

2022 -- H 7862

LC004145

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- BACKGROUND CHECKS OF VOLUNTEERS AND
INTERNS

Introduced By: Representatives Giraldo, and Morales

Date Introduced: March 04, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 112

4 BACKGROUND CHECKS OF VOLUNTEERS AND INTERNS REQUIRED

5 **16-112-1. Criminal records check -- Volunteers and interns -- Waiver.**

6 Any expense associated for providing the criminal records check for a volunteer or intern
7 shall be waived.

8 SECTION 2. Section 28-6.14-1 of the General Laws in Chapter 28-6.14 entitled
9 "Employment Applications Prohibited" is hereby amended to read as follows:

10 **28-6.14-1. Criminal history on application for employment.**

11 (a) The director of labor and training shall have the same powers and duties as set forth in
12 chapter 12 and chapter 14 of title 28 to investigate, inspect, subpoena, and enforce through
13 administrative hearings, complaints that allege that an employer has included on any application
14 for employment, except applications for law enforcement agency positions, or positions related to
15 law enforcement agencies, a question inquiring whether the applicant has ever been arrested,
16 charged with, or convicted of any crime; provided that:

17 (1) If a federal or state law or regulation creates a mandatory or presumptive
18 disqualification from employment based on a person's conviction of one or more specified criminal

1 offenses, an employer may include a question whether the applicant has ever been convicted of any
2 of those offenses; or

3 (2) If a standard fidelity bond or an equivalent bond is required for the position for which
4 the applicant is seeking employment, and the applicant's conviction of one or more specified
5 criminal offenses would disqualify the applicant from obtaining such a bond, an employer may
6 include a question whether the applicant has ever been convicted of any of those specified criminal
7 offenses.

8 (b) The department of labor and training and the commission for human rights shall
9 cooperate in the investigation of complaints filed under this section when the allegations are within
10 the jurisdiction of both agencies.

11 (c) The department of labor and training shall disseminate information to employers and
12 workers about the prohibitions prescribed in this section.

13 (d) Any fees for criminal background checks permitted under section (a)(1) or (a)(2) of this
14 section shall be waived if the applicant is seeking employment to a position with a salary of under
15 forty thousand dollars (\$40,000).

16 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION -- BACKGROUND CHECKS OF VOLUNTEERS AND
INTERNS

- 1 This act would waive fees for the applicant to volunteer at a school. The act would also
- 2 waive fees for criminal background checks on any employee seeking employment for a position
- 3 with a salary of less than forty thousand dollars (\$40,000).
- 4 This act would take effect upon passage.

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