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BENTON COUNTY MINNESOTA
MARILYN J NOVAK
COUNTY RECORDER

By: CK

6-4-12

DOCUMENT COVER SHEET

Document Name: **Benton County Ordinance No. 450**

Benton County of

The Public

Document Date: **10/16/2012**

This cover sheet is being attached to this document to provide room for recording information and is considered part of this document

Benton County Administrator's Office
No fee

BENTON COUNTY ORDINANCE NO. 450

WHEREAS, on October 16, 2012, the Benton County Board of Commissioners conducted a public hearing to consider an Ordinance Relating to Criminal History Background for Applicants for County Employment and County Licenses; and,

WHEREAS, notice of said hearing was published in the official newspaper of the county; and,

WHEREAS, the Benton County Board of Commissioners, by unanimous vote, voted to enact the proposed Ordinance;

NOW, THEREFORE, THE COUNTY BOARD OF BENTON COUNTY ORDAINS that Benton County Ordinance No. 450 read as follows:

ORDINANCE RELATING TO CRIMINAL HISTORY BACKGROUND
FOR APPLICANTS FOR COUNTY EMPLOYMENT AND COUNTY LICENSES

Section 1. APPLICANTS FOR COUNTY EMPLOYMENT

PURPOSE: The purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of employment background checks for the positions described in this section.

CRIMINAL HISTORY EMPLOYMENT BACKGROUND INVESTIGATIONS: The Benton County Sheriff's Office is hereby required, as the exclusive entity within the County, to do a criminal history background investigation on the applicants for the following positions within the County, unless the County's hiring authority concludes that a background investigation is not needed:

Employment positions: all employees of Benton County and any other positions that work with children or vulnerable adults

In conducting the criminal history background investigation in order to screen employment applicants, the Sheriff's Office is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained at the Sheriff's Office under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Sheriff's Office to the hiring authority, including the County Board, the County Administrator, or other County staff involved in the hiring process.

Section 1. APPLICANTS FOR COUNTY EMPLOYMENT (continued)

Before the investigation is undertaken, the applicant must authorize the Sheriff's Office by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection, maintenance and use of the information. The County will adhere to Minn. Stat. Chap. 364, as amended from time to time, when considering an applicant for employment who has a criminal record.

Section 2. APPLICANTS FOR COUNTY LICENSES

PURPOSE: The purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of licensing background checks.

CRIMINAL HISTORY LICENSE BACKGROUND INVESTIGATIONS: The Benton County Sheriff's Office is hereby required, as the exclusive entity within the County, to do a criminal history background investigation on the applicants for the following licenses within the County:

County Licenses:

Tobacco License

Any Other County-Issued License Wherein a Criminal Background Check is Required Prior to Issue

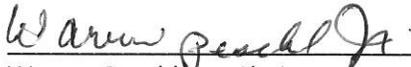
In conducting the criminal history background investigation in order to screen license applicants, the Sheriff's Office is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained at the Sheriff's Office under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Sheriff's Office to the licensing authority, including the County Board, the County Administrator, or other County staff involved in the license approval process.

Before the investigation is undertaken, the applicant must authorize the Sheriff's Office by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection, maintenance and use of the information. The County will adhere to Minn. Stat. Chap. 364, as amended from time to time, when considering an applicant for county license who has a criminal record.

Section 3. EFFECTIVE DATE

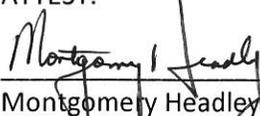
This Ordinance shall take effect upon its passage and publication.

Dated this 16th day of October, 2012.



Warren Peschl, Jr., Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator