

2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1075

2025 HOUSE STANDING COMMITTEE MINUTES

GOVERNMENT VETERANS AFFAIRS COMMITTEE

PIONEER ROOM, STATE CAPITOL

HB 1075
1/10/2025

Relating to criminal history record checks by the department of emergency services
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9:45 am Chairman Schauer called the meeting to order.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Discussion Topics:

- Recommended amendments to HB 1075
- Fingerprinting personnel

9:46 am Darin Hanson, Director of Homeland Security Division, testified in favor of and submitted testimony in favor of #28322.

9:51 am Mr. Martins, Office of the Attorney General testified in favor.

9:58 am Chairman Schauer adjourned the meeting.

Jackson Toman, Committee Clerk

**TESTIMONY OF
DARIN T. HANSON
HOMELAND SECURITY DIVISION DIRECTOR
NORTH DAKOTA DEPARTMENT OF EMERGENCY SERVICES
BEFORE THE 69TH LEGISLATIVE SESSION
HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
JANUARY 10, 2025
IN SUPPORT OF HOUSE BILL 1075**

Chairman Schauer, Vice Chairman Satrom, Members of the Committee. I am Darin Hanson, Director of Homeland Security within the Department of Emergency Services. Thank you for the opportunity to present testimony regarding the “DES Background Checks” bill (HB 1075), which seeks to grant the North Dakota Department of Emergency Services (NDDDES) the authority to conduct fingerprint-based background checks for all new hires and current employees. This legislation is critical to enhancing the security of sensitive law enforcement and homeland security information within the NDDDES. NDDDES has consulted with staff from the Attorney General’s Office, specifically the Bureau of Criminal Investigation, regarding criminal history record check best practices. They believe the proposed amendments would be more favorable for securing FBI approval to conduct fingerprint-based background checks.

Criminal background checks are a vital part of ensuring that individuals in positions involving public safety and trust are thoroughly vetted. In North Dakota, like many other states, such checks are crucial, particularly in emergency services where employees may have access to sensitive law enforcement and homeland security data. ND Century Code already makes 58 authorizations for this authority to state agencies, boards, local political subdivisions and other organizations in section 12-60-24.

NDDDES currently has the capability to run fingerprint-based background checks in-house, but we do not currently have the authority to do so for *all* of our employees. This gap presents a potential risk, particularly as information sharing between agencies increases. To secure sensitive data and ensure that the department is prepared for future data integrations, it is crucial to conduct these fingerprint background checks.

In order to conduct these checks, NDDDES must be granted the ability to perform fingerprint-based checks through the FBI, a capability that is currently hindered by North Dakota Century Code. This bill proposes the creation and enactment of a new subdivision fff of subsection 2 of section 12-60-24, as well as a new section to Chapter 37-17.1 of the North Dakota Century Code. This would allow the NDDDES to require final applicants for job openings or current employees to undergo both statewide and nationwide criminal history checks.

I urge the committee to support House Bill 1075, which will empower the North Dakota Department of Emergency Services to conduct fingerprint background checks for all new hires and current employees, resulting in increased information security, consistent vetting of employees across the agency, and the department's future ability to integrate homeland security and law enforcement data.

Thank you for your time and consideration. I am happy to answer any questions you may have.

2025 HOUSE STANDING COMMITTEE MINUTES

GOVERNMENT VETERANS AFFAIRS COMMITTEE

PIONEER ROOM, STATE CAPITOL

HB 1075

1/10/2025

Relating to criminal history record checks by the department of emergency services
--

11:00 a.m. Chairman Schauer called the meeting to order.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Discussion Topics:

- Proposed amendments background check requirements
- Discussion and voting

11:01 a.m. Representative Vetter moved to adopt amendment LC# #25.8100.01001.

11:01 a.m. Representative McLeod seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Collette Brown	Y
Representative Josh Christy	Y
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	Y
Representative Karen Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y
Representative Christina Wolff	Y

11:02 a.m. Motion passed 14-0-0.

11:03 a.m. Representative Rohr moved Do Pass as amended.

11:03 a.m. Representative Bahl seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Collette Brown	Y
Representative Josh Christy	Y
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	Y
Representative Karen Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y
Representative Christina Wolff	Y

11:04 a.m. Motion passed 14-0-0.

Representative Rohr will carry the bill.

11:05 a.m. Chairman Schauer adjourned the meeting.

Jackson Toman, Committee Clerk

Rus
1/10/25
1 of 2

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1075

Introduced by

Government and Veterans Affairs Committee

(At the request of the Adjutant General)

1 A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and
2 a new section to chapter 37-17.1 of the North Dakota Century Code, relating to criminal history
3 record checks by the department of emergency services; ~~and to amend and reenact~~
4 ~~subdivision nn of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating~~
5 ~~to criminal history record checks by the department of emergency services.~~

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

7 **SECTION 1.** A new subdivision to subsection 2 of section 12-60-24 of the North Dakota
8 Century Code is created and enacted as follows:

9 The department of emergency services for a final employment applicant under
10 chapter 37-17.1.

11 **SECTION 2.** A new section to chapter 37-17.1 of the North Dakota Century Code is created
12 and enacted as follows:

13 **Criminal history record checks.**

14 The department of emergency services may require a final applicant for a job opening or a
15 current employee who works with the department of emergency services employment to submit
16 to a statewide and nationwide criminal history record check checks. The nationwide criminal
17 history record check must be conducted in the manner provided by section 12-60-24.

18 ~~— **SECTION 2. AMENDMENT.** Subdivision nn of subsection 2 of section 12-60-24 of the North~~
19 ~~Dakota Century Code is amended and reenacted as follows:~~

20 ~~— nn. The office of the adjutant general for a final applicant for a job opening or current~~
21 ~~employees and volunteers working with the office of the adjutant general.~~

- 1 | including the recruiting and retention, sexual assault, and youth programs, or with
- 2 | the department of emergency services.

**REPORT OF STANDING COMMITTEE
HB 1075**

Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS (25.8100.01001)** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1075 was placed on the Sixth order on the calendar.

2025 SENATE AGRICULTURE AND VETERANS AFFAIRS

HB 1075

2025 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1075
2/14/2025

A bill relating to criminal history record checks by the department of emergency services.

10:15 a.m. Chairman Luick opened the hearing.

Members present: Chairman Luick, Senator Marcellais, Senator Weber, Senator Lemm

Members absent: Senator Weston and Vice-Chair Myrdal

Discussion Topics:

- Fingerprint background checks
- Law enforcement switches
- Information sharing and issues
- Federal Bureau of Investigation (FBI) and security clearances

10:15 a.m. Darin Hanson, Director of Homeland Security within the Department of Emergency Services, testified in favor and submitted testimony #37668.

10:21 a.m. Chairman Luick closed the hearing.

10:21 a.m. Senator Marcellais moved a Do Pass.

10:21 a.m. Senator Weber seconded the motion.

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	A
Senator Randy D. Lemm	Y
Senator Richard Marcellais	Y
Senator Mark F. Weber	A
Senator Kent Weston	A

Motion passed 4-0-2.

Senator Marcellais will carry the bill.

10:25 a.m. Chairman Luick closed the hearing.

Audrey Oswald, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1075 ([25.8100.02000](#))**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). HB 1075 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**TESTIMONY OF
DARIN T. HANSON
HOMELAND SECURITY DIVISION DIRECTOR
NORTH DAKOTA DEPARTMENT OF EMERGENCY SERVICES
BEFORE THE 69TH LEGISLATIVE SESSION
SENATE AGRICULTURE AND VETERANS COMMITTEE
2/14/2025
IN SUPPORT OF HOUSE BILL 1075**

Chairman Luick, Vice Chairman Myrdal, and members of the Committee,

I am Darin Hanson, Director of Homeland Security within the Department of Emergency Services. Thank you for the opportunity to present testimony regarding the “DES Background Checks” bill (HB 1075), which seeks to grant the North Dakota Department of Emergency Services (NDDDES) the authority to conduct fingerprint-based background checks for all new hires and current employees. This legislation is critical to enhancing the security of sensitive law enforcement and homeland security information within NDDDES and the state. NDDDES has consulted with staff from the Attorney General’s Office, specifically the Bureau of Criminal Investigation, regarding criminal history record check best practices and believe this language is favorable for securing FBI approval to conduct fingerprint-based background checks.

Criminal background checks are a vital part of ensuring that individuals in positions involving public safety and trust are thoroughly vetted. In North Dakota, like many other states, such checks are crucial. Particularly in emergency services where employees may have access to sensitive law enforcement and homeland security data. ND Century Code already makes 58 authorizations for this authority to state agencies, boards, local political subdivisions and other organizations in section 12-60-24.

NDDDES currently has the capability to run fingerprint-based background checks in-house, but we do not currently have the authority to do so for *all* of our employees. This gap presents a potential risk, particularly as information sharing between agencies increases. To secure sensitive data and ensure that the department is prepared for future data integrations, it is crucial to conduct these fingerprint background checks.

In order to conduct these checks, NDDDES must be granted the ability to perform fingerprint-based checks through the FBI, a capability that is currently hindered by North Dakota Century Code. This bill proposes the creation and enactment of a new subdivision fff of subsection 2 of section 12-60-24, as well as a new section to Chapter 37-17.1 of the North Dakota Century Code. This would allow NDDDES to require final applicants for job openings or current employees to undergo both statewide and nationwide criminal history checks. We used permissive language in the bill – ‘may require’ in the event that we have a disaster or emergency and need to hire staff rapidly and may not have digital or proximal access to sensitive data.

Upon approval of this bill, our team would set internal policies of what background check returns would disqualify an individual from service within our division. We expect to model our policy on the policies from agencies with existing background check authority. We will also establish the single point of contact within our division who will be receiving the background check upon return. We expect this person to be within HR. They, following the thresholds agreed upon, would be able to clear or disqualify an individual without disclosing the information within the background check.

I urge the committee to support House Bill 1075, which will empower the North Dakota Department of Emergency Services to conduct fingerprint background checks for all new hires and current employees, resulting in increased information security, consistent vetting of employees across the agency, and the department's future ability to integrate homeland security and law enforcement data.

Thank you for your time and consideration. I am happy to answer any questions you may have.