

2006 SESSION

INTRODUCED

060477276

HOUSE BILL NO. 1317

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to amend and reenact § 63.2-901.1 of the Code of Virginia, relating to background checks for foster parents.*

Patron—Cosgrove

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-901.1 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-901.1. Criminal history and central registry check for placements of children.

A. Each local board and licensed child-placing agency shall obtain and consider, in accordance with regulations adopted by the Board, statewide criminal history record information from the Central Criminal Records Exchange and the results of a search of the child abuse and neglect central registry of any individual with whom the local board or agency is considering placing a child on an emergency, temporary or permanent basis, including the birth parent of a child in foster care placement. The local board or agency may also obtain such a criminal records or registry search on all adult household members residing in the home of the individual with whom the child is to be placed. *Each individual shall submit to fingerprinting and provide personal descriptive information to be forwarded along with the fingerprints through the local law-enforcement agency to the Federal Bureau of Investigation's National Crime Information Center (NCIC) for the purpose of obtaining criminal record history information.* Such criminal records or registry search shall be at no cost to the individual. If the placement is not made because of information obtained through the criminal history record information or registry search or both, the local board or agency shall provide a copy of the information obtained to the individual who is the subject of the search. Further dissemination of the information provided to the local board or agency is prohibited.

B. In emergency circumstances, each local board or licensed child-placing agency may obtain, from a criminal justice agency, criminal history record information from the Central Criminal Records Exchange through the Virginia Criminal Information Network (VCIN) for the criminal records search authorized by this section, *provided that an NCIC search is also performed afterwards.*

C. A child-placing agency may approve as a foster parent an applicant convicted of not more than one misdemeanor as set out in § 18.2-57 not involving abuse, neglect, moral turpitude, or a minor, provided 10 years have elapsed following the conviction.

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