

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1674

Short Title: Adoption Criminal Records Checks/Mecklenburg. (Local)

Sponsors: Representatives Earle, Alexander; Saunders, Cunningham, and Easterling.

Referred to: Local Government II.

June 13, 2002

A BILL TO BE ENTITLED

AN ACT ALLOWING THE MECKLENBURG COUNTY SHERIFF TO PERFORM
PREPLACEMENT CRIMINAL RECORDS CHECKS OF PROSPECTIVE
ADOPTIVE PARENTS SEEKING TO ADOPT MINORS WHO ARE IN THE
CUSTODY OR PLACEMENT RESPONSIBILITY OF THE MECKLENBURG
COUNTY DEPARTMENT OF SOCIAL SERVICES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 48-3-309(c) reads as rewritten:

"(c) The Department of Justice or the Sheriff of the county where the prospective adoptive parents reside shall provide to the Department of Health and Human Services the criminal history of ~~such~~ a prospective adoptive parent obtained from the State and National Repositories of Criminal Histories as requested by the Department. The Department shall provide to the Department of ~~Justice~~, Justice or the Sheriff of the county where the prospective adoptive parents reside, along with the request, the fingerprints of the prospective adoptive parent to be checked, any additional information required by the Department of ~~Justice~~, Justice or the County Sheriff, and a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the State or National Repositories signed by the individual to be checked. The fingerprints of the prospective adoptive parent shall be forwarded to the State Bureau of Investigation for a search of the State's criminal history record file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check."

SECTION 2. G.S. 48-3-309(h) reads as rewritten:

"(h) The Department of Justice or the Sheriff of the county where the prospective adoptive parents reside shall perform the State and national criminal history checks on prospective adoptive parents seeking to adopt a minor in the custody or placement responsibility of a county department of social services and shall charge the Department of Health and Human Services a reasonable fee only for conducting the checks of the

1 national criminal history records authorized by this section. The Division of Social
2 Services, Department of Health and Human Services, shall bear the costs of
3 implementing this section."

4 **SECTION 3.** This act applies to Mecklenburg County only.

5 **SECTION 4.** This act is effective when it becomes law and applies to
6 preplacement criminal records checks on or after that date.