

HCS HB 694 -- RAP BACK

SPONSOR: Anderson

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention and Public Safety by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 1.

This bill allows qualified entities, under certain circumstances, to receive individuals' criminal history information from the central repository as part of the "Missouri Rap Back Program" as well as the National Rap Back Program. The Missouri program includes automatic notifications made by the State Highway Patrol about whether an individual, specifically an applicant who is employed, licensed, or otherwise under the purview of the entity, has been arrested for a reported criminal offense in the state.

The bill specifies what qualified entities are required to do before having access to the national and state programs, and it specifies the limited circumstances in which individuals' criminal history information may be used. An applicant must give consent to the qualified entity before that entity may access the applicant's fingerprints and criminal history information.

Finally, Missouri circuit courts and the Department of Social Services may require fingerprinting for applicants applying to adopt or to serve as guardian, conservator, or as another type of personal representative and the fingerprint-based record check will be forwarded to the State Highway Patrol to be used to search the criminal history repository. The fingerprints will be sent to the Federal Bureau of Investigation (FBI) for a national background check.

This bill contains an emergency clause.

PROPONENTS: Supporters say that this really just cleans language up from what was passed last year. It separates out public and private entities and this was language approved by the FBI.

Testifying for the bill were Representative Anderson and Kerry Creach, Missouri State Highway Patrol.

OPPONENTS: There was no opposition voiced to the committee.