

HB 104 – AS INTRODUCED

2013 SESSION

13-0009
08/04

HOUSE BILL

104

AN ACT

amending certain requirements to obtain a local vendor license.

SPONSORS:

Rep. Parison, Hills 25

COMMITTEE:

Municipal and County Government

ANALYSIS

This bill removes the required federal criminal records check from the requirements to obtain a local vendor license.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT amending certain requirements to obtain a local vendor license.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Background Checks for Certain Vendors. Amend RSA 31:102-b, I-III to read as follows:

2 I. Any municipality may require persons who go from door to door, place to place within a
3 town, or town to town, who sell, offer to sell, or take orders for merchandise or offer to perform
4 personal services for household repairs or improvements, to submit to a [~~state records check only, or~~
5 ~~both a federal and~~] state records check. Municipalities that require a criminal history records check
6 shall have such person submit to the municipality a notarized criminal history records release form,
7 as provided by the division of state police, which authorizes the release of the person's criminal
8 records, if any. [~~To obtain a federal records check, such person shall also submit to the municipality,~~
9 ~~with the release form, a complete set of fingerprints.~~]

10 II. [~~For a state and federal criminal records check, the municipality shall request that such~~
11 ~~person submit with the release form a complete set of fingerprints taken by a qualified law~~
12 ~~enforcement agency or an authorized employee of the department of safety. The municipality shall~~
13 ~~submit the criminal history records release form and inked fingerprint card to the division of state~~
14 ~~police which shall conduct a criminal records check through its records and through the Federal~~
15 ~~Bureau of Investigation. Fingerprints taken digitally by Live Scan or similar device shall be~~
16 ~~transmitted directly to the New Hampshire division of state police. In the event that the first set of~~
17 ~~fingerprints is invalid due to insufficient pattern, the municipality may, in lieu of the criminal~~
18 ~~history records check, accept police clearances from every city, town, or county where the person has~~
19 ~~lived during the past 10 years. Upon completion of the records check, the division of state police~~
20 ~~shall release copies of the criminal history records to the local law enforcement agency of the~~
21 ~~municipality which shall maintain the confidentiality of all criminal history records information~~
22 ~~received pursuant to this section. The municipality may charge a fee to recover the costs of such~~
23 ~~investigation.~~]

24 III.] To obtain a state records check [~~only~~], the municipality shall submit a state criminal
25 history records release form, completed by such person, to the division of state police.

26 2 Effective Date. This act shall take effect 60 days after its passage.