S T A T E O F N E W Y O R K

6861

I N S E N A T E

March 30, 2012

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to requiring a federal fingerprint check of child care providers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraphs (e) and (f) of subdivision 2 of section 390-b of the social services law, as added by chapter 416 of the laws of 2000, are amended to read as follows:

(e) The office of children and family services shall pay the processing fee imposed pursuant to subdivision eight-a of section eight hundred thirty-seven of the executive law. The office of children and family services shall promptly submit the fingerprint cards and the processing fee to the division of criminal justice services for its full search and retain processing. UPON SUBMISSION, THE DIVISION OF CRIMINAL JUSTICE SERVICES SHALL ALSO PROCESS SUCH FINGERPRINT CARDS USING THE INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM MAINTAINED BY THE FEDERAL BUREAU OF INVESTIGATION. IN ADDITION, THE DIVISION OF CRIMINAL JUSTICE SERVICES SHALL ALSO SEARCH THE UNITED STATES DEPARTMENT OF JUSTICE NATIONAL SEX OFFENDER PUBLIC WEBSITE FOR EACH PROSPECTIVE EMPLOYEE OR VOLUNTEER.

(f) [A] NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (E) OF THIS SUBDIVISION, A licensed or registered child day care center, school-age child care program, group family day care home or family day care home may temporarily approve an applicant to be an employee, assistant or volunteer for such provider while the results of the criminal history record check are pending, but shall not allow such person to have unsupervised contact with children during such time.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD15150-02-2