

BACKGROUND CHECKS FOR BAR

APPLICANTS

2000 GENERAL SESSION

STATE OF UTAH

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AN ACT RELATING TO THE JUDICIAL CODE; PROVIDING AUTHORIZATION FOR THE UTAH STATE BAR TO COLLECT FINGERPRINTS FROM APPLICANTS FOR ADMISSION TO THE UTAH STATE BAR FOR THE PURPOSE OF CONDUCTING A NATIONAL CRIMINAL HISTORY BACKGROUND CHECK; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

78-51-45, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78-51-45** is enacted to read:

78-51-45. Criminal history background checks.

(1) The Utah State Bar shall require each person applying for admission to the Utah State Bar to submit a complete set of fingerprints for the purpose of conducting a national criminal history background check.

(2) Fingerprints of applicants for admission to the Utah State Bar shall be submitted to the Department of Public Safety, Bureau of Criminal Identification to be used to conduct a criminal history background check and to the Federal Bureau of Investigation to obtain a national criminal history background check.

(3) The criminal history background information obtained from the Department of Public Safety and the national criminal history background information obtained from the Federal Bureau

29 of Investigation pursuant to this section may be used by the Utah State Bar to determine an
30 applicant's character, fitness, and suitability for admission to the Utah State Bar.

31 Section 2. **Effective date.**

32 If approved by two-thirds of all the members elected to each house, this act takes effect
33 upon approval by the governor, or the day following the constitutional time limit of Utah
34 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
35 date of veto override.

Legislative Review Note
as of 1-14-00 8:49 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel