

applicant with an opportunity to offer complete information, or challenge the accuracy of the criminal justice information received by the board before the board takes adverse action against the applicant.

Subd. 9. Denial of licensure. Requires the board to deny a license to an applicant convicted of any of the enumerated offenses in this subdivision.

Subd. 10. Conviction. States that for purposes of this section conviction means, convicted or found guilty, found guilty by a jury but adjudication of guilt was withheld, convicted by execution of the sentence was stayed, or pleaded guilty or entered an Alford plea or no contest plea.

Subd. 11. Consideration of other crimes. Allows the board to consider conviction of crimes not enumerated in subdivision 8 when determining an applicant's suitability for licensure.

Subd. 12. Order of denial. Allows the board to issue a public order of denial of licensure if an applicant is found to have been convicted of one of the enumerated crimes. States the board is not required to provide a hearing to the applicant prior to denial of a license.

Subd. 13. Reconsideration of denial. Provides the circumstances under which an applicant can request reconsideration, the procedure for requesting reconsideration, and the evidence that will be considered by the board. Allows the board to impose limitation on the applicant's license if a license is granted after reconsideration.

Subd. 14. Data practices. Provides that all state and federal criminal history data obtained by the board is private data on individuals and restricted to the exclusive use of the board.

Subd. 15. Current licensees. Permits the board to request a licensee who is the subject of an investigation to submit to a criminal background check if the board has reason to believe the licensee has been convicted of a crime.

Subd. 16. Instructions to the board; plan. Paragraph (a) requires the board to develop a plan for completing background checks on all current licensees. The plan must require a licensee to submit fingerprints and to grant consent for a state and national criminal history check.

Paragraph (b) provides the procedure for the background check.

Paragraph (c) requires the licensee to be responsible for costs.

- 2 **Exceptions.** Amends § 364.09. Adds that this section does not apply to individuals whose credential has been denied or revoked in accordance with section 148.192.
- 3 **Appropriation.** There is a blank appropriation to the Board for implementation of section 1.
- 4 **Effective date.** Provides an effective date of July 1, 2012, or as soon as the necessary interagency infrastructure and business processes are operational, whichever is later.