

SENATE No. 792

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to allow municipalities to conduct fingerprint based background checks of federal records for employment and licensing purposes.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|--------------------------|--|
| James E. Timilty | Bristol and Norfolk |
| Thomas M. Menino | Mayor of Boston |
| Stephen M. Brewer | Worcester, Hampden, Hampshire and Franklin |
| Scott P. Brown | Norfolk, Bristol and Middlesex |
| William N. Brownsberger | 24th Middlesex |
| George N. Peterson, Jr. | 9th Worcester |
| Jennifer L. Flanagan | Worcester and Middlesex |
| Bruce E. Tarr | First Essex and Middlesex |
| Cheryl A. Coakley-Rivera | 10th Hampden |
| Angelo J. Puppolo, Jr. | 12th Hampden |
| Geraldo Alicea | 6th Worcester |
| Susan Williams Gifford | 2nd Plymouth |
| Karyn E. Polito | 11th Worcester |
| Todd M. Smola | 1st Hampden |
| James Dwyer | 30th Middlesex |
| John V. Fernandes | 10th Worcester |
| Michael Brady | 9th Plymouth |
| Anne M. Gobi | 5th Worcester |

| | |
|-------------------------|----------------|
| Harold P. Naughton, Jr. | 12th Worcester |
| Patricia A. Haddad | 5th Bristol |
| Jonathan Hecht | 29th Middlesex |
| Richard J. Ross | 9th Norfolk |

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO ALLOW MUNICIPALITIES TO CONDUCT FINGERPRINT BASED BACKGROUND CHECKS OF FEDERAL RECORDS FOR EMPLOYMENT AND LICENSING PURPOSES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **SECTION 1.** Chapter 6 of the General Laws, as so appearing in the 2006 Official
2 Edition, is hereby amended by inserting at the end thereof the following new section:-
3 “Section 178B1/2. Municipalities in the Commonwealth may, by local ordinance, require
4 applicants for licenses in specified occupations to submit a full set of fingerprints for the purpose
5 of conducting a state and national criminal history records check pursuant to Sections 168 and
6 172 of Chapter 6 of the General Laws and 28 U.S.C. §534. Fingerprint submissions hereunder
7 are authorized to be submitted by the licensing authority to the State Police Identification Unit
8 through the Criminal History Systems Board for a state criminal records check and to the Federal
9 Bureau of Investigation for a national criminal records check.
10 Municipalities may by local ordinance establish the appropriate fee charged to applicants for
11 administering such a fingerprinting system. For purposes pursuant to Section 2LLL of Chapter
12 29 of the General Laws, \$30 of said fee shall be deposited into the Firearms Fingerprint Identity

- 13 Verification Trust Fund; and the remainder of said fee may be retained by the licensing authority
- 14 for costs associated with the administration of the system.”