## 299C.61 DEFINITIONS.

Subdivision 1. **Terms.** The definitions in this section apply to sections 299C.60 to 299C.64.

- Subd. 1a. **Authorized agency.** "Authorized agency" means the licensing agency or, if one does not exist, the Bureau of Criminal Apprehension. Licensing agencies include but are not limited to the:
  - (1) Department of Human Services;
  - (2) Department of Health; and
  - (3) Professional Educator Licensing and Standards Board.
- Subd. 2. **Background check crime.** "Background check crime" includes child abuse crimes, murder, manslaughter, felony level assault or any assault crime committed against a minor or vulnerable adult, kidnapping, arson, criminal sexual conduct, and prostitution-related crimes.
- Subd. 2a. Care. "Care" means the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities.
  - Subd. 3. Child. "Child" means an individual under the age of 18.
  - Subd. 4. Child abuse crime. "Child abuse crime" means:
- (1) an act committed against a minor victim that constitutes a violation of section 609.185, paragraph (a), clause (5); 609.221; 609.222; 609.223; 609.224; 609.224; 609.322; 609.324; 609.342; 609.343; 609.344; 609.345; 609.352; 609.377; 609.378; 617.246; or 617.247; or
- (2) a violation of section 152.021, subdivision 1, clause (4); 152.022, subdivision 1, clause (5) or (6); 152.023, subdivision 1, clause (3) or (4); 152.023, subdivision 2, clause (4) or (6); or 152.024, subdivision 1, clause (2), (3), or (4).
- Subd. 5. **Children's service provider.** "Children's service provider" means a business or organization, whether public, private, for profit, nonprofit, or voluntary, that provides children's services, including a business or organization that licenses or certifies others to provide children's services. "Children's service provider" includes an international student exchange visitor placement organization under chapter 5A.
- Subd. 6. **Children's service worker.** "Children's service worker" means a person who has, may have, or seeks to have access to a child to whom the children's service provider provides children's services, and who:
- (1) is employed by, volunteers with, or seeks to be employed by or volunteer with a children's service provider;
  - (2) is an independent contractor who provides children's services to a children's service provider; or
  - (3) owns, operates, or seeks to own or operate a children's service provider.
- Subd. 7. **Children's services.** "Children's services" means the provision of care, treatment, education, training, instruction, or recreation to children.
  - Subd. 8. [Repealed, 2009 c 59 art 6 s 25]
- Subd. 8a. **Conviction.** "Conviction" means a criminal conviction or an adjudication of delinquency for an offense that would be a crime if committed by an adult.

## Subd. 8b. Covered individual. "Covered individual" means an individual:

- (1) who has, seeks to have, or may have access to children, the elderly, or individuals with disabilities, served by a qualified entity; and
  - (2) who:
- (i) is employed by or volunteers with, or seeks to be employed by or volunteer with, a qualified entity; or
  - (ii) owns or operates, or seeks to own or operate, a qualified entity.
- Subd. 8c. **Individuals with disabilities.** "Individuals with disabilities" means persons with a mental or physical impairment who require assistance to perform one or more daily living tasks.
- Subd. 8d. **National criminal history background check system.** "National criminal history background check system" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.
- Subd. 8e. **Qualified entity.** "Qualified entity" means a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services.
- Subd. 9. **Superintendent.** "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

**History:** 1992 c 569 s 19; 1993 c 238 s 8; 1994 c 465 art 1 s 36; 1995 c 259 art 3 s 5; 1998 c 367 art 2 s 32; 2001 c 202 s 15; 2009 c 142 art 3 s 6; 2015 c 21 art 1 s 66; 1Sp2021 c 11 art 7 s 2-9