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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. 1008

February 15, 2007

Authored by Johnson

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

March 7, 2007

Committee Recommendation and Adoption of Report:

To Pass and placed on the Consent Calendar

Read Second Time

1.1 A bill for an act
1.2 relating to public safety; changing certain background check requirements;
1.3 amending Minnesota Statutes 2006, section 260C.209, subdivision 3.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 260C.209, subdivision 3, is amended to
1.6 read:

1.7 Subd. 3. Multistate information. (a) For any assessment completed under this
1.8 section, if the responsible social services agency has reasonable cause to believe that the
1.9 individual is a multistate offender, the individual must provide the responsible social
1.10 services agency or the county attorney with a set of classifiable fingerprints obtained from
1.11 an authorized law enforcement agency. The responsible social services agency or county
1.12 attorney may obtain criminal history data from the National Criminal Records Repository
1.13 by submitting the fingerprints to the Bureau of Criminal Apprehension.

1.14 (b) For purposes of this subdivision, the responsible social services agency has
1.15 reasonable cause when, but not limited to:

1.16 (1) information from the Bureau of Criminal Apprehension indicates that the
1.17 individual is a multistate offender;

1.18 (2) information from the Bureau of Criminal Apprehension indicates that multistate
1.19 offender status is undetermined;

1.20 (3) the social services agency has received a report from the individual or a third
1.21 party indicating that the individual has a criminal history in a jurisdiction other than
1.22 Minnesota; or

1.23 (4) the individual is or has been a resident of a state other than Minnesota at any
1.24 time during the prior ten years.

2.1           (c) In cases involving the emergency placement of children, the social services  
2.2 agency or county attorney may request a name-based check of the National Criminal  
2.3 Records Repository. In those cases, fingerprints of the individual being checked must be  
2.4 forwarded to the Bureau of Criminal Apprehension for submission to the Federal Bureau  
2.5 of Investigation within 15 calendar days of the name-based check. If the subject of the  
2.6 name-based check does not provide fingerprints upon request, the child or children must  
2.7 be removed from the home.