



House of Representatives *State of Utah*

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January 22, 2008

Mr. Speaker:

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 73**, CHILD CARE PROVIDERS, by Representative K. Morgan, et al, with the following amendments:

1. Page 1, Lines 20 through 22

20 • child care providers who are not required by current law to undergo a check
21 through the Department of Health, Bureau of Child Care Licensing, and are not a license
22 exempt child care center or program; and

2. Page 2, Lines 39 through 41

39 ▶ allows ~~{three designated}~~ individuals ~~{-within-}~~ designated by the Department of
Workforce Services and approved by the Department of Human Services to
40 have access to the Division of Family and Child Services' Licensing Information
41 System for the purpose of checking the background of child care providers.

3. Page 3, Lines 59 through 60

59 (b) is not required to undergo a criminal background check with the Department of
60 Health, Bureau of Child Care Licensing;

4. Page 3, Lines 76 through 82

76 (c) The Utah Division of Criminal Investigation and Technical Services shall {
77 ~~(i) (A) process the information required under Subsection (2)(a); or~~
78 ~~(B) allow the department or its representative access to the division's data base to~~
79 ~~determine whether the individual has been convicted of a crime; and~~
80 ~~(ii) submit an individual's set of fingerprints required under Subsection (2)(a) to the~~
81 ~~U.S. Federal Bureau of Investigation for a national criminal history background check of the~~
82 ~~individual.}~~ process and conduct background checks on all individuals as requested by the
department, including submitting the fingerprints to the U.S. Federal Bureau of Investigation for a

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national criminal history background check of the individual.

(d) If the department waives the fingerprint requirement under Subsection (2)(b), the Utah Division of Criminal Investigation and Technical Services may allow the department or its representative access to the division's data base to determine whether the individual has been convicted of a crime.

4. Page 3, Lines 83 through 84

83 ~~{(d)}~~ {(e)} The child care provider shall pay the cost of the history background check provided
84 under Subsection (2)(c).

5. Page 4, Lines 90 through 91

90 (c) The department **or its representative** shall access juvenile court records to determine whether an
91 individual described in Subsection (2) or (3)(a) has been adjudicated in juvenile court of

6. Page 4, Lines 114 through 116

114 (b) In accordance with criteria established by rule, the executive director **or the director's designee**
may consider
115 and exempt individual cases ~~{involving misdemeanors}~~ , not otherwise exempt under Subsection
116 (5)(a), from the restrictions of Subsection (4).

7. Page 8, Lines 243 through 244

243 (iii) ~~{two}~~ persons designated by ~~{and within}~~ the Department of Health **and approved by**
the Department of Human Services , only for the
244 following purposes:

9. Page 9, Lines 249 through 250

249 (iv) ~~{three}~~ persons designated by ~~{and within}~~ the Department of Workforce Services
and approved by the Department of Human Services for
250 the purpose of qualifying child care providers under Section 35A-3-310.5; and

10. Page 9, Lines 252 through 254

252 (5) The ~~{two}~~ persons designated by the Department of Health under Subsection

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253 (4)(c)(iii) and the ~~{three}~~ persons designated by the Department of Workforce Services under
254 Subsection (4)(c)(iv) shall adopt measures to:

11. Page 9, Lines 258 through 259

258 (6) All persons designated by statute as having access to information contained in the
259 Licensing Information System shall be approved by the Department of Human Services and receive
training from the department with respect to:

Respectfully,

Steven R. Mascaro
Committee Chair

Voting: 5-0-3

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