

New Criminal History Record Check Requirements

Session Law 2025-16

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What does the new law require counties and cities to do?

- If a position being filled by a county or city “requires an applicant for employment to work with children in any capacity,” every board of commissioners and city council must require the applicant, if offered the position, to be subject to a criminal history record check conducted by the SBI.



How does the SBI criminal history record check process work?

- The SBI uses fingerprints to search the state criminal history record file and forwards a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check.
- Counties and cities must pay a fee to cover the cost of the SBI's record check process (currently, \$38 for the combined national/state record check).

When does this new requirement for counties and cities go into effect?

- These requirements become effective October 1, 2025, and apply to offers of employment made on or after that date.



Do these new provisions require counties to get criminal history record checks for their *current* employees who work with children (i.e., employees hired prior to October 1, 2025)?

- No, the requirements do not apply retroactively. They only apply to offers of employment made on or after October 1.



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