power over a child or children or involves
17 routine contact with a child or children without the presence of other employees, in any facility
18 covered under section 16-48-1 shall, after acceptance by the employer of the affidavit required by
19 section 16-48.1-3, apply to the Rhode Island bureau of criminal identification for a nationwide
20 criminal records check. The check will conform to applicable federal standards including the
21 taking of fingerprints to identify the applicant and any expenses associated with providing the
22 criminal records check shall be paid by the ~~applicant and/or~~ requesting agency. Upon the
23 discovery of any disqualifying information as defined in accordance with the rule promulgated by
24 the commissioner, the Rhode Island bureau of criminal identification will inform the applicant, in
25 writing, of the nature of the disqualifying information. In addition, the Rhode Island bureau of
26 criminal identification will inform the employer, in writing, without disclosing the nature of the
27 disqualifying information, that an item of disqualifying information has been discovered. An
28 applicant against whom disqualifying information has been found may request that a copy of the
29 criminal background report be sent to the employer who shall make a judgment regarding the
30 continued employment of the applicant. In those situations in which no disqualifying information
31 has been found, the Rhode Island bureau of criminal identification will inform both the applicant
32 and the employer, in writing, of this fact. The employer will maintain on file, subject to
33 inspection by the commissioner, evidence that the criminal records checks have been initiated on
34 all employees seeking employment after August 1, 1985, and the results of the checks. Failure to

1 maintain that evidence on file will be prima facie grounds to revoke the license or registration of
2 the operator of the facility. It will be the responsibility of the Rhode Island bureau of criminal
3 identification to conduct the nationwide criminal records check pursuant to this section. The
4 nationwide criminal records check will be provided to the applicant for employment without
5 charge to the applicant and without charge to the prospective employer if the employer is a tax
6 exempt corporation or an unincorporated nonprofit organization qualified under section 501(c) of
7 the United States Internal Revenue Code, 26 U.S.C. section 501(c). At the conclusion of the
8 criminal background check required by this section, the attorney general, the state police, or local
9 police department shall promptly destroy the fingerprint record of the applicant obtained pursuant
10 to this section.

11 **16-48.1-8. Destruction of fingerprint records.** -- At the conclusion of any background
12 check required by this chapter, the state police or the local police department will promptly
13 destroy the fingerprint ~~card~~ record of the applicant.

14 SECTION 4. Section 23-17.7.1-20 of the General Laws in Chapter 23-17.7.1 entitled
15 "Licensing of Nursing Service Agencies" is hereby amended to read as follows:

16 **23-17.7.1-20. Disqualifying information.** -- (a) Information produced by a criminal
17 records review pertaining to conviction, for the following crimes will result in a letter to the
18 employee and employer disqualifying the applicant from the employment: murder, voluntary
19 manslaughter, involuntary manslaughter, first degree sexual assault, second degree sexual assault,
20 third degree sexual assault, assault on persons sixty (60) years of age or older, assault with intent
21 to commit specified felonies (murder, robbery, rape, burglary, or the abominable and detestable
22 crime against nature), felony assault, patient abuse, neglect or mistreatment of patients, first
23 degree arson, robbery, felony drug offenses, larceny, or felony banking law violations.

24 (b) ~~Information produced by a criminal records review pertaining to convictions for~~
25 ~~crimes other than those listed in subsection (a) of this section shall entitle, but not obligate the~~
26 ~~employer to decline to hire the applicant. An employee against whom conviction information~~
27 ~~related to this subsection has been found may request that a copy of the criminal background~~
28 ~~report be sent to the employer who shall make a determination regarding the continued~~
29 ~~employment of the employee.~~

30 (e) For purposes of this section "conviction" means, in addition to judgments of
31 conviction entered by a court subsequent to a finding of guilty or a plea of guilty, those instances
32 where the defendant has entered a plea of nolo contendere and has received a sentence of
33 probation and those instances where a defendant has entered into a deferred sentence agreement
34 with the attorney general.

1 SECTION 5. Section 23-20.8-3 of the General Laws in Chapter 23-20.8 entitled
2 "Licensing of Massage Therapy Establishments" is hereby amended to read as follows:

3 **23-20.8-3. Practice of massage -- Use of titles limited -- Qualifications for licenses --**

4 **Fees.** -- (a) Only a person licensed under this chapter shall practice massage.

5 (b) Only a person licensed under this chapter as a massage therapist may use the title
6 "massage therapist." Only a person licensed under this chapter may use the title "masseur" or
7 "masseuse."

8 (c) No person, firm, partnership, or corporation shall describe its services under the title
9 "massage" or "massage therapy" unless these services, as defined in section 23-20.8-1, are
10 performed by a person licensed to practice massage under this chapter, and, if described as
11 "massage therapy," by a massage therapist.

12 (d) Application for licenses as a masseur or masseuse, or as a massage therapist, shall be
13 issued by the department of health. Except for persons licensed as massage therapists, the
14 department shall establish minimum educational and training requirements for the persons to be
15 licensed under this chapter and shall have the authority to take disciplinary action against a
16 licensee for knowingly placing the health of a client at serious risk without maintaining the proper
17 precautions.

18 (e) The fee for original application for licensure as a massage therapist and for annual
19 license renewal shall be as set forth in section 23-1-54. Fees for all other licenses under this
20 chapter shall be fixed in an amount necessary to cover the cost of administering this chapter.

21 (f) Any person applying for a license under this chapter shall undergo a criminal
22 background check. Such persons shall apply to the bureau of criminal identification of the state
23 police or local police department for a nationwide criminal records check. Fingerprinting shall be
24 required. Upon the discovery of any disqualifying information as defined in section 23-20.8-5, the
25 bureau of criminal identification of the state police or the local police department shall inform the
26 applicant, in writing, of the nature of the disqualifying information, and, without disclosing the
27 nature of the disqualifying information, shall notify the department, in writing, that disqualifying
28 information has been found. ~~The applicant shall be responsible for payment of the costs of the~~
29 ~~criminal records check.~~

30 (g) In those situations in which no disqualifying information has been found, the bureau
31 of criminal identification shall inform the applicant and the licensing agency or the potential
32 employer in writing of this fact.

33 (h) An applicant against whom disqualifying information has been found may request
34 that a copy of the criminal background report be sent to the department, which shall make a

1 [judgment regarding the licensure of the applicant.](#)

2 [\(i\) The criminal records check shall be provided to the applicant without charge.](#)

3 [\(j\) At the conclusion of the criminal background check required by this section, the](#)
4 [attorney general, the state police, or local police department shall promptly destroy the fingerprint](#)
5 [record of the applicant obtained pursuant to this section.](#)

6 SECTION 6. Section 39-18-4.1 of the General Laws in Chapter 39-18 entitled "Rhode
7 Island Public Transit Authority" is hereby amended to read as follows:

8 **39-18-4.1. Health and safety of passengers.** -- (a) The authority shall have the power to
9 establish reasonable rules of conduct for passengers for the protection of the health and safety of
10 passengers and employees of the authority. The rules shall incorporate the provisions of the
11 Americans with Disabilities Act of 1990, 42 USC section 12101 et seq., and section 28-5.1-7,
12 chapter 28 of title 11 and chapter 87 of title 42 and be promulgated in accordance with the
13 provisions of chapter 35 of title 42.

14 (b) All controversies arising out of application of any provision of this section shall be
15 determined by the general manager or his or her designated hearing officer, who shall afford a
16 hearing to the passenger and/or his or her parent or guardian, and, after hearing, shall render a
17 written decision. The decision of the general manager or hearing officer shall be final except that
18 the passenger aggrieved by the decision shall have a right of appeal to the superior court, which
19 shall affirm the decision unless it is clearly erroneous or contrary to law. The hearing shall be
20 conducted in accordance with the provisions of chapter 35 of title 42.

21 (c) Notice shall be provided to the RIdE funding agency or agencies for any hearing
22 regarding their client/passengers on RIdE vehicles. A representative of the RIdE funding agency
23 or agencies may attend the hearing. The general manager or hearing officer will consider the
24 recommendation of the RIdE funding agency's representative in rendering his/her decision.

25 (d) The decision of the general manager or hearing officer may include:

26 (1) Refusing to transport a person whose violation of the rules of the authority threatens
27 the health and safety of passengers or employees of the authority, for a period not to exceed six
28 (6) months; and/or

29 (2) Revoking a passenger's ticket, pass, or other fare medium, regardless of the number
30 of trips or time period for which the ticket, pass, or other fare medium is valid, if the passenger's
31 continued presence on an authority vehicle or at an authority facility threatens the health or safety
32 of the authority's other passengers or employees. The authority shall within a reasonable time
33 after such a revocation, refund to the passenger the unused value of the ticket, pass, or other fare
34 medium.

1 (e) Nothing under this section precludes any other action permitted by law.

2 (f) All RIdE buses shall be installed with passenger security cameras when federal funds
3 become available for this purpose.

4 (g) Any person seeking employment as a RIdE bus driver shall undergo a criminal
5 background check to be initiated prior to or within one week of employment. All employees hired
6 prior to the enactment of this subsection shall be exempted from its requirements.

7 (1) The applicant shall apply to the bureau of criminal identification (BCI), department
8 of attorney general, state police or local police department where he or she resides, for a statewide
9 criminal records check. Fingerprinting shall not be required. Upon the discovery of any
10 disqualifying information as defined in section 23-17-37, the bureau of criminal identification of
11 the state police or the local police department will inform the applicant, in writing, of the nature
12 of the disqualifying information; and, without disclosing the nature of the disqualifying
13 information, will notify the employer, in writing, that disqualifying information has been
14 discovered.

15 (2) An individual against whom disqualifying information has been found may request
16 that a copy of the criminal background report be sent to the employer who shall make a judgment
17 regarding the ability of the individual to drive a RIdE bus. In those situations in which no
18 disqualifying information has been found, the bureau of criminal identification, state police or
19 local police department shall inform the applicant and the employer in writing of this fact.

20 (3) The criminal record check requirements of this section shall apply only to persons
21 seeking to drive RIdE buses.

22 [\(4\) The criminal records check shall be provided to the applicant without charge.](#)

23 SECTION 7. Sections 40-13.2-5, 40-13.2-5.1 and 40-13.2-5.2 of the General Laws in
24 Chapter 40-13.2 entitled "Certification of Child Care and Youth Serving Agency Workers" are
25 hereby amended to read as follows:

26 **40-13.2-5. Criminal records check -- Employee of child care facilities which must be**
27 **licensed by the department.** -- (a) Any person seeking employment, if that employment involves
28 supervisory or disciplinary power over a child or children or involves routine contact with a child
29 or children without the presence of other employees, in any facility which is, or is required to be,
30 licensed or registered with the department or seeking that employment at the training school for
31 youth shall, after acceptance by the employer of the affidavit required by section 40-13.2-3, apply
32 to the bureau of criminal identification of the state police or the local police department for a
33 nationwide criminal records check. The check will conform to applicable federal standards
34 including the taking of fingerprints to identify the applicant.

1 (b) Upon the discovery of any disqualifying information as defined in accordance with
2 the rule promulgated by the director, the bureau of criminal identification of the state police or the
3 local police department will inform the applicant, in writing, of the nature of the disqualifying
4 information. In addition, the bureau of criminal identification of the state police or the local
5 police department will inform the relevant employer, in writing, without disclosing the nature of
6 the disqualifying information, that an item of disqualifying information has been discovered.

7 (c) In those situations in which no disqualifying information has been found, the bureau
8 of criminal identification of the state police or the local police department will inform both the
9 applicant and the employer, in writing, of this fact.

10 (d) An applicant against whom disqualifying information has been found may request
11 that a copy of the criminal background report be sent to the employer who shall make a judgment
12 regarding the continued employment of the applicant.

13 ~~(e)~~(e) The employer will maintain on file, subject to inspection by the department,
14 evidence that criminal records checks have been initiated on all employees seeking employment
15 after August 1, 1985, and the results of the checks.

16 ~~(e)~~(f) Failure to maintain that evidence on file will be prima facie grounds to revoke the
17 license or registration of the operator of the facility.

18 ~~(f)~~(g) It will be the responsibility of the bureau of criminal identification of the state
19 police or the local police department to conduct the nationwide criminal records check pursuant
20 to this section. The nationwide criminal records check will be provided to the applicant for
21 employment without charge.

22 (h) At the conclusion of the criminal background check required by this section, the
23 attorney general, the state police, or local police department shall promptly destroy the fingerprint
24 record of the applicant obtained pursuant to this section.

25 **40-13.2-5.1. Criminal records check -- Employee of youth serving agency.** -- (a) Any
26 person seeking employment, if that employment involves supervisory or disciplinary power over
27 a child or children or involves routine contact with a child or children without the presence of
28 other employees, in any facility or program which is a youth serving agency shall file with the
29 employer the affidavit required by section 40-13.2-3. Said affidavit shall be maintained on file by
30 the employer and shall be made available for inspection by the parent(s)/guardian(s) of any child
31 who is enrolled in the programs of the youth serving agency.

32 (b) Any person seeking employment, if that employment involves supervisory or
33 disciplinary authority over a child or children or involves routine contact with a child or children
34 without the presence of other employees, in any youth serving agency, shall apply to the bureau

1 of criminal identification of the attorney general's office for a criminal records check. [The](#)
2 [criminal records check shall be provided to the applicant without charge.](#)

3 (c) Those items of information appearing on a criminal records check which have been
4 determined to constitute disqualifying information by the director pursuant to section 40-13.2-4
5 of this chapter shall also be items of disqualifying information pursuant to this section.

6 (d) Upon the discovery of any disqualifying information as defined in accordance with
7 the rule promulgated by the director, the bureau of criminal identification of the attorney general's
8 office will inform the ~~applicant~~ [employer](#), in writing, of the nature of the disqualifying
9 information. In addition, the bureau of criminal identification of the attorney general's office will
10 inform the applicant, in writing, without disclosing the nature of the disqualifying information,
11 that an item of disqualifying information has been discovered.

12 [\(e\) An applicant against whom disqualifying information has been found may request that](#)
13 [a copy of the criminal background report be sent to the employer who shall make a judgment](#)
14 [regarding the continued employment of the applicant.](#)

15 ~~(e)~~(f) In those situations in which no disqualifying information has been found, the
16 bureau of criminal identification of the attorney general's office will inform both the applicant
17 and the employer, in writing, of this fact. The employer will maintain on file, and make available
18 for inspection by the parent(s)/guardian(s) of any child enrolled in the programs of the youth
19 serving agency, evidence that criminal records checks have been obtained on all employees of the
20 youth serving agency pursuant to section 40-13.2-5.1, and the results of the checks. The criminal
21 records checks will be provided to the applicant for employment without charge.

22 [\(g\) At the conclusion of the criminal background check required by this section, the](#)
23 [attorney general, the state police, or local police department shall promptly destroy the fingerprint](#)
24 [record of the applicant obtained pursuant to this section.](#)

25 **40-13.2-5.2. Criminal records check -- Employees of the department of children,**
26 **youth and families.** -- (a) Any person seeking employment with the department of children,
27 youth and families, [if that employment involves supervisory or disciplinary power over a child or](#)
28 [children or involves routine contact with a child or children without the presence of other](#)
29 [employees](#), shall apply to the bureau of criminal identification (BCI), department of attorney
30 general, state police, or local police department where the applicant resides, for a national and
31 state criminal records check. The check shall conform to the applicable federal standards
32 including the taking of fingerprints to identify the applicant. The director shall determine by rule
33 those items of information appearing on a criminal records check which constitute disqualifying
34 information because the information would indicate that employment could endanger the health

1 or welfare of a child or children and would be inconsistent with the purpose and intent of the
2 department of children, youth and families.

3 ~~(b) The department of attorney general, the state police or the local police department~~
4 ~~shall forward the results of the nationwide and state criminal record checks, including the nature~~
5 ~~of any criminal record, on the individual to the individual and to the department of children,~~
6 ~~youth and families. Upon the discovery of any disqualifying information with respect to an~~
7 ~~applicant, the department of children, youth and families shall inform the applicant of the~~
8 ~~disqualifying information. Upon the discovery of any disqualifying information as defined in~~
9 ~~accordance with the rules promulgated by the director, the bureau of criminal identification of the~~
10 ~~state police or the attorney general's office shall inform the applicant, in writing, of the nature of~~
11 ~~the disqualifying information. In addition, the bureau of criminal identification of the attorney~~
12 ~~general's office shall inform the department in writing, without disclosing the nature of the~~
13 ~~disqualifying information, that an item of disqualifying information has been discovered.~~

14 (c) An applicant against whom disqualifying information has been found may request that
15 a copy of the criminal background report be sent to the department which shall make a judgment
16 regarding the continued employment of the applicant.

17 (d) In those situations in which no disqualifying information has been found, the bureau
18 of criminal identification of the attorney general's office shall inform both the applicant and the
19 department of this fact in writing.

20 ~~(e)~~(e) The cost of criminal record checks required by this section for ~~individuals who are~~
21 ~~not currently employed by the State of Rhode Island shall be the responsibility of the applicant.~~
22 ~~The cost of criminal records checks required by this section for individuals who are currently~~
23 ~~employed by the State of Rhode Island~~ applicants and employees shall be the responsibility of the
24 department of children, youth and families.

25 ~~(d)~~(f) Any individual required to submit to a criminal background check, state and/or
26 federal, under subsection (a) above who has submitted to a criminal background check conducted
27 within the previous six (6) months in accordance with section 14-1-34 and/or section 15-7-11
28 and/or sections 40-13.2-2, 40-13.2-4, 40-13.2-5, and/or section 40-13.2-9, shall be exempt from
29 an additional check but shall request the department of attorney general, the state police or the
30 local police department which conducted the check forward the results, including the nature of
31 the criminal record, to the department of children, youth and families.

32 (g) At the conclusion of the criminal background check required by this section, the
33 attorney general, the state police, or local police department shall promptly destroy the fingerprint
34 record of the applicant obtained pursuant to this section.

1 SECTION 8. Sections 40.1-25.1-1 and 40.1-25.1-5 of the General Laws in Chapter 40.1-
2 25.1 entitled "Employee Criminal Records Check" are hereby amended to read as follows:

3 **40.1-25.1-1. Purpose. --** In order to provide protection for persons residing in or
4 receiving services from facilities, programs or agencies licensed, funded and/or operated by the
5 department of mental health, retardation, and hospitals, all persons eighteen (18) years or older, as
6 further defined in section 40.1-25.1-3 seeking employment in any facility or program licensed,
7 funded and/or operated by the department shall be required to undergo a national criminal
8 background check for the purpose of determining whether the prospective employee has been
9 convicted of a crime that bears upon his or her fitness to have the responsibility for the safety and
10 well-being of persons residing in or receiving services from facilities, programs or agencies
11 licensed, funded and/or operated by the department.

12 **40.1-25.1-5. Destruction of fingerprint records. --** At the conclusion of any background
13 check required by this chapter, the state police or the local police department will promptly
14 destroy the fingerprint ~~card~~ record of the applicant.

15 SECTION 9. Section 45-2-3.3 of the General Laws in Chapter 45-2 entitled "General
16 Powers" is hereby amended to read as follows:

17 **45-2-3.3. Background checks. -- (a)** Notwithstanding any law to the contrary, any
18 municipal recreation department may request a background check from their local police
19 department for any employee or volunteer serving their community.

20 (b) The applicant shall apply to the bureau of criminal identification for a criminal
21 records background check. Upon the discovery of any disqualifying information, the bureau of
22 criminal identification shall inform the applicant in writing of the nature of the disqualifying
23 information; and, without disclosing the nature of the disqualifying information shall notify the
24 municipal recreation department in writing that disqualifying information has been discovered.

25 (c) An applicant against whom disqualifying information has been found may request that
26 a copy of the criminal background report be sent to the municipal recreation department. The
27 municipal recreation department shall make a judgment regarding the continued employment or
28 volunteerism of the applicant.

29 (d) In those situations in which no disqualifying information has been found, the bureau
30 of criminal identification of the attorney general's office shall inform both the applicant and the
31 municipal recreation department of this fact in writing.

32 (e) For purposes of this section, "disqualifying information" means those offenses listed
33 in section 23-17-37, and those offenses listed in sections 11-37-8.1 and 11-37-8.3.

34 (f) The criminal records check shall be provided to the applicant without charge.

1 SECTION 10. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESS AND PROFESSIONS - CRIMINAL RECORD BACKGROUND
CHECKS

- 1 This act would make changes to how information contained within criminal background
- 2 checks is disseminated and disclosed.
- 3 This act would take effect upon passage.

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