

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 567

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “National” and substitute “State”; in line 3, after “Checks” insert “and Private Agency Background Checks”; strike beginning with “altering” in line 4 down through “circumstances” in line 16 and substitute “requiring a private agency, if an adult dependent care program requests a background check, to conduct a check in certain states under certain circumstances; requiring the Department of Public Safety and Correctional Services to provide a certain statement to certain persons; defining a certain term; and generally relating to State criminal history records checks and private agency background checks for individuals seeking employment with an adult dependent care program”; and in line 19, after “Section” insert “19-1901(h),”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“19-1901.

(h) “Private [entity” means any individual or business who is not an employer, as defined in this section] AGENCY” MEANS A PERSON THAT:

(1) IS LICENSED AS A PRIVATE DETECTIVE AGENCY UNDER TITLE 13, SUBTITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(2) MAINTAINS AN ERRORS AND OMISSIONS INSURANCE POLICY IN AN AMOUNT NOT LESS THAN \$1,000,000;

(3) OFFERS CUSTOMER ASSISTANCE IN THE USE OF BACKGROUND CHECKS FOR EMPLOYMENT PURPOSES; AND

(Over)

(4) IS CAPABLE OF CONDUCTING A BACKGROUND CHECK WITHIN THE STATE WITHIN 2 WORKING DAYS OF A REQUEST AND OUTSIDE THE STATE WITHIN 5 WORKING DAYS OF A REQUEST.”;

in line 26, strike “(1)”;

in lines 27 and 28, strike “, APPLY FOR”;

and in line 29, strike the opening bracket.

On page 2, strike beginning with the closing bracket in line 3 down through the period in line 12, inclusive; in lines 17 and 19, in each instance, strike the opening bracket; in lines 18 and 20, in each instance, strike the closing bracket; strike beginning with “A” in line 18 down through the period in line 19; after line 20, insert:

“(D) IF AN ADULT DEPENDENT CARE PROGRAM REQUESTS A PRIVATE AGENCY TO CONDUCT A BACKGROUND CHECK, THE PRIVATE AGENCY SHALL CONDUCT A BACKGROUND CHECK IN EACH STATE IN WHICH THE ADULT DEPENDENT CARE PROGRAM KNOWS OR HAS REASON TO KNOW THE ELIGIBLE EMPLOYEE WORKED OR RESIDED DURING THE PAST 7 YEARS.”;

in line 22, strike “BOTH a NATIONAL AND”;

and in lines 27 and 28 and 34, in each instance, strike “OR THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION”.

On pages 3 and 4, strike in their entirety the lines beginning with line 23 on page 3 through line 7 on page 4, inclusive.

On page 4, in line 8, strike all the brackets; in the same line, strike “(3)”;

strike beginning with “ON” in line 8 down through “THE” in line 9, inclusive; in lines 10 and 15, in each instance, strike the opening bracket; in lines 11 and 16, in each instance, strike the closing bracket; and in lines 13, 18, and 23, strike the brackets.