

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1084  
(Judiciary Committee)  
(At the request of the Superintendent of Public Instruction)

AN ACT to create and enact a new section to chapter 25-06 and a new section to chapter 25-07 of the North Dakota Century Code, relating to criminal history record checks; and to amend and reenact paragraph 5 of subdivision x of subsection 2 of section 12-60-24 and paragraph 5 of subdivision y of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

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

**SECTION 1. AMENDMENT.** Paragraph 5 of subdivision x of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

- (5) The superintendent of public instruction in the case of a nonpublic school or a state school with a superintendent appointed by or reporting to the superintendent of public instruction, for employees designated by the nonpublic or state school, provided the nonpublic or state school is responsible for paying the costs associated with obtaining a criminal history record check.

**SECTION 2. AMENDMENT.** Paragraph 5 of subdivision y of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

- (5) The superintendent of public instruction in the case of a nonpublic school or a state school with a superintendent appointed by or reporting to the superintendent of public instruction, for a final applicant seeking employment with the school or otherwise providing services to the school, if that individual has unsupervised contact with students, provided the board is responsible for paying the costs associated with obtaining a criminal history record check.

**SECTION 3.** A new section to chapter 25-06 of the North Dakota Century Code is created and enacted as follows:

**Criminal history record checks.**

The school for the blind may require any employee, final applicant for employment, or any individual otherwise providing services to the school to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided in section 12-60-24. The school for the blind may assess all costs associated with obtaining a criminal history record check to the individual upon whom the criminal history record check is conducted.

**SECTION 4.** A new section to chapter 25-07 of the North Dakota Century Code is created and enacted as follows:

**Criminal history record checks.**

The school for the deaf may require any employee, final applicant for employment, or any individual otherwise providing services to the school to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided in section 12-60-24. The school for the deaf may assess all costs associated with obtaining a criminal history record check to the individual upon whom the criminal history record check is conducted.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1084.

House Vote:    Yeas 63            Nays 28            Absent 3

Senate Vote:    Yeas 42            Nays 3            Absent 2

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State