

Testimony
Engrossed House Bill 1347 - Department of Human Services
Senate Human Services Committee
Senator Judy Lee, Chairman
March 3, 2021

Chairman Lee, and members of the Senate Human Services Committee, I am Jonathan Alm, an attorney with the Department of Human Services (Department). I appear before you in support of Engrossed House Bill No. 1347.

The Department is proposing an amendment to Engrossed House Bill No. 1347 to add additional clarity. The proposed amendment replaces section "12.1-22-02" with "subdivision b of subsection 2 of section 12.1-22-02".

This amendment will ensure that the statutory provisions listed in Engrossed House Bill No. 1347 match the Department's administrative rules regarding early childhood services. The Department's administrative rules prohibit individuals from becoming a staff member or a registered, self-declared, or a licensed provider if the individual was convicted of certain criminal offenses. However, under current state law, an individual with the same conviction could provide non-sanctioned early childhood services without being subject to any penalty. Engrossed House Bill No. 1347 creates a class B misdemeanor if an individual provides non-sanctioned early childhood services when the individual was convicted of certain criminal offenses. If the proposed amendment is not adopted, we could have a situation in which the Department permits employment or grants a registration, self-declaration, or a license to an individual that was convicted of a class C felony for violating section 12.1-22-02 while still allowing the State's Attorney to prosecute the same individual under subdivision d of subsection 1 of section 50-11.1-13.1.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1347

Page 2, line 2, remove "or"

Page 2, line 5, remove "12.1-22-02,"

Page 2, line 6, after "14-09-22.1" insert ", or subdivision b of subsection 2 of section 12.1-22-02"

Renumber accordingly