



DATE: April 4, 2019

TO: Representative Linda Runbeck

FROM: John Swenson, Public Safety Director

RE: HF 2066

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I am seeking your assistance in addressing an issue with MN Chapter 299C related to Federal Background Checks by Political Subdivisions.

Under current laws and FBI rules, we are not able to conduct nationwide criminal history checks on some individuals seeking a license to operate a business in Lino Lakes or individuals seeking employment for a position that would provide access to residential or business property. This proved to be problematic for our community last year when our City issued a business license for massage therapeutic service to an individual. It was later determined through a criminal investigation that this individual was operating a prostitution business and was subsequently arrested. Through the course of this investigation, we determined that this individual had a previous arrest that would have likely led to our City denying the license application in our City.

While looking into this matter further we determined that current MN law only allows law enforcement agencies to conduct a MN only criminal history check. In an effort to address this, we worked with staff from the MN Bureau of Criminal Apprehension to develop language that could be added to Chapter 299C to address this issue.

Through the MN BCA, this draft language has been reviewed by the FBI Criminal Justice Information Law Unit and found to meet their rules and regulations if enacted as drafted.

Please let me know if you have any questions.