

1 **LICENSING AMENDMENTS REGARDING**
2 **BACKGROUND CHECKS**

3 2002 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Afton B. Bradshaw**

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

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

11 ENACTS:

12 **58-1-301.5**, Utah Code Annotated 1953

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

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

15 **58-1-301.5. Division access to Bureau of Criminal Identification records.**

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

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

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

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

23 (2) The division access under Subsection (1) shall be in accordance with Section
24 53-10-108.

25 Section 2. **Effective date.**

26 If approved by two-thirds of all the members elected to each house, this act takes effect
27 upon approval by the governor, or the day following the constitutional time limit of Utah



28 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
29 date of veto override.

Legislative Review Note

as of 9-5-01 2:59 PM

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

Office of Legislative Research and General Counsel