

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1030

Short Title: Crim. Record Checks/Clerk of Court.

(Public)

Sponsors: Representatives Mosley; Warwick and Watson.

Referred to: Human Resources, if favorable, Judiciary I.

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE NURSING HOMES TO OBTAIN CRIMINAL HISTORY
RECORD CHECKS FROM THE CLERK OF COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131E-265(a) reads as rewritten:

"(a) Requirement. – An offer of employment by a nursing home or a home care agency licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a criminal history record check of the applicant. A nursing home or a home care agency shall not employ an applicant who refuses to consent to a criminal history record check required by this section. A nursing home or home care agency shall submit a request to the Department of Justice under G.S. ~~114-19.3~~ 114-19.3, or to the clerk of court, to conduct a criminal history record check within five business days of making the conditional offer of employment. All criminal history information received by the home or agency is confidential and may not be disclosed."

Section 2. This act is effective when it becomes law.