

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 1638

Short Title: Private Protect. Services Crim. Hist. Check.

(Public)

Sponsors: Representative Haire.

Referred to: Judiciary II.

June 13, 2002

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE
3 CRIMINAL RECORD CHECKS TO THE PRIVATE PROTECTIVE SERVICES
4 BOARD AND TO CHARGE A FEE FOR CONDUCTING THE CHECK.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 74C-8(c) is amended to add a new subdivision to read:

7 "(5) The Department of Justice may provide a criminal record check to the
8 Private Protective Services Board for a person who has applied for a
9 new or renewal license, registration, certification, or permit through
10 the Private Protective Services Board, if the applicant consents to the
11 record check. The Board shall provide to the Department of Justice,
12 along with the request, the fingerprints of the applicant, any additional
13 information required by the Department of Justice, and a form signed
14 by the applicant consenting to the check of the criminal record and to
15 the use of the fingerprints and other identifying information required
16 by the State or national repositories. The applicant's fingerprints shall
17 be forwarded to the State Bureau of Investigation for a search of the
18 State's criminal history record file, and the State Bureau of
19 Investigation shall forward a set of the fingerprints to the Federal
20 Bureau of Investigation for a national criminal history check. The
21 Board shall keep all information pursuant to this section privileged, in
22 accordance with applicable State and federal guidelines, and the
23 information shall be confidential and shall not be a public record under
24 Chapter 132 of the General Statutes.

25 The Department of Justice may charge each applicant a fee for
26 conducting the checks of national criminal history records authorized
27 by this subdivision."

28 **SECTION 2.** If the Private Security Officer Employment Standards Act of
29 2002 is ratified by the United States Congress, the State of North Carolina declines to

1 participate in the background check system authorized by that act as a result of the
2 enactment of this act.

3 **SECTION 3.** This act is effective when it becomes law.