House Public Service & Employees Subcommittee Am. #1

Amendment No._____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

_____
Signature of Sponsor

AMEND Senate Bill No. 345* **House Bill No. 347**

by deleting from Section 1 the following language:

, only with authorization of the general sessions judges or whoever is currently authorized to do it

House Public Service & Employees Subcommittee Am. #1

Amendment No._____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

_____
Signature of Sponsor

AMEND Senate Bill No. 789 **House Bill No. 933***

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 12, is amended by adding the following language as a new section:

4-3-1208.

(a) The department is authorized, in accordance with 34 U.S.C. § 40102(a)(1), to obtain state and national criminal history background checks and investigations performed by the Tennessee bureau of investigation and the federal bureau of investigation on employees and contractors of the department of human services division of rehabilitation services who are likely to have access to individuals with disabilities.

(b) An employee of the department of human services division of rehabilitation services who is likely to have access to individuals with disabilities must:

(1) Agree to the release of all investigative records to the state for the purpose of verifying criminal history information; and

(2) Supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the Tennessee bureau of investigation and a national criminal history background check and investigation to be conducted by the federal bureau of investigation.

(c) A person who is contracted with the department of human services division of rehabilitation services or employed by or subcontracted with a company that is contracted with the department of human services division of rehabilitation services who is likely to have access to individuals with disabilities must:

(1) Agree to the release of all investigative records to their employer or the state for the purpose of verifying criminal history information; and

(2)

(A) Supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the Tennessee bureau of investigation and a national criminal history background check and investigation to be conducted by the federal bureau of investigation; or

(B) Release information for a criminal background investigation by a state-licensed private investigation company.

(d) The department may require a person or entity contracting with the department to pay the costs associated with the background investigations of all employees of the contractor, which may be a condition of the contract with the department. If the background check is conducted by the Tennessee bureau of investigation or the federal bureau of investigation, the payment of the costs shall be made in accordance with § 38-6-103.

(e) The department is authorized to promulgate rules regarding the implementation and use of the background checks and investigations conducted pursuant to this section. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 4-3-1205(a), is amended by deleting the language "4-3-1207" and substituting instead the language "4-3-1208".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.