

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1073
(Judiciary Committee)
(At the request of the Department of Environmental Quality)

AN ACT to create and enact a new section to chapter 23-01 and a new section to chapter 23.1-01 of the North Dakota Century Code, relating to criminal history background checks for applicants for licenses and permits issued by the state department of health and the department of environmental quality; and to amend and reenact subdivisions n and vv 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. Subdivision n of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

- n. The state department of health for a final applicant for or an employee in a specified occupationa job opening or a current employee with the department as designated by the state health officer; an individual being investigated by the department; or, when requested by the department, an applicant for registration, certification, or licensure by the department as a designated caregiver or a compassion center agent under chapter 19-24.1.

SECTION 2. AMENDMENT. Subdivision vv of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

- vv. The department of environmental quality for a final applicant for or an employee specified in occupationa job opening or a current employee with the department; an individual being investigated by the department; or, when requested by the department, an applicant for registration, certification, or licensure by the departmenta radioactive materials license under chapter 23.1-03 or a solid waste permit under chapter 23.1-08.

SECTION 3. A new section to chapter 23-01 of the North Dakota Century Code is created and enacted as follows:

Criminal history background checks.

The state department of health may require a final applicant for a job opening or a current employee with the department, as designated by the state health officer, complete a state and national criminal history record check as provided under section 12-60-24.

SECTION 4. A new section to chapter 23.1-01 of the North Dakota Century Code is created and enacted as follows:

Criminal history background checks.

The department may require an applicant for a license or permit to complete a state and nationwide criminal history record check as provided in section 12-60-24. If the applicant is not an individual, the department may require an individual responsible for the applicant to complete a state and a nationwide criminal history record check as provided in section 12-60-24. The applicant or responsible individual shall submit personal information and fingerprints with the application necessary to complete the state and nationwide criminal history background record check. All costs associated with the state and nationwide criminal history record check are the responsibility of the applicant.

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-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1073.

House Vote: Yeas 82 Nays 11 Absent 1

Senate Vote: Yeas 45 Nays 1 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State