

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 433

Introduced by Ebke, 32.

Read first time January 17, 2017

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to state agencies; to require a criminal
- 2 history record information check for employees who have direct
- 3 access to federal tax information as prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Any state agency that obtains federal tax
2 information as authorized under 26 U.S.C. 6103(d) shall require a
3 criminal history record information check of any agency employee who has
4 been identified by the agency as being authorized to have direct access
5 to federal tax information. Any such employee shall submit a complete set
6 of his or her fingerprints to the Nebraska State Patrol. The Nebraska
7 State Patrol shall transmit a copy of the employee's fingerprints to the
8 Federal Bureau of Investigation for a national criminal history record
9 information check.

10 (2) The national criminal history record information check shall
11 include information concerning the employee from federal repositories of
12 such information in other states, if authorized by federal law for use by
13 the Nebraska State Patrol. The patrol shall issue a report to the
14 employing state agency that includes the criminal history record
15 information concerning the employee.

16 (3) The cost of fingerprinting and the state and national criminal
17 history record information check shall be paid by the state agency.
18 Criminal history record information subject to federal confidentiality
19 requirements may only be used for the purposes of making, supporting, or
20 defending decisions regarding the appointment, hiring, or retention of
21 employees or for complying with any requirements of the Internal Revenue
22 Service regarding federal tax information.

23 (4) For purposes of this section, state agency includes every state
24 office, department, board, commission, regulatory entity, and agency of
25 the state.