

HOUSE RESEARCH

Bill Summary

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Overview

This bill requires background checks for electronic security system company owners and employees.

Section

- 1 **Electronic security system companies; criminal background checks required; criminal penalties.** Minn. Stat. § 299C.72.
 - Subd. 1. Definitions.** Provides definitions of the following terms: disqualifying crime (all felonies and certain gross misdemeanors), electronic security system, electronic security system company, electronic security system company hiring authority, and employee.
 - Subd. 2. Electronic security system licensure; background check; license denial or application.** Requires an applicant for an electronic security system license to undergo a background check. Provides for payment to the BCA. Provides for denial or revocation if a conviction for a disqualifying crime is discovered.
 - Subd. 3. Employee background check required.** Requires background checks for all employees of electronic security system companies. The BCA conducts the check. National or other states' systems are checked in certain circumstances. Authorizes fingerprint exchange with the FBI. Requires checks for current employees and requires recurring checks (at least every two years).
 - Subd. 4. Exception; certain recent background checks.** Permits the use of a background check completed by another company in certain circumstances.
 - Subd. 5. Conditional hiring; discharge.** Permits conditional hiring of employees while a background check is being conducted. Requires the company to notify a conditional employee that employment will be terminated if the background check reveals a disqualifying crime. Provides that there is no liability for discharge under this subdivision.
 - Subd. 6. Current employees; discharge.** Requires discharge of current employees if a

disqualifying criminal history is discovered. Provides that there is no liability for discharge under this subdivision.

Subd. 7. Costs of background check. Permits the BCA to charge security companies for background checks. Provides that the companies may pass that cost on to employees or applicants.

Subd. 8. Misdemeanor penalty. Provides that it is a misdemeanor if the owner or manager at an electronic security system company does not conduct background checks as required in this section.

- 2 **Electrical contractor.** Minn. Stat. § 326.01, subd. 5. Requires electrical contractors who work on alarm and communication systems to undergo a background check under 299C.72.
- 3 **Alarm and communication contractor's licenses.** Minn Stat. § 326.2421, subd. 3. Provides that alarm and communication contractor's licenses are subject to the background check requirements of 299C.72.
- 4 **Effective date.** The effective date is July 1, 2002 for employees hired on or after that date and for license applicants applying on or after that date. Requires background checks to be completed by September 1, 2002 for persons already employed or licensed. The misdemeanor penalty takes effect July 1, 2002.