

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 160

An Act to amend and reenact § 15.2-1503.1 of the Code of Virginia, relating to criminal background checks.

[S 90]

Approved March 19, 2004

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1503.1 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1503.1. Background checks required for certain employees and licensees.

Any locality having a local ordinance adopted in accordance with § 19.2-389 shall require any (i) applicant who is offered or accepts employment with the locality or (ii) prospective licensee for any categories of license designated by ordinance to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the applicant's or licensee's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such applicant or licensee. *The locality may require* such applicant or licensee ~~shall~~ *to* pay the cost of the fingerprinting or a criminal records check or both.

The Central Criminal Records Exchange, upon receipt of an applicant's or licensee's record or notification that no record exists, shall make a report to the county, city or town manager, or chief law-enforcement officer or his designee, who must belong to a governmental entity. If an applicant is denied employment or a licensee is denied a license because of the information appearing in his criminal history record, the locality shall notify the applicant or licensee that information obtained from the Central Criminal Records Exchange contributed to such denial. The information shall not be disseminated except as provided for in this section.