



*Synopsis of House Committee Amendments**

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Legislative Service Commission

Sub. S.B. 163

127th General Assembly
(H. Criminal Justice)

The Committee amended the As Passed by the Senate version of the bill to do the following:

1. Remove the provisions of the bill that require the Superintendent of the Bureau of Criminal Identification and Investigation (BCII) to establish and maintain a Retained Applicant Fingerprint Database (RAFD) and replace them with modifications to a section of current law that provides for a similar database, also called the Retained Applicant Fingerprint Database. Differences between the RAFD in the Senate version of the bill and the House version of the bill include: the Senate version require BCII to notify a participating entity when an individual is licensed, certified, approved for adoption, employed by, or volunteers with the participating entity and is arrested for, pleads guilty to, or is convicted of an offense that would disqualify the person from licensure, certification, approval for adoption by, employment by, or volunteering with the participating entity. The House version does not require BCII to notify a participating entity when an individual who *volunteers* with the entity is arrested for, pleads guilty to, or is convicted of an offense. In addition, the House version requires the notifications when the other specified individuals are arrested for, convicted of, or pleaded guilty to *any* offense, not just one that would disqualify the person.

2. Specify that if ODJFS adopts rules for utilizing information received under the Retained Fingerprint Database-related law, the rules are to have a final effective date not later than December 31, 2008.

3. Provide that prior to a hearing on a final decree of adoption or interlocutory order of adoption by a probate court the administrative director of an agency, or an attorney, who arranges an adoption for a prospective parent must provide to the clerk of the probate court either of the following: (1) any information received from the superintendent of BCII or the FBI as part of the required criminal records check, including fingerprint-based checks of national crime information databases, for the person subject to the criminal records check, or (2) written notification that the person

* This synopsis does not address amendments that may have been adopted on the House floor.

subject to a criminal records check failed upon request to provide the information necessary to complete the form or failed to provide impressions of the person's fingerprints.

4. Remove the requirement in an uncodified section of law enacted in Am. Sub. H.B. 119 of the 127th General Assembly that requires the Ohio Department of Mental Health to conduct a study of children placed using the Child Placement Level of Care Tool.

5. Remove the requirement that specified persons and entities be notified when a private or governmental entity intends to place an exceptional behavioral needs child or a child adjudicated a delinquent child for committing a felonious act in a certified foster home, and related provisions, by removing R.C. 2151.55, 2151.551, 2151.552, 2151.553, 2151.554, and 2151.555 from the bill.

6. Change the date that the work group convened by the Director of Job and Family Services pursuant to the Senate version of the bill must submit a report to the Director from June 30, 2008 to June 30, 2009.

7. Provide that if a sheriff or chief of police is required pursuant to a court order to take a person's or child's fingerprints, or cause them to be taken, as provided in R.C. 109.60(A)(3) the sheriff or chief of police must take the fingerprints or must provide written notification to the court if the person or child failed to appear or provide impressions of the person's or child's fingerprints.

8. Allow the entities that are permitted to access the Uniform Statewide Automated Child Welfare Information System to also *enter* information when the entry is directly connected with an assessment, investigation, or services regarding a child or family or when permitted by state or federal law, rule, or regulations.

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