

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-ninth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1484**

Introduced by

Representatives S. Kelsh, Delmore, Maragos, Zaiser

Senators Nelson, Syverson

1 A BILL for an Act to create and enact section 12-60-16.11 of the North Dakota Century Code,  
2 relating to obtaining criminal history record information; and to amend and reenact section  
3 12-60-16.6 of the North Dakota Century Code, relating to the dissemination of criminal history  
4 record information.

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

6 **SECTION 1. AMENDMENT.** Section 12-60-16.6 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **12-60-16.6. Criminal history record information - Dissemination to parties not**  
9 **described in section 12-60-16.5.** Only the bureau may disseminate criminal history record  
10 information to parties not described in section 12-60-16.5. The dissemination may be made  
11 only if all the following requirements are met:

- 12 1. The information has not been purged or sealed.
- 13 2. The information is of a conviction, including a conviction for violating section  
14 12.1-20-03, 12.1-20-03.1, 12.1-20-04, 12.1-20-06.1, or 12.1-20-11 notwithstanding  
15 any disposition following a deferred imposition of sentence; or the information is of  
16 a reportable event occurring within ~~one year~~ three years preceding the request.
- 17 3. The request is written and contains:
  - 18 a. The name of the requester.
  - 19 b. The name of the record subject.
  - 20 c. At least two items of information used by the bureau to retrieve criminal  
21 history records, including:
    - 22 (1) The fingerprints of the record subject.
    - 23 (2) The state identification number assigned to the record subject by the  
24 bureau.

- 1                   (3)    The social security number of the record subject.
- 2                   (4)    The date of birth of the record subject.
- 3                   (5)    A specific reportable event identified by date and either agency or
- 4                                    court.

5           4.    The identifying information supporting a request for a criminal history record does  
6                   not match the record of more than one individual.

7           **SECTION 2.** Section 12-60.16.11 of the North Dakota Century Code is created and  
8 enacted as follows:

9           **12-60-16.16. Criminal history record information - Required action.** Any person  
10 offering criminal background checks for compensation, for the purpose of screening applicants  
11 seeking a position in which the applicant is responsible for providing care for a vulnerable adult,  
12 shall utilize the bureau of criminal investigation statewide criminal history database in addition  
13 to any other compiled information. The entity shall pay any applicable fees set forth in section  
14 12-60-16.9.