

2017 -- H 5451

LC001234

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS – CONTRACTORS’ REGISTRATION
AND LICENSING BOARD

Introduced By: Representatives Solomon, Coughlin, Johnston, Canario, and Vella-
Wilkinson

Date Introduced: February 09, 2017

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-65 of the General Laws entitled "Contractors' Registration and
2 Licensing Board" is hereby amended by adding thereto the following section:

3 **5-65-27. National criminal records check.**

4 (a) An applicant for a license or registration issued by the contractors' registration and
5 licensing board under chapters 65, 65.1, 65.2, 65.3 and 73 of title 5 shall undergo a national
6 criminal records check that shall include fingerprints submitted to the Federal Bureau of
7 Investigation (FBI) by the bureau of criminal identification of the department of attorney general,
8 the state police, or a municipal law enforcement agency. The national criminal records check
9 shall be processed prior to issuance of the license or registration.

10 (b) The bureau of criminal identification of the department of attorney general, the state
11 police, or a municipal law enforcement agency shall inform the applicant, in writing, of the nature
12 of the disqualifying information and, without disclosing the nature of the disqualifying
13 information, shall notify the executive director, in writing, that disqualifying information has
14 been discovered.

15 (c) An applicant against whom disqualifying information has been found may provide a
16 copy of the national criminal records check to the executive director. The executive director shall
17 make a judgment regarding the issuance of the license or registration.

18 (d) In those situations in which no disqualifying information has been found, the bureau

1 of criminal identification of the department of attorney general, the state police, or a municipal
2 law enforcement agency shall inform the applicant and the executive director, in writing, of this
3 fact.

4 (e) For the purposes of this section, "disqualifying information" means information
5 produced by a national criminal records check pertaining to conviction for the following crimes:
6 murder, voluntary manslaughter, involuntary manslaughter, first-degree sexual assault, second-
7 degree sexual assault, third-degree sexual assault, first-degree child molestation sexual assault,
8 second-degree child molestation sexual assault, any offense under chapter 67 of title 11, assault
9 on persons sixty (60) years of age or older, assault with intent to commit specified felonies
10 (murder, robbery, rape, burglary, or the abominable and detestable crimes against nature), felony
11 assault, patient abuse, neglect or mistreatment of patients, burglary, first-degree arson, robbery,
12 felony drug offenses, felony obtaining money under false pretenses, felony embezzlement, abuse,
13 neglect and/or exploitation of adults with severe impairments, exploitation of elders, felony
14 larceny, felony banking law violations, willful trespass, or any offense under chapter 41 of title
15 11. For purposes of this subsection, "conviction" means, in addition to judgments of conviction
16 entered by a court subsequent to a finding of guilty or a plea of guilty, those instances where the
17 defendant has entered a plea of nolo contendere and has received a sentence of probation and
18 those instances where a defendant has entered into a deferred sentence agreement with the
19 attorney general.

20 (f) The executive director shall maintain on file evidence that national criminal records
21 checks have been initiated on all applicants for a license or registration on or after January 1,
22 2018, and the results of those checks.

23 (g) The applicant shall be responsible for the cost of conducting the national criminal
24 records check through the bureau of criminal identification of the department of attorney general,
25 the state police or a municipal law enforcement agency.

26 SECTION 2. This act shall take effect on January 1, 2018.

=====
LC001234
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO BUSINESSES AND PROFESSIONS – CONTRACTORS’ REGISTRATION
AND LICENSING BOARD

1 This act would require an applicant for any license or registration issued by the
2 contractors' registration and licensing board to undergo a national criminal records check that
3 shall include fingerprints submitted to the Federal Bureau of Investigation (FBI) by the bureau of
4 criminal identification of the department of attorney general, the state police or a municipal law
5 enforcement agency.

6 This act would take effect on January 1, 2018.

=====
LC001234
=====