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News and Legislation Relating to Employment and Background Checks

News and Federal Legislation:

Background Checks

- On July 29th, the House Financial Services Committee reported out a bill (H.R. 2267) that would require applicants for an online gambling license to undergo a criminal history background check as well as a review of their credit history. The bill would also require that licenses only be issued to those who have implemented appropriate privacy safeguards for online gamblers.
(http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h2267ih.txt.pdf)
- On July 28th, a final rule was published in the Federal Register (75 FR 44656) by the federal banking agencies to implement the National Mortgage Licensing System and Registry. The rule extends the registry requirements to bank employees, since mortgage brokers are already required to be licensed. Under the rule, a mortgage loan originator must register their names and provide fingerprints for submission to the Federal Bureau of Investigation for a state and national criminal history background check.
(<http://www.gpo.gov:80/fdsys/pkg/FR-2010-07-28/pdf/2010-18148.pdf>)

News and State Legislation:

Background Checks

- On August 18th, the California Assembly passed a bill (S.B. 938) that would require the Department of Motor Vehicles to issue 90-day temporary tow truck driver certificates to applicants who have cleared a criminal history background check.
(http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0901-0950/sb_938_bill_20100816_amended_asm_v97.pdf)
- On August 17th, the California Assembly passed a bill (S.B. 1417) that would require criminal history background checks on humane officers that prevent animal cruelty.
(http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_1401-1450/sb_1417_bill_20100816_amended_asm_v94.pdf)
- On August 11th, the California Senate passed a bill (A.B. 2417) that would require a federal criminal history background check on prospective tribal customary adoptive parents and on persons over 18 years old within the household.
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2401-2450/ab_2417_bill_20100816_enrolled.pdf)
- On August 5th, the California Senate passed a bill (A.B. 2865) that would require every person, firm, association, partnership, or corporation offering or conducting private school instruction on the elementary or high school level to conduct a state criminal history background check on job applicants before hiring.
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2651-2700/ab_2685_bill_20100806_enrolled.pdf)

