

8.78 Background checks.

An applicant for employment with the department, or an applicant for employment with a supported entity for a position as information technology staff, may be subject to a background investigation by the department. The background investigation may include, without limitation, a work history, financial review, request for criminal history data, and national criminal history check through the federal bureau of investigation. In addition, a contractor, vendor, employee, or any other individual performing work for the department, or an individual on the information technology staff of a supported entity, may be subject to a national criminal history check through the federal bureau of investigation at least once every ten years, including, without limitation, any time the department or supported entity has reason to believe an individual has been convicted of a crime. The department may request the national criminal history check and, if requested, shall provide the individual's fingerprints to the department of public safety for submission through the state criminal history repository to the federal bureau of investigation. The individual shall authorize release of the results of the national criminal history check to the department and the applicable supported entity. The department shall pay the actual cost of the fingerprinting and national criminal history check, if any, unless otherwise agreed as part of a contract between the department or supported entity and a vendor or contractor performing work for the department or supported entity. The results of a criminal history check conducted pursuant to [this section](#) shall not be considered a public record under [chapter 22](#).

[2018 Acts, ch 1123, §2, 7](#)

C2019, §8B.4A

[2024 Acts, ch 1185, §57, 85](#)

C2025, §8.78

Section transferred from [§8B.4A](#) in Code 2025 pursuant to directive in [2024 Acts, ch 1185, §85](#)

Section amended