

1 HB193  
2 181906-6  
3 By Representatives South, Fridy, Ledbetter, Rowe, Weaver and  
4 Harper  
5 RFD: Public Safety and Homeland Security  
6 First Read: 14-FEB-17



1 shall require each applicant for a position of employment with  
2 the department or agency and all current employees and  
3 contractors of the department or agency who have access to  
4 federal tax information to (1) state in writing whether such  
5 applicant, employee or contractor has ever been convicted of a  
6 crime or whether criminal charges are pending against such  
7 applicant, employee or contractor and, if so, to identify the  
8 charges and court in which such charges are pending, and (2)  
9 be fingerprinted and submit to state and national criminal  
10 history records checks.

11 (a) State and national criminal history records  
12 checks shall be requested by the department or agency from the  
13 Alabama Law Enforcement Agency (hereinafter ALEA) and shall be  
14 applicable to the individual identified in the request. The  
15 department or agency shall arrange for the fingerprinting of  
16 the individual or for conducting any other method of positive  
17 identification required by ALEA. The request shall also  
18 specify whether a national criminal history records check is  
19 requested by the Federal Bureau of Investigation on the  
20 specified individual in addition to a state criminal history  
21 records check. ALEA shall submit the fingerprints or other  
22 positive identifying information to the Federal Bureau of  
23 Investigation for a national criminal history records check  
24 when requested by a department or agency. The results of the  
25 state and national criminal history records checks shall be  
26 returned to the department or agency by ALEA.

1           (b) Any criminal history reports received by a  
2 department or agency from ALEA shall be marked confidential  
3 and shall not be disclosed or made available for public  
4 inspection. All criminal history reports received pursuant to  
5 this section are specifically excluded from any requirement of  
6 public disclosure as a public record.

7           (c) The Secretary of ALEA may charge fees to a  
8 department or agency for conducting state and national  
9 criminal history records checks.

10           (d) In conjunction with making criminal history  
11 records checks, each department or agency with access to  
12 federal tax information shall establish a policy in  
13 determining which criminal elements would result in preventing  
14 or removing an employee's or contractor's access to federal  
15 tax information in the hands of the department or agency.

16           Section 2. This act shall become effective  
17 immediately following its passage and approval by the  
18 Governor, or upon its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Public Safety  
and Homeland Security..... . . . . . 14-FEB-17

Read for the second time and placed  
on the calendar 1 amendment ..... . . . . . 23-FEB-17

Read for the third time and passed  
as amended..... . . . . . 04-APR-17

Yeas 98, Nays 0, Abstains 0

Jeff Woodard  
Clerk