UNOFFICIAL COPY 21 RS SB 146/GA

1	AN ACT relating to criminal background checks for certain Labor Cabinet
2	employees.
3	Be it enacted by the General Assembly of the Commonwealth of Kentucky:
4	→SECTION 1. A NEW SECTION OF KRS CHAPTER 336 IS CREATED TO
5	READ AS FOLLOWS:
6	(1) The Labor Cabinet shall require a national and state criminal background check
7	for every prospective and current employee of the cabinet or its agencies,
8	including contract staff, who has access to or use of federal tax information. The
9	criminal background investigation shall be by means of a fingerprint check by
10	the Department of Kentucky State Police and Federal Bureau of Investigation,
11	pursuant to the following requirements:
12	(a) The cabinet shall require each employee who has access to or use of federal
13	tax information to submit a complete and legible set of fingerprints to the
14	Department of Kentucky State Police on a fingerprint card issued by the
15	Federal Bureau of Investigation;
16	(b) The Department of Kentucky State Police shall submit the fingerprint card
17	to the Federal Bureau of Investigation for a national criminal background
18	check after a state criminal background check is conducted;
19	(c) The results of a national and state criminal background check shall not be
20	distributed or otherwise released by the cabinet, except that:
21	1. The cabinet shall provide an employee the results of his or her
22	national and state criminal background check upon request; and
23	2. The cabinet may introduce the results, under seal, as evidence in a
24	legal proceeding that involves a challenge to any personnel action
25	taken by the cabinet which is based in whole or in part on information
26	contained in the results; and
27	(d) Any fee charged by the Department of Kentucky State Police or the Federal

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1		Bureau of Investigation shall be an amount no greater than the actual cost
2		of processing the request and conducting the background check.
3	<u>(2)</u>	The Labor Cabinet or its offices, departments, and agencies shall promulgate
1		administrative regulations in accordance with KRS Chapter 13A to implement
5		this section.