

AMENDED IN SENATE MAY 3, 1999

SENATE BILL

No. 965

Introduced by Senator Leslie

February 26, 1999

An act to add Section 35021.2 of the Education Code, relating to school volunteers.

LEGISLATIVE COUNSEL'S DIGEST

SB 965, as amended, Leslie. School volunteers.

Existing law authorizes an employer to request from the Department of Justice records of all convictions or any arrest pending adjudication involving certain offenses of a person who applies for a volunteer position in which he or she would have supervisory or disciplinary power over a minor. ~~Existing law requires a request for records to include the applicant's fingerprints and any other data specified by the department. Existing law requires the department to destroy an application within 6 months after the requested information is sent to the employer and applicant.~~

Existing law authorizes the Department of Justice to provide subsequent arrest notification *service* to certain agencies authorized to receive state summary criminal history information to assist in fulfilling employment, licensing, or certification duties upon the arrest of any person whose fingerprints are maintained on file at the Department of Justice as the result of an application for licensing, employment, or certification.

This bill would, ~~notwithstanding the requirement to destroy the application within 6 months after the requestion~~

~~information is sent,~~ authorize a school district or county office of education to request that the Department of Justice ~~not~~ destroy, for a period of time, not to exceed 15 years, the application and records used to conduct criminal background check and that the Department of Justice provide subsequent arrest *notification* service. The bill would require the Department of Justice to comply with these requests.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35021.2 is added to the
2 Education Code, to read:
3 ~~35021.2. Notwithstanding subdivision (b) of Section~~
4 ~~11105.3 of the Penal Code, when a school district or~~
5 *35021.2. When a school district or county office of*
6 *education pursuant to that section Section 11105.3 of the*
7 *Penal Code, or Section 35021.1 requests from the*
8 *Department of Justice records involving criminal*
9 *offenses committed by a prospective volunteer, the*
10 *school district or county office of education may request*
11 *that the Department of Justice not destroy, for a period*
12 *of time, not to exceed 15 years, the application and*
13 *records used to conduct criminal background check and*
14 *that the Department of Justice provide subsequent arrest*
15 *service notification service pursuant to Section 11105.2 of*
16 *the Penal Code. The Department of Justice shall comply*
17 *with a request made pursuant to this section.*

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