

Subject Human services background study expungements

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Overview

Currently, for purposes of background studies conducted pursuant to chapter 245C, the commissioner of human services may consider information from juvenile courts or the Bureau of Criminal Apprehension (BCA) that has been expunged, except when the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner.

This bill modifies language in section 245C.08 to explicitly prohibit the commissioner from considering specified expunged records and any information from those records, where the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner, and any records that have been sealed under specified statutes.

Summary

Section	Description
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| 1 | <p>Background studies conducted by Department of Human Services.</p> <p>Amends § 245C.08, subd. 1. Prohibits the commissioner of human services from considering, for purposes of actions taken related to human services background studies, information obtained from juvenile courts, the BCA, or arrest and investigative information under subdivision 3 of this section from: (1) a record that was expunged under chapter 260B or 609A, where the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner; (2) any underlying fact or element of the expunged record, where the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner; or (3) any record sealed under section 299C.11 or 609A.025.</p> |
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Specifies that the commissioner may still consider information from a separate administrative decision under the background studies chapter.

Section	Description
2	Arrest and investigative information. Amends § 245C.08, subd. 3. Inserts a reference to the limitations on the commissioner considering expunged records established under section 1 of the bill.



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