

March 23, 2005

S 796. CRIMINAL RECORD CHECKS/ARCHAEOLOGICAL OPS. TO PROVIDE FOR CRIMINAL RECORD CHECKS OF APPLICANTS FOR PERMITS AND LICENSES TO CONDUCT ARCHAEOLOGICAL OPERATIONS AND INVESTIGATIONS. Amends GS 121-25 and enacts new GS 70-13(a1) and (a2) to require an applicant to submit to a criminal history check if required by the Dep't of Cultural Resources to obtain a permit to conduct certain exploration, recovery, or salvage operations or archaeological investigation on State lands. Provides that a prior conviction justifies, but does not require, denial of the permit. Instructs Dep't to consider nature, date, and circumstances of any crime; nexus between a crime and the person's responsibilities pursuant to the application; and a person's rehabilitation or subsequent criminal conduct. Enacts new GS 114-19.16 permitting Dep't of Justice to provide to Dep't of Cultural Resources the criminal history of a permit applicant and to charge a fee not in excess of the cost of obtaining the information. Requires Dep't of Cultural Resources to keep information obtained confidential and maintain information in compliance with rules governing dissemination of criminal history record checks adopted by the Division of Criminal Information. Effective October 1, 2005.

Intro. by Thomas.

Ref. to Judiciary II

GS 70, 114, 121

June 14, 2005

S 796. CRIMINAL RECORD CHECKS/ARCHAEOLOGICAL OPS. Intro. 3/23/05. Senate committee substitute makes the following changes to 1st edition. Deletes requirement in proposed new GS 114-19.16 that Dep't of Cultural Resources maintain information in compliance with rules governing dissemination of criminal history record checks adopted by the Division of Criminal Information and provision specifying that information obtained is privileged and for exclusive use of Dep't. Enacts new GS 121-25.1 and moves substance of proposed amendments to GS 121-25 to new section. Enacts new GS 70-13.1 and moves substance of proposed new GS 70-13(a1) and (a2) to new section. Lists crimes constituting "criminal history" for purposes of record check authorized by new GS 121-25.1 and GS 70-13.1. Requires all applicants to consent to record check. Makes technical changes.

June 23, 2005

S 796. CRIMINAL RECORD CHECKS/ARCHAEOLOGICAL OPS. Intro. 3/23/05. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

August 11, 2005

S 796. CRIMINAL RECORD CHECKS/ARCHAEOLOGICAL OPS. Intro. 3/23/05. House amendment makes the following changes to 3rd edition. Makes technical changes only.

September 9, 2005

SL 2005-367 (S 796). CRIMINAL RECORD CHECKS/ARCHAEOLOGICAL OPS. AN ACT TO PROVIDE FOR CRIMINAL RECORD CHECKS OF APPLICANTS FOR PERMITS AND LICENSES TO CONDUCT ARCHAEOLOGICAL OPERATIONS AND INVESTIGATIONS. Summarized in *Daily Bulletin* 3/23/05, 6/14/05, 6/23/05, and 8/11/05. Enacted September 8, 2005. Effective October 1, 2005.