

2011 -- S 0665

LC00819

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO EDUCATION -- CRIMINAL RECORDS BACKGROUND CHECKS

Introduced By: Senator Michael J. Pinga

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-2 of the General Laws entitled "School Committees and  
2 Superintendents" is hereby amended by adding thereto the following section:

3 **16-2-35. Criminal records background check review.** – (a) The various local police  
4 departments of the state may offer to perform, free of charge, a state criminal records background  
5 check for any person seeking to work with children in a civic, religious or youth organization;  
6 provided said person submits a records release authorization.

7 (b) The police department performing the background check will examine the records of  
8 the State of Rhode Island only, and shall respond to such request as having or not having  
9 disqualifying information.

10 (c) An applicant against whom disqualifying information has been found may request that  
11 a copy of the criminal background report be sent to the civic, religious, or youth organization who  
12 shall make a judgment regarding the acceptability of the applicant.

13 (d) For purposes of this section, "disqualifying information" means those offenses listed  
14 in section 23-17-37, and those offenses listed in sections 11-37-8.1 and 11-37-8.3.

15 (e) No police department performing these background checks shall be liable for the  
16 omission of information in state files, or the lack of information in files of another state.

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1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- CRIMINAL RECORDS BACKGROUND CHECKS

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1           This act would authorize local police departments to perform state criminal background  
2 checks free of charge for any person seeking to work with children in a civic, religious, or youth  
3 organization.

4           This act would take effect upon passage.

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