15.0497.02000

# FISCAL NOTE

**Requested by Legislative Council**
**01/08/2015**

Amendment to: SB 2145

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 2013-2015 Biennium | | 2015-2017 Biennium | | 2017-2019 Biennium | |
|---|---|---|---|---|---|---|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | $0 | $0 | | $0 | | $0 |
| Expenditures | $0 | $0 | | $0 | | $0 |
| Appropriations | $0 | $0 | | $0 | | $0 |

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

| | 2013-2015 Biennium | 2015-2017 Biennium | 2017-2019 Biennium |
|---|---|---|---|
| Counties | | | |
| Cities | | | |
| School Districts | | | |
| Townships | | | |

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill increases the number of school entities that can request criminal history record checks.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

While the number of criminal history record checks may not increase the number of entities the office will need to audit to be in compliance with the FBI will increase by about 40.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Not applicable

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The expenditures impact of this bill is unknown at this time.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The impact of this bill on appropriations is unknown at this time.

**Name:** Kathy Roll
**Agency:** Office of Attorney General
**Telephone:** 701-328-3622
**Date Prepared:** 01/12/2015

15.0497.01000

# FISCAL NOTE
**Requested by Legislative Council**
**01/08/2015**

Bill/Resolution No.: SB 2145

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 2013-2015 Biennium | | 2015-2017 Biennium | | 2017-2019 Biennium | |
|---|---|---|---|---|---|---|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | $0 | $0 | | $0 | | $0 |
| Expenditures | $0 | $0 | | $0 | | $0 |
| Appropriations | $0 | $0 | | $0 | | $0 |

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

| | 2013-2015 Biennium | 2015-2017 Biennium | 2017-2019 Biennium |
|---|---|---|---|
| Counties | | | |
| Cities | | | |
| School Districts | | | |
| Townships | | | |

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill increases the number of school entities that can request criminal history record checks.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

While the number of criminal history record checks may not increase the number of entities the office will need to audit to be in compliance with the FBI will increase by about 40.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Not applicable

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The expenditures impact of this bill is unknown at this time.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The impact of this bill on appropriations is unknown at this time.

**Name:** Kathy Roll
**Agency:** Office of Attorney General
**Telephone:** 701-328-3622
**Date Prepared:** 01/12/2015

**2015 SENATE EDUCATION**

**SB 2145**

# 2015 SENATE STANDING COMMITTEE MINUTES

**Education Committee**
Missouri River Room, State Capitol

SB 2145
1/13/2015
Job# 21876 *(11:59)*

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

**Explanation or reason for introduction of bill/resolution:**

COMMITTEE HEARING
Relating to criminal history record checks

**Minutes:** 1 attachment

**Chairman Flakoll** called the committee to order on January 13th with all committee members present.

**Kyle Davison**, District 41 Senator and executive director for the Southeast education Cooperative *(see attachment #1)*
**Chairman Flakoll**: Can the Board of Higher Education utilize this?
**Senator Davison:** They are part of the criminal history check and there are number of other organizations. Interestingly enough, there will be a bill on the floor today I believe from game and fish that expands criminal background checks.

**Annette Bendish**, with the NDSBA
**Bendish**: We believe this is a very important bill. We have individuals in our current tech center and special education units in our regional educational association that do have unsupervised contact with students. We want to make sure that the directors of these groups have the authority under the law to use the BCI criminal history check process, to ensure appropriate background checks with those who will have unsupervised contact before employment.
**Vice Chairman Rust**: what conversations do you have with BCI as we increase background checks? Do they have any concerns regarding an increase in work force for them?
**Bendish**: The SBA has not had any conversations with BCI; we've only been in contact with educational groups. They may have concerns with expanding with an already extensive list of groups who are already utilizing their services, but we have not been in contact with them.

*(4:25)* **Judy Volk**, criminal history records manager, called to the podium to represent BCI
**Vice Chairman Rust:** As we have more entities requesting background checks, what does that do for BCI?
**Volk**: at present we have 4 bills that have been proposed this session that will provide additional entities with additional access to criminal history record checks. From what I am aware, the entities listed for this particular bill are already doing background checks, so it wouldn't be an expansion in number of record checks but only a change in the entity that would be submitting the request to us.
**Vice Chairman Rust**: You don't see any significant increase in number of background checks?
**Volk**: for this bill, no
**Senator Davison**: what are the fees?
**Volk**: The cost for a state and federal record check under section 12-60-24 of our code, the total is $42.75. that is for a state of ND record check as well as submitting a request to the FBI for the FBI's criminal history record.
**Senator Davison**: What was the last time you raised that fee? Have you done a cost analysis?
**Volk**: we have not does a specific cost analysis to see if our fees should be raised. Part of those fees as we break them down presently it is $15 for a state of ND record check, $15 for submitting the fingerprint card to FBI, and the FBI charges $12.75 with the record they provide to us.
**Senator Davison**: has this become fairly electronically efficient over time?
**Volk**: Yes, we have progressed electronically. We have more live scan units out in the local agencies now where fingerprints can now be taken electronically and submitted from the local law enforcement agencies. It saves a lot of time and resources while being more efficient. However there has certainly been a great expansion of entities requesting access to record checks. In the last two sessions, there was a total of 7 new entities and we did not ask for additional staff resources during that session. There are 4 new entities that have asked for request this session.
**Chairman Flakoll**: Will you enlighten us on the timeline of record checks transferring through state and federal?
**Volk**: It various. We have goals for turnaround rates and expect it should not take more than a week. We have challenges if there are missing dispositions, such as if someone is arrested more than a year prior, we would follow up to find out what the disposition for those charges would be prior to providing the record back to the entity that requested it.
**Chairman Flakoll**: what portions are subject to open records, such as in the case of schools? Once the school receives information from you, is that now subject to open records?
**Volk**: It depends which record. There is the State of ND and also FBI reports, there are different requirements in regard to confidentiality. The State of ND record check does not have anything in its statute that requires that it be kept confidential, but the FBI has those requirements in that it is not something the school boards for instance should provide at an open meeting.

**Chairman Flakoll** closes the hearing on SB 2145.

# 2015 SENATE STANDING COMMITTEE MINUTES

**Education Committee**
Missouri River Room, State Capitol

SB 2145
1/13/2015
Job # 21881 *(1:53)*

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

**Explanation or reason for introduction of bill/resolution:**

COMMITTEE ACTION
Relating to criminal history record checks

**Minutes:** No attachments

**Chairman Flakoll** calls the committee back to order and entertains a motion.

**Senator Schaible** makes a motion for a Do Pass on SB 2145.
**Senator Oban** seconds the motion.

*-further discussion*

**Senator Schaible**: I have been informed that the BCI background checks that we conduct are only for fingerprint offenses, an interesting concept to keep in mind.

Do Pass motion carries with a 6:0 vote. **Senator Davison** will carry the bill.

Date: 1/13/2015
Roll Call Vote #: 6:0

**2015 SENATE EDUCATION COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO. 2145**

Senate Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Senator Schaible Seconded By Senator Oban

| Senators | Yes | No | Senators | Yes | No |
|---|---|---|---|---|---|
| Chairman Senator Flakoll | x | | Senator Marcellais | x | |
| Vice Chairman Senator Rust | x | | Senator Oban | x | |
| Senator Davison | x | | | | |
| Senator Schaible | x | | | | |
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Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Davison

If the vote is on an amendment, briefly indicate intent:

## REPORT OF STANDING COMMITTEE

**SB 2145: Education Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2145 was placed on the Eleventh order on the calendar.

**2015 HOUSE EDUCATION**

**SB 2145**

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**
Pioneer Room, State Capitol

SB 2145
3/4/2015
24333

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Donna Wetham

**Explanation or reason for introduction of bill/resolution:**

Relating to criminal history record checks.

Attachment # 1-2.

**Minutes:**

**Chairman Nathe:** opened the hearing on SB 2145.

**Senator Kyle Davison**: District 41 Introduced SB 2145 (See Attachment #1)
I have an amendment passed out to you (See Attachment #2) (2:52)

**Chairman Nathe:** The amendment is just line 14 on page 5.

**Senator Davison**: It is, yes. It is just taking out "superintendent of public instruction" and putting in the word "board".

**Rep D. Johnson:** Do you know anyone right now that doesn't do criminal background checks?

**Senator Davison**: I do. I am not sure all Regional Education Associations do background checks. This is just looking at making sure all the organizations do background checks.

**Rep. Olson:** Do you know what type of audits are required by FBI to be in compliance. Apparently Bureau of Criminal Investigation ( BCI) will have to audit the 40 new institutions that will the ability to do the background checks.

**Senator Davison**: I don't know.

**Rep Hunskor:** When you started you remarks on page 4 on line 21 and down to line 22 for the costs and then I lost you there. Is there something I am missing?

**Senator Davison**: It is just line 21 if you look at the amendment, I just want to show the language on line 21 page 4 and the language should be consistent to page 5 line 14.

**Rep Rohr:** Has there been a problem or is this just to make this standard across the system?

**Senator Davison**: I think it is just getting it into century code and making sure people are doing them. They are important.

**Rep Meier:** Are you aware what the cost is for the background checks?

**Senator Davison:** I am not sure, what we pay is about $40-$60. I am not sure what BCI charges.

**Rep Meier:** Do you know how long it takes to do a background check?

**Senator Davison**: I don't but it is usually 7-10 days when we get it back.

**Rep. Olson:** This bill is not making it mandatory to do the checks but just giving the ability to interface with BCI in order to do them.

**Senator Davison:** I will let others speak to that issue when they testify.

**Annette Bendish:** Legal Counsel for the North Dakota School Boards Association: This is an issue we identified in our office and some of the phone calls we have received. Looking at the statute we identified that our public and private schools did have authority to use the BCI criminal check process. But our current Technical Education, Special Education units and our Regional Educational Associations lack the statutory authority to use the BCI Criminal check process. We thought it would be important to extend the statutory authority to include those entities.

**Chairman Nathe:** This just brings them in line with the rest of the school district?

**Annette Bendish**: Correct. I understand some of those entities already use BCI but we we wanted to make sure they had the statutory authority because the list of entities that BCI can do record checks for is in statute and currently these other entities were listed as well.

**Chairman Nathe:** Do you know the cost of the background checks?

**Annette Bendish**: The cost is $42.75.

**Vice Chairman Schatz:** Licensed teachers already have to have a criminal background check?

**Annette Bendish:** Yes. It is part of the licensure.

**Vice Chairman Schatz:** So in this bill you are talking about non-licensed teachers?

**Annette Bendish**: No it wouldn't just be non-licensed teachers but it could be support staff, para educators, in some school districts they run them on all employees.

**Vice Chairman Schatz:** So that is what this would do is get everyone?

**Annette Bendish**: Yes. It would extend that authority to allow our other educational entities that are providing services the opportunity to use BCI to record check all of their employees.

**Rep Meier:** Currently substitute teachers do not have to have background checks?

**Annette Bendish:** If they are licensed teachers they should have those checks as part of their licensure.

**Rep Rohr:** How about tutors and volunteers in the school?

**Annette Bendish**: We advise the school districts anyone who has unsupervised contact with the students, so it would apply then. To clarify the volunteer question it would be continuous unsupervised contact with students.

**Rep. Olson:** This doesn't require background checks but it just gives BCI the direction to provide if it is requested, is that right?

**Annette Bendish**: Correct. This section of law just authorizes BCI to provide criminal history record check information to certain entities. We wanted to add these educational groups to that list. It does not require them to do the checks in this section, but school accreditation it would.

**Rep. Olson:** Are they already doing this? It sounds like we just want to put this into code to clarify that BCI has the right to do this.

**Annette Bendish**: Yes, we already do this but we just want you to make sure it is in compliance with the statute.

**Rep Rohr:** Are these checks archived and deleted after they leave their positions?

**Annette Bendish**: As I understand they would be part of the individual's personnel file.

**Rep Kelsh:** Under law does BCI have the right to say no or would they have to do it?

**Annette Bendish:** I believe if the entity is listed in this section of law then BCI would do that record check for them.

**Judy Volk**: Criminal Records Supervisor of North Dakota Bureau of Criminal Investigation, if you have any questions I would be happy to answer them.

**Rep. Olson:** What are the audit requirements from FBI for you to provide this service to the individual entities? Could you explain what the audits are like?

**Judy Volk:** There is a requirement from the FBI to do auditing of all of the entities you see listed under this statute. We have to make sure they are checking only on the individuals

they are allowed to by law. That they are following the correct procedures, storing the records properly and that the information is kept confidential. We need to make sure their policies are in line with the state and federal requirements.

**Rep. Olson:** It sounds like this is already being done to some of the agencies not named. Have you been auditing them anyway?

**Judy Volk:** This is actually going to be a new process. We have not been doing them. The FBI has been doing some of the audits. Every three years they come out and now they are requiring the states to audit the entities separately.

**Rep. Olson:** If we are adding 40 new entities, will this cause increase load on your employees or can you handle this with your existing resources?

**Judy Volk**: I am not sure what impact that will be. We don't know how many record checks they will conduct. We will not be auditing each entity every year, we will likely increase the amount of time it takes to get to the end.

**Rep Meier:** If you had an educator that has transferred in from out of state that has had a background check in another state, do they have to have another background check done in our state?

**Judy Volk:** BCI will conduct a record check at the request of a school or from the Education Standard and Practices board for licensure. They would make the determination if that individual would have to have another check. We could not access the results of the record check in another state.

**Rep Meier:** I was just wondering if that was confidential or we just request a new record check.

**Judy Volk**: They would likely request another record check. They could not see the previous results. Plus the record check is only as good as the day it was run because something could occur in the meantime.

**Rep Rohr:** It says it is a statewide and a nationwide check. What happens if someone has a green card? Is this international as well?

**Judy Volk**: It is not international. It is a record check of two data bases. The North Dakota Criminal history data base and a fingerprint search of the FBI's data base.

**Rep Rohr:** What if the school employs an individual with a green card?

**Judy Volk**: I have no access to any other data bases besides those two. I cannot answer that question.

**Rep. Olson:** Does BCI have a position on the bill?

**Judy Volk**: It is neutral. Here to answer questions.

**Rep Rohr:** I would like that question answered on people that have a green card.

**Annette Bendish**: I believe it is part of the visa or green card process. Those individuals would be checked by immigration.

**Rep Rohr:** Who makes sure the school gets that information?

**Annette Bendish**: There is federal forms, information and a federal process. The school board can get that information from immigration.

**Rep Rohr:** That person could not be employed until that information is obtained then?

**Annette Bendish**: Correct. That individual could not be employed by the district until all of the appropriate information would be received by the school district.

**Chairman Nathe:** Any other support for SB 2145? Any opposition to SB 2145? Seeing none. Closed the hearing on SB2145

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**
Pioneer Room, State Capitol

SB 2145
3/9/2015
24518

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Donna Whetham

**Explanation or reason for introduction of bill/resolution:**

Relating to criminal history record checks.

Attachment # 1.

**Minutes:**

**Chairman Nathe:** reopened the hearing on SB 2145.

**Tom Trenbeath**: **Chief Deputy,Office of Attorney General**,( 00:40-3:50) We have a standard procedure in our office that we look at every piece of legislation. We missed this one and I have a proposed amendment to fix the problem. In 2007 is when background checks were put into place for various organizations. They are all governmental entities because the FBI won't give it to private entities. That fact and the non-public schools wanting to get in on this is why we crafted a way for that to happen. If they made application through DPI they could get the background check. Then we could provide that background information to DPI and once it is in their hands they can share it with whomever they choose since they had paid the fee at that point. When you first heard the bill there was a proposed amendment to it to put further offending language, shall we say. If you go to page 4 on line 21 we put in "a board of a non- public school" and referenced that board there-after. They would not be able to obtain that information directly. They would have to go through DPI. I have given you an amendment to cure the language proposed in this bill. I have informed the primary sponsor to the bill of the situation. He is not happy with it and it makes it one step more cumbersome to get a background check, but the bill makes it possible. (See Attachment # 1).

**Rep Looysen: Moved Do Pass on proposed amendment.**

**Rep Meier: Seconded.**

**Chairman Nathe:** Any discussion? Seeing none.

**Voice vote: All Ayes. Motion carried.**

**Rep Looysen: Moved Do Pass as amended on SB 2145.**

**Rep Zubke: Seconded.**

**Vice Chairman Schatz:** This allows criminal background checks in special education districts. How did we get along before without this. We have always had criminal background checks. The ESPB conducts criminal background checks.

**Chairman Nathe:** What this bill does is brings special education units, CTE and REA's in line with what the school districts are doing for their background checks. It makes it more consistent across the board.

**A Roll Call Vote was taken. Yes: 11 No: 1 Absent: 1. Motion Carried.**

**Rep. Olson: Will carry the bill.**

15.0497.01002
Title.02000

Adopted by the Education Committee

3/9/15

March 9, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2145

Page 4, line 21, replace the first "board" with "superintendent of public instruction in the case"

Page 4, line 21, replace the second "board" with "nonpublic school"

Page 4, line 22, replace "board" with "nonpublic school"

Renumber accordingly

Date: 3/9/15
Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO.** 2145

House Education Committee

☐ Subcommittee

Amendment LC# or Description: Proposed amendment on line 21+22 on page 4

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Looysen Seconded By Rep. Meier

| Representatives | Yes | No | Representatives | Yes | No |
|---|---|---|---|---|---|
| Chairman Nathe | | | Rep. Hunskor | | |
| Vice Chairman Schatz | | | Rep. Kelsh | | |
| Rep. Dennis Johnson | | | Rep. Mock | | |
| Rep. B. Koppelman | | | | | |
| Rep. Looysen | | | | | |
| Rep. Meier | | | | | |
| Rep. Olson | | | | | |
| Rep. Rohr | | | | | |
| Rep. Schreiber Beck | | | | | |
| Rep. Zubke | | | | | |
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Voice Vote!

Motion Carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Page 4 line 21+22

Motion Carried.

Date: 3/9/15
Roll Call Vote #: 2

**2015 HOUSE STANDING COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO. 2145**

House Education Committee

☐ Subcommittee

Amendment LC# or Description: 15.0497.01002

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep Looysen Seconded By Rep. Zubke

| Representatives | Yes | No | Representatives | Yes | No |
|---|---|---|---|---|---|
| Chairman Nathe | ✓ | | Rep. Hunskor | ✓ | |
| Vice Chairman Schatz | | ✓ | Rep. Kelsh | A | |
| Rep. Dennis Johnson | ✓ | | Rep. Mock | ✓ | |
| Rep. B. Koppelman | ✓ | | | | |
| Rep. Looysen | ✓ | | | | |
| Rep. Meier | ✓ | | | | |
| Rep. Olson | ✓ | | | | |
| Rep. Rohr | ✓ | | | | |
| Rep. Schreiber Beck | ✓ | | | | |
| Rep. Zubke | ✓ | | | | |
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Total (Yes) 11 No 1

Absent 1

Floor Assignment Rep. Olson

If the vote is on an amendment, briefly indicate intent:

## REPORT OF STANDING COMMITTEE

**SB 2145: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2145 was placed on the Sixth order on the calendar.

Page 4, line 21, replace the first "board" with "superintendent of public instruction in the case"

Page 4, line 21, replace the second "board" with "nonpublic school"

Page 4, line 22, replace "board" with "nonpublic school"

Renumber accordingly

**2015 TESTIMONY**

**SB 2145**

#1
1/13/2015

**Senate Bill 2145**
**Testimony**
**January 13th, 2015**

Senate bill 2145 extends the authority for criminal history checks to special education units, career and technical education units and regional education associations. In visiting with each of these education units in my legislative area all currently require criminal history background checks but did not object to updating it in century code.

Currently, the law regarding Bureau of Criminal Investigation (BCI) criminal history checks only states "governing board of a public school" this change would allow other educational entities to use the BCI criminal history check process.

I would appreciate your support of Senate bill 2145.

Thank you,

Senator Kyle Davison
District 41 Fargo

#1
SB 2145
3/4/15

**Senate Bill 2145**
**Testimony**
**January 13th, 2015**

Senate bill 2145 extends the authority for criminal history checks to special education units, career and technical education units and regional education associations. In visiting with each of these education units in my legislative area all currently require criminal history checks but did not object to updating it in century code.

Currently, the law regarding Bureau of Criminal Investigation (BCI) criminal history checks only states "governing board of a public school" this change would allow other educational entities to use the BCI criminal history check process.

I would appreciate your support of Senate bill 2145.

Thank you,

Senator Kyle Davison
District 41 Fargo

#2
SB 2145
3/4/15

15.0497.01001
Title.

Prepared by the Legislative Council staff for
Senator Heckaman
January 27, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2145

Page 5, line 14, replace "superintendent of public instruction in the case" with "board"

Renumber accordingly

#1
SB 2145
3/9/15

**PROPOSED AMENDMENTS TO SENATE BILL NO. 2145**

Page 4, line 21, replace the first "board" with "superintendent of public instruction in the case"

Page 4, line 21, replace the second "board" with "nonpublic school"

Page 4, line 22, replace "board" with "nonpublic school"

Renumber accordingly