

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 343

Short Title: MH Criminal Record Checks/Private Entity-AB. (Public)

Sponsors: Senator Rand.

Referred to: Judiciary I.

March 6, 2001

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE AREA AUTHORITIES TO OBTAIN REQUIRED
2 CRIMINAL RECORD CHECKS FROM PRIVATE ENTITIES.
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4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 122C-80(b) reads as rewritten:

6 "(b) Requirement. – An offer of employment by an area authority licensed under
7 this Chapter to an applicant to fill a position that does not require the applicant to have
8 an occupational license is conditioned on consent to a State and national criminal
9 history record check of the applicant. If the applicant has been a resident of this State
10 for less than five years, then the offer of employment is conditioned on consent to a
11 State and national criminal history record check of the applicant. The national criminal
12 history record check shall include a check of the applicant's fingerprints. If the applicant
13 has been a resident of this State for five years or more, then the offer is conditioned on
14 consent to a State criminal history record check of the applicant. An area authority shall
15 not employ an applicant who refuses to consent to a criminal history record check
16 required by this section. Within five business days of making the conditional offer of
17 employment, an area authority shall submit a request to the Department of Justice under
18 G.S. 114-19.10 to conduct a criminal history record check required by this
19 ~~section~~section, or shall submit a request to a private entity to conduct a State criminal
20 history record check required by this section.

21 All criminal history information received by the area authority is confidential and
22 may not be disclosed, except to the applicant as provided in subsection (c) of this
23 section."

24 **SECTION 2.** This act is effective when it becomes law.