

**LICENSING AMENDMENTS REGARDING
BACKGROUND CHECKS**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Afton B. Bradshaw

This act modifies the Division of Occupational and Professional Licensing Act to provide that the division has direct access to Bureau of Criminal Identification records for the purpose of screening licensure applicants' criminal background history as required in specified chapters. This act has an immediate effective date.

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

ENACTS:

58-1-301.5, Utah Code Annotated 1953

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

Section 1. Section **58-1-301.5** is enacted to read:

58-1-301.5. Division access to Bureau of Criminal Identification records.

(1) The division shall have direct access to criminal background information maintained by the Bureau of Criminal Identification under Chapter 53, Chapter 10, Part 2, Bureau of Criminal Identification, for background screening of licensure applicants as required in:

(a) Section 58-47b-302 of Title 58, Chapter 47b, Massage Therapy Practice Act;

(b) Section 58-55-302 of Title 58, Chapter 55, Construction Trades Licensing, as it applies to alarm companies and alarm company agents; and

(c) Section 58-63-302 of Title 58, Chapter 63, Security Personnel Licensing Act.

(2) The division access under Subsection (1) shall be in accordance with Section 53-10-108.

Section 2. **Effective date.**

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

