

File Number: H.F. 1847
Version: As introduced

Date: March 13, 2017

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Subject: Background check consistency

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Overview

This bill clarifies that juvenile adjudication records can be released for background checks authorized by federal or state law and repeals a prohibition on the release of certain criminal records.

Section

- 1 **Access to data on juveniles.** Authorizes the Bureau of Criminal Apprehension to disseminate juvenile adjudication history records for background checks authorized by federal law or state statute. The current statute authorizes the BCA to release those records when (1) required by statute or rule and (2) performed on specific categories of individuals.
- 2 **Repealer.** Repeals section 364.04 which prohibits the use or distribution of certain criminal records in connection with an application for public employment or a license. The records subject to the current prohibition are:
 1. records of an arrest not followed by a conviction;
 2. convictions that have been annulled or expunged; and
 3. misdemeanor convictions for which no jail sentence could be imposed.

In the following ways, this statute conflicts with other existing statutes or is redundant: the Department of Human Services has authority to access arrest records for individuals seeking to be foster care providers regardless of whether the arrest resulted in a conviction (chapter 245C); expunged records cannot be shared (section 609A.03, subd. 5(d)); and there are no misdemeanors for which no jail sentence could be imposed (609.02, subd. 3).