

HOUSE BILL NO. 1073

Introduced by

Judiciary Committee

(At the request of the Department of Environmental Quality)

1 A BILL for an Act to create and enact a new section to chapter 23-01 and a new section to
2 chapter 23.1-01 of the North Dakota Century Code, relating to criminal history background
3 checks for applicants for licenses and permits issued by the state department of health and the
4 department of environmental quality; and to amend and reenact subdivisions n and vv of
5 subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history
6 record checks.

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

8 **SECTION 1. AMENDMENT.** Subdivisions n and vv of subsection 2 of section 12-60-24 of
9 the North Dakota Century Code are amended and reenacted as follows:

- 10 n. The state department of health for a final applicant for ~~or an employee in a~~
11 ~~specified occupational~~ a job opening or a current employee with the department as
12 designated by the state health officer; an individual being investigated by the
13 department; or, when requested by the department, an applicant for registration,
14 certification, or licensure by the department under title 23.
- 15 vv. The department of environmental quality for a final applicant for ~~or an employee~~
16 ~~specified in occupational~~ a job opening or a current employee with the department;
17 an individual being investigated by the department; or, when requested by the
18 department, an applicant for ~~registration, certification, or licensure by the~~
19 ~~department~~ a radioactive materials license under chapter 23.1-03 or a solid waste
20 permit under chapter ~~23.1~~23.1-08.

21 **SECTION 2.** A new section to chapter 23-01 of the North Dakota Century Code is created
22 and enacted as follows:

1 **Criminal history background checks.**

2 The department may require an applicant for registration, certification, or licensure to
3 complete a state and nationwide criminal history record check as provided in section 12-60-24.
4 If the applicant is not an individual, the department may require an individual responsible for the
5 applicant to complete a state and a nationwide criminal history record check as provided in
6 section 12-60-24. The applicant or responsible individual shall submit personal information and
7 fingerprints with the application necessary to complete the state and nationwide criminal history
8 background record check. All costs associated with the state and nationwide criminal history
9 record check are the responsibility of the applicant.

10 **SECTION 3.** A new section to chapter 23.1-01 of the North Dakota Century Code is created
11 and enacted as follows:

12 **Criminal history background checks.**

13 The department may require an applicant for a license or permit to complete a state and
14 nationwide criminal history record check as provided in section 12-60-24. If the applicant is not
15 an individual, the department may require an individual responsible for the applicant to
16 complete a state and a nationwide criminal history record check as provided in section
17 12-60-24. The applicant or responsible individual shall submit personal information and
18 fingerprints with the application necessary to complete the state and nationwide criminal history
19 background record check. All costs associated with the state and nationwide criminal history
20 record check are the responsibility of the applicant.