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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3945

02/19/2024 Authored by Perryman, Joy and Murphy
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; authorizing local units of government to conduct criminal
1.3 background checks under certain circumstances; proposing coding for new law in
1.4 Minnesota Statutes, chapter 299C.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL
1.7 SUBDIVISIONS.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.9 the meanings given them.

1.10 (b) "Applicant for employment" means an individual who seeks either county or city
1.11 employment where the job duties include access to residential property or business property.

1.12 (c) "Applicant for licensure" means an individual who seeks a license issued by a county
1.13 or city to:

1.14 (1) operate a cabaret; or

1.15 (2) operate a business providing massage services.

1.16 Subd. 2. Background check authorized. (a) A county or city may investigate the
1.17 criminal history background of any applicant for employment or applicant for licensure.

1.18 (b) The investigation conducted pursuant to paragraph (a) must consist of a criminal
1.19 history check of the state criminal records repository and a national criminal history check.

1.20 The county or city must accept the applicant's signed criminal history records check consent
1.21 form for the state and national criminal history check request, a full set of classifiable

1.22 fingerprints, and required fees. The county or city must submit the applicant's completed

2.1 criminal history records check consent form, full set of classifiable fingerprints, and required
2.2 fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau
2.3 must conduct a Minnesota criminal history records check of the applicant. The bureau may
2.4 exchange an applicant's fingerprints with the Federal Bureau of Investigation to obtain the
2.5 applicant's national criminal history record information. The bureau must return the results
2.6 of the Minnesota and federal criminal history records checks to the county or city. Using
2.7 the criminal history data provided by the bureau, the county or city must determine whether
2.8 the applicant is disqualified from employment or licensure. The applicant's failure to
2.9 cooperate with the county or city in conducting the records check is reasonable cause to
2.10 deny an application.