

HCS SS SCS SB 40 -- BACKGROUND CHECKS

SPONSOR: Thompson Rehder (Veit)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 15 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for SB 40.

Currently, an entity participating in the Missouri Rap Back Program may request a person's updated criminal history record if the person has previously had a Missouri and national criminal record review within the previous six years. This bill repeals the six year requirement.

As specified in this bill, school districts shall ensure that a state criminal history background check consisting of open records is conducted on any person who is 18 years old or older who is not counted in the school district's average daily attendance when such person requests enrollment in a course that will take place on school property at a time when K-12 students are present. Such background check shall be processed through the State Highway Patrol, and the person seeking admission shall pay the fees for such background checks as provided in current law. A person found to have been convicted of a crime or offense for which a certificate of license to teach would be revoked or not issued shall be prohibited from enrolling in the course.

As specified in this bill, the Department of Health and Senior Services shall require all employees, contractors, owners, and volunteers of marijuana facilities to submit fingerprints to the Highway Patrol for a state and federal criminal background check. The Highway Patrol shall notify the Department of any criminal history record information or lack thereof discovered on the individual. All such records shall be accessible and available to the Department.

Finally, this bill modifies provisions of current law relating to background checks of individuals in connection with licensed residential care facilities and licensed child placing agencies. Current law requires officers, managers, and support staff to undergo background checks and this bill repeals that provision.

This bill requires the background check to include a state background check.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the Senate perfected version of the bill.

PROPONENTS: Supporters say that this bill requires the same background check for school volunteers as for other school employees. The language of this bill has been heavily vetted with input and revisions from many stakeholders, including the Federal Bureau of Investigation (FBI). Further, the background check provisions of this bill relating to marijuana facilities bring such requirements and procedures in line with what is provided and contemplated under Amendment 3, which legalized recreational marijuana. This bill represents common sense legislation that protects Missouri citizens.

Testifying in person for the bill were Senator Thompson Rehder; Collin M Stosberg, Missouri State Highway Patrol; Mocann Trade; and the Department of Health and Senior Services.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under "House Testimony on Senate Bills" on the House website.