

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2147

Introduced by

Senators Nalewaja, Cook, LaFountain

Representative Sandvig

1 A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota
2 Century Code, relating to fingerprinting of foster care providers; and to amend and reenact
3 subsection 2 of section 50-11-02 of the North Dakota Century Code, relating to terms and
4 conditions of foster care facilities.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 50-11-02 of the 1995 Supplement
7 to the North Dakota Century Code is amended and reenacted as follows:

8 2. Before licensing a facility for foster care, the department ~~may~~ shall investigate the
9 background of an individual living or working in the facility in accordance with rules
10 of the department to determine whether any individual has a criminal record.

11 **SECTION 2.** A new section to chapter 50-11 of the North Dakota Century Code is
12 created and enacted as follows:

13 **Background investigations - Fees.** Each facility shall obtain, from any adult living in
14 the facility, but not being provided care in the facility, and from any individual employed by the
15 facility, two sets of that individual's fingerprints from a law enforcement agency or other local
16 agency authorized to take fingerprints and shall request that agency to submit the fingerprints
17 and a completed fingerprint card for each set to the department. The department shall submit
18 one set of fingerprints to the federal bureau of investigation and one set to the bureau of
19 criminal investigation to determine if there is any criminal history record information regarding
20 the individual. The results of the investigations must be forwarded to the department. An
21 agency that takes fingerprints as provided under this section may charge a reasonable fee to
22 offset the costs of the fingerprinting.