

**Sixty-second Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2097  
(Human Services Committee)  
(At the request of the Board of Counselor Examiners)

AN ACT to create and enact a new subdivision to subsection 2 of section 12-60-24 and a new section to chapter 43-47 of the North Dakota Century Code, relating to criminal history record checks of counselors; and to amend and reenact subsection 3 of section 43-47-03 of the North Dakota Century Code, relating to fees.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code is created and enacted as follows:

The board of counselor examiners for applicants for licensure or licensees under chapter 43-47, except that criminal history record checks for licensees need not be made unless required by the board.

**SECTION 2. AMENDMENT.** Subsection 3 of section 43-47-03 of the North Dakota Century Code is amended and reenacted as follows:

3. ~~Set, by rule, and collect a fee, not to exceed one hundred fifty dollars, for the filing of each application for a license under this chapter and set, by rule, and collect a fee, not to exceed one hundred dollars, for the renewal of a license under this chapter.~~

**SECTION 3.** A new section to chapter 43-47 of the North Dakota Century Code is created and enacted as follows:

**Criminal history record checks.**

The board shall require an applicant for licensure under subsections 2, 3, and 4 of section 43-47-06 and section 43-47-06.1 to submit to a statewide and nationwide criminal history record check and may require a licensee to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided in section 12-60-24. All costs associated with obtaining a background check are the responsibility of the applicant or licensee.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2097.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 89            Nays 3            Absent 2

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2011,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State