

HB 2194 -- RAP BACK

SPONSOR: Conway (104)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime Prevention and Public Safety by a vote of 6 to 0. Voted "Do Pass" by the Rules- Legislative Oversight Committee by a vote of 9 to 0.

This bill allows qualified entities, under certain circumstances, to receive individuals' criminal history information from the central repository as part of the "Missouri Rap Back Program" as well as the National Rap Back Program. The Missouri program includes automatic notifications made by the State Highway Patrol about whether an individual, specifically an applicant who is employed, licensed, or otherwise under the purview of the entity, has been arrested for a reported criminal offense in the state.

The bill specifies what qualified entities are required to do before having access to the national and state programs, and it specifies the limited circumstances in which individuals' criminal history information may be used. An applicant must give consent to the qualified entity before that entity may access the applicant's fingerprints and criminal history information.

Finally, only one set of fingerprints shall be required to be collected, rather than the current two sets required by the Department of Health and Senior Services for prospective providers, two sets required of any person petitioning the court for reinstatement of his or her driver's license, two sets required by the Missouri Gaming Commission for any person to receive a license to conduct gambling activities in some circumstances, or three sets required of individuals before a child may be placed in a foster home.

PROPOSERS: Supporters say that there could be arrests or convictions that occur after a background check has been conducted, so the entity would have no way of knowing about them. This bill would help them get notified right away.

Testifying for the bill was Representative Conway.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that a background check is only good right now for the minute it's run. This would allow qualified entities to sign up for the Rap Back program to get up-to-date information. It would only apply to entities qualified to see closed records.

Testifying on the bill were Steve Frisbie, Missouri State Highway Patrol and the ACLU.