

A bill for an act

relating to public safety; changing certain background check requirements;
amending Minnesota Statutes 2006, section 260C.209, subdivision 3.

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

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

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

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

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

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

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

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

H.F. No. 1008, as introduced - 85th Legislative Session (2007-2008)

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.