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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2066

03/04/2019 Authored by Runbeck and Johnson
The bill was read for the first time and referred to the Committee on Government Operations
03/18/2019 By motion, recalled and re-referred to the Public Safety and Criminal Justice Reform Finance and Policy Division
04/05/2019 By motion, recalled and re-referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to public safety; authorizing local units of government to conduct criminal
1.3 background checks under certain circumstances; proposing coding for new law in
1.4 Minnesota Statutes, chapter 299C.

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

1.6 Section 1. [299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL
1.7 SUBDIVISIONS.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.9 the meanings given them.

1.10 (b) "Applicant for employment" means an individual who seeks either county or city
1.11 employment where the job duties include access to residential property or business property.

1.12 (c) "Applicant for licensure" means an individual who seeks a license issued by a county
1.13 or city to:

1.14 (1) operate a cabaret;

1.15 (2) provide massage services;

1.16 (3) operate a business providing massage services;

1.17 (4) operate as a solicitor or peddler;

1.18 (5) operate a lawful gambling business other than charitable gambling;

1.19 (6) obtain a premise permit for lawful gambling;

1.20 (7) operate a taxi service;

2.1 (8) drive a taxi cab; or

2.2 (9) operate as a pawnbroker or precious metal or secondhand goods dealer.

2.3 Subd. 2. **Background check authorized.** (a) A county or city may investigate the
2.4 criminal history background of any applicant for employment or applicant for licensure.

2.5 (b) The investigation must consist of a criminal history check of the state criminal records
2.6 repository and a national criminal history check. The county or city shall accept the
2.7 applicant's signed informed consent form for the state and national criminal history check
2.8 request, fingerprints, and required fees. The county or city shall submit the applicant's signed
2.9 informed consent form, fingerprints, and fees to the superintendent of the Bureau of Criminal
2.10 Apprehension, who is authorized to exchange the fingerprints with the Federal Bureau of
2.11 Investigation to obtain the applicant's national criminal history record information. The
2.12 superintendent shall also retrieve Minnesota criminal history data and provide the results
2.13 of both checks to the county or city. Using the criminal history data provided by the
2.14 superintendent, the county or city shall determine whether the applicant is disqualified from
2.15 employment or licensure. The applicant's failure to cooperate with the county or city in
2.16 conducting the records check is reasonable cause to deny an application.