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News and Legislation Relating to Employment and Background Checks

News and Federal Legislation:

Background Checks

- On February 4th, the House passed a bill (S. 2950, previously reported) that would extend a pilot program for volunteer groups to obtain criminal history background checks from the FBI. The bill would extend the PROTECT Act for an additional 14 months. The bill will now proceed to the President for signature.
(http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:s2950rffh.txt.pdf)

News and State Legislation:

Background Checks

- On February 10th, the Mississippi Senate passed a bill (S.B. 2734) that would require criminal history background checks before the issuance of any professional bail agent, soliciting bail agent or bail enforcement agent license.
(<http://billstatus.ls.state.ms.us/documents/2010/pdf/SB/2700-2799/SB2734CS.pdf>)
- On February 10th, the Mississippi House passed a bill (H.B. 694) that would require nursing applicants to undergo a criminal history background check.
(<http://billstatus.ls.state.ms.us/documents/2010/pdf/HB/0600-0699/HB0694PS.pdf>)
- On February 10th, the Washington legislature passed bills (H.B. 2437/S.B. 6288) that would allow counties, cities, and towns to request criminal history background checks for certain license applicants and licensees.
(<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Senate%20Bills/6288.pdf>)
(<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/House%20Bills/2437.pdf>)
- On February 9th, the Maine House passed a bill (H.B. 1019, previously reported) that would require licensed, certified or registered providers to secure a criminal history background check prior to hiring or placing a person who will have direct contact with a consumer. The bill would require providers such as hospitals, nursing facilities, ambulatory surgical facilities, intermediate care facilities for persons with mental retardation and other types of providers to pay for the criminal history background checks.
(http://www.mainelegislature.org/legis/bills/bills_124th/billpdfs/HP101901.pdf)
- On February 9th, the Mississippi House passed a bill (H.B. 1485) that would allow the Department of Rehabilitation Services to perform criminal history background checks on employers and contractors.
(<http://billstatus.ls.state.ms.us/documents/2010/pdf/HB/1400-1499/HB1485PS.pdf>)
- On February 9th, the South Dakota House passed a bill (H.B. 1082) that would permit counties to require criminal history background checks for persons seeking employment or applying for certain licenses or permits.
(<http://legis.state.sd.us/sessions/2010/Bills/HB1082HLO.pdf>)
- On February 8th, the Colorado House passed a bill (H.B. 1023) that would prohibit information regarding an employee's criminal history from being introduced as evidence in a civil action against an employer.



http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont/33D8A2927B432FBA872576A80026AFC2?Open&file=1023_ren.pdf

- On February 4th, the Virginia House passed a bill (H.B. 903) that would allow threat assessment teams established at public institutions of higher education to receive health and criminal history records of students for the purposes of threat assessment and threat intervention.
(<http://leg1.state.va.us/cgi-bin/legp504.exe?101+ful+HB903+pdf>)
- On February 4th, the Mississippi Senate passed a bill (S.B. 2850) that would authorize the Department of Rehabilitation Services (DRS) to perform criminal history background checks on employees, volunteers or contract workers. The bill would also exempt the DRS from liability for any findings, recommendations or actions taken as a consequence of the results of criminal history background checks.
(<http://billstatus.ls.state.ms.us/documents/2010/pdf/SB/2800-2899/SB2850PS.pdf>)
- On February 2nd, the Indiana Senate passed a bill (S.B. 356) that would allow a criminal history background check for employees of home health agencies and personal services agencies to be provided through a private agency. The bill would establish procedures for the attorney general to seize, secure, store, and destroy abandoned or at risk health records and other records containing personally identifying information.
(<http://www.in.gov/legislative/bills/2010/PDF/SB/SB0356.1.pdf>)
- On January 29th, the Vermont Senate passed a bill (S.B. 154) that would repeal the sunset on the Vermont criminal information center's authority to charge a \$30.00 fee for conducting criminal history background checks.
(<http://www.leg.state.vt.us/docs/2010/bills/Intro/S-154.pdf>)
- On January 29th, the Vermont Senate passed a bill (S.B. 161) that would approve and ratify the National Crime Prevention and Privacy Compact to permit the interstate exchange of criminal history records for noncriminal justice purposes.
(<http://www.leg.state.vt.us/docs/2010/bills/Intro/S-161.pdf>)
- On January 28th, the Delaware Senate passed a bill (H.B. 310) that would require criminal history background checks for applicants as video lottery agent personnel.
([http://legis.delaware.gov/LIS/lis145.nsf/vwLegislation/HB+310/\\$file/legis.html?open](http://legis.delaware.gov/LIS/lis145.nsf/vwLegislation/HB+310/$file/legis.html?open))