

PROPOSED AMENDMENTS TO SENATE BILL NO. 2260

In lieu of the amendments adopted by the House as printed on pages 985 and 986 of the House Journal, Senate Bill No. 2260 is amended as follows:

Page 1, line 3, remove "a new subsection to section 43-28-06,"

Page 1, line 5, after the third comma insert "15.1-06-06,"

Page 3, line 6, overstrike "The agencies", remove ", officials." and overstrike "and entities named in subsection 2 shall require each" and insert immediately thereafter "Each"

Page 3, line 7, remove "or name change" and overstrike the first "to" and insert immediately thereafter "or name change who is subject to a criminal history record check under subsection 2 shall"

Page 4, line 6, after "each" insert "final"

Page 4, line 18, after "The" insert "department of" and overstrike "department"

Page 4, line 26, after "The" insert "department of" and overstrike "department"

Page 5, line 15, after "each" insert "final"

Page 5, line 17, after "each" insert "final"

Page 5, line 19, overstrike "employees assigned duties related to"

Page 5, line 20, overstrike "bioterrorism and homeland security issues" and insert immediately thereafter "each final applicant for or employee in a specified occupation with the department"

Page 5, line 21, overstrike "a nurse aide seeking to have a finding of neglect removed from the"

Page 5, line 22, overstrike "nurse aide registry; or" and overstrike "state"

Page 5, line 23, overstrike "of health who holds a license, certificate, or registration in a"

Page 5, line 24, overstrike "health-related field" and insert immediately thereafter "; or, when requested by the department, an applicant for registration, certification, or licensure by the department"

Page 5, line 25, remove "The state board of dental examiners for initial and credential application for a"

Page 5, remove lines 26 through 28

Page 5, line 29, remove "p."

Page 6, line 1, replace "q." with "p."

Page 6, line 5, replace "r." with "q."

Page 6, line 8, replace "s." with "r."

Page 6, line 11, replace "t." with "s."

Page 6, line 12, after "or" insert "final"

Page 6, line 15, replace "u." with "t."

Page 6, line 17, replace "v." with "u."

Page 6, line 18, after the first "and" insert "final"

Page 6, line 19, after "or" insert "final"

Page 6, line 22, replace "w." with "v."

Page 6, line 23, after "and" insert "final"

Page 6, line 26, after "or" insert "final"

Page 6, line 30, replace "x." with "w." and after "each" insert "final"

Page 6, line 31, remove the second "or"

Page 7, line 1, remove "for each student applying for or admitted to a specified program of study."

Page 7, line 3, replace "y." with "x.", after "The" insert "governing", after "a" insert "public", replace "district" with "or, for a nonpublic school, the superintendent of public instruction.", and replace "or individuals seeking" with "designated by the governing board or nonpublic school. The governing board or the nonpublic school is"

Page 7, remove lines 4 through 7

Page 7, line 8, remove "individuals must be" and remove the second "for"

Page 7, after line 9, insert:

"y. The governing board of a public school or, for a nonpublic school, the superintendent of public instruction, for individuals seeking employment with the school or otherwise providing services to the school, if those individuals have unsupervised contact with the students. For purposes of this subdivision, "unsupervised contact" with students means being in proximity to one or more students, on school grounds or at school functions, outside the presence of an individual who has been subject to a criminal background check. The governing board or the nonpublic school is responsible for paying the costs associated with obtaining a background check."

Page 7, after line 13, insert:

"SECTION 5. AMENDMENT. Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-06-06. Approval of public and nonpublic schools. Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 15.1-09-57;
3. The students are offered all subjects required by law; ~~and~~
4. The school is in compliance with all local and state health, fire, and safety laws; and
5. The school has conducted all criminal history record checks required by section 12-60-24."

Page 11, remove lines 1 through 13

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 125 - Attorney General

HOUSE - This amendment includes the amendments as approved by the House Judiciary Committee except that provisions are added specifying that only final applicants are subject to background checks and provisions allowing background checks on university students and the appropriation are removed.