

1 AN ACT relating to child care workers.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 199.8965 is amended to read as follows:

- 4 (1) For the purposes of this section, "child care staff member" has the same meaning as
5 in 42 U.S.C. sec. 9858f and the implementing federal rules.
- 6 (2) The cabinet shall require a child care staff member to submit to background checks
7 in accordance with 42 U.S.C. sec. 9858f and the implementing federal rules,
8 including national and state fingerprint-supported criminal background checks by
9 the Department of Kentucky State Police and the Federal Bureau of Investigation.
- 10 (3) The child care staff member shall provide the member's fingerprints to the
11 Department of Kentucky State Police for submission to the Federal Bureau of
12 Investigation after a state criminal background check is conducted.
- 13 (4) The results of the national and state criminal background checks shall be sent to the
14 cabinet.
- 15 (5) The cabinet may register a child care staff member in the rap back system.
- 16 (6) The request for background checks shall be in a manner approved by the Justice and
17 Public Safety Cabinet, and the cabinet may charge a fee to be paid by a child care
18 staff member for the actual cost of processing the request.
- 19 (7) Any fee charged by the Department of Kentucky State Police or the Federal Bureau
20 of Investigation shall be an amount no greater than the actual cost of processing the
21 request and conducting the criminal background check and rap back system
22 ongoing status notification.
- 23 **(8) A child care staff member who turns eighteen (18) while employed by a child care**
24 **provider shall fulfill the requirements of subsections (2) and (3) of this section**
25 **within thirty (30) days after his or her eighteenth birthday.**
- 26 ~~(9)~~ (8) The cabinet shall promulgate administrative regulations in accordance with
27 KRS Chapter 13A to implement this section.