H. B. 3031

(BY DELEGATES MORGAN AND HATFIELD)

[Introduced February 7, 2011; referred to the
Committee on Government Organization then the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-1-20, relating to authorizing professional licensing boards to obtain criminal history record checks; authorizing boards to obtain criminal history information on license applicants and licensees; providing the board rule-making authority to establish procedures.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §30-1-20, to read as follows:

ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.

§30-1-20. Boards may obtain criminal history record checks on an applicant for an authorization to practice a profession.

1   (a) A professional licensing board created pursuant to this

2   chapter may require applicants for licensure or licensees to

3   submit to criminal history record checks by vote of the board.

4   The professional licensing board may obtain criminal history

5   information from the Criminal Identification Bureau of the

6   West Virginia State Police and the United States Federal

7   Bureau of Investigation on any applicant for licensure or

8   current licensee.

9   (b) Before implementation of subsection (a) of this

10   section, a board shall propose rules for legislative approval

11   in accordance with the provisions of article three, chapter

12   twenty-nine-a of this code, setting forth the requirements and

13   procedures for the criminal history record check.

NOTE: The purpose of this bill is to authorize professional licensing boards to obtain a criminal history record check of an applicant or licensee.

This section is new; therefore the entire section is underscored.