

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1800
102ND GENERAL ASSEMBLY

4300H.05C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 43.546, 210.482, and 210.487, RSMo, and to enact in lieu thereof forty-one new sections relating to criminal background checks.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 43.546, 210.482, and 210.487, RSMo, are repealed and forty-one
2 new sections enacted in lieu thereof, to be known as sections 43.546, 168.014, 190.106,
3 208.222, 209.324, 210.482, 210.487, 301.551, 311.661, 324.055, 324.129, 324.246, 324.488,
4 324.1105, 326.257, 330.025, 331.025, 332.015, 334.015, 334.403, 334.501, 334.701,
5 334.739, 334.805, 335.022, 335.042, 336.025, 337.018, 337.308, 337.501, 337.605,
6 337.702, 338.052, 339.015, 339.510, 345.016, 374.711, 436.225, 443.702, 484.125, and
7 640.011, to read as follows:

43.546. 1. Any state agency, board, or commission may require the fingerprinting of
2 applicants in specified occupations or appointments within the state agency, board, or
3 commission for the purpose of positive identification and receiving criminal history record
4 information when determining an applicant's ability or fitness to serve in such occupation or
5 appointment.

6 2. In order to facilitate the criminal background check under subsection 1 of this
7 section on any person employed or appointed by a state agency, board, or commission, ~~and in~~
8 ~~accordance with section 43.543,~~ the applicant or employee shall submit a set of fingerprints
9 collected under the standards determined by the Missouri highway patrol. The fingerprints
10 and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol
11 to be used to search the state criminal history repository and the fingerprints shall be
12 forwarded to the Federal Bureau of Investigation for a national criminal background check
13 under section 43.540. Notwithstanding the provisions of section 610.120 **to the contrary**, all

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 records related to any criminal history information discovered shall be accessible and
15 available to the state agency making the request.

**168.014. 1. The state board of education may require that fingerprint
2 submissions be made as part of an application seeking a certificate of license to teach or
3 substitute teach in public schools, as provided in sections 168.011, 168.021, and 168.036
4 and as required by section 168.133.**

**5 2. If the state board of education requires that fingerprint submissions be made
6 as part of such application, the state board of education shall require applicants to
7 submit the fingerprints to the Missouri state highway patrol for the purpose of
8 conducting a state and federal fingerprint-based criminal history background check.**

**9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of education of any criminal history
14 record information or lack of criminal history record information discovered on the
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the state board of education.**

**190.106. 1. The department of health and senior services may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 emergency medical technician or "EMT", an advanced emergency medical technician
4 or "AEMT", or a paramedic, and an application seeking certification as an emergency
5 medical technician-community paramedic or "EMT-CP", as such terms are defined in
6 section 190.100.**

**7 2. If the department of health and senior services requires that fingerprint
8 submissions be made as part of such application, the department of health and senior
9 services shall require applicants to submit the fingerprints to the Missouri state highway
10 patrol for the purpose of conducting a state and federal fingerprint-based criminal
11 history background check.**

**12 3. The fingerprints and any required fees shall be sent to the Missouri state
13 highway patrol's central repository. The fingerprints shall be used for searching the
14 state criminal records repository and shall also be forwarded to the Federal Bureau of
15 Investigation for a federal criminal records search under section 43.540. The Missouri
16 state highway patrol shall notify the department of health and senior services of any
17 criminal history record information or lack of criminal history record information
18 discovered on the individual. Notwithstanding the provisions of section 610.120 to the**

19 **contrary, all records related to any criminal history information discovered shall be**
20 **accessible and available to the department of health and senior services.**

208.222. 1. **The Missouri Medicaid audit and compliance unit within the**
2 **department of social services may require that fingerprint submissions be made as part**
3 **of an application seeking to be licensed as a MO HealthNet provider for the purpose of**
4 **providing MO HealthNet services to eligible persons and obtaining from the department**
5 **of social services or its divisions reimbursement for eligible services.**

6 2. **If the Missouri Medicaid audit and compliance unit within the department of**
7 **social services requires that fingerprint submissions be made as part of such application,**
8 **the Missouri Medicaid audit and compliance unit within the department of social**
9 **services shall require applicants to submit the fingerprints to the Missouri state highway**
10 **patrol for the purpose of conducting a state and federal fingerprint-based criminal**
11 **history background check.**

12 3. **The fingerprints and any required fees shall be sent to the Missouri state**
13 **highway patrol's central repository. The fingerprints shall be used for searching the**
14 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
15 **Investigation for a federal criminal records search under section 43.540. The Missouri**
16 **state highway patrol shall notify the Missouri Medicaid audit and compliance unit**
17 **within the department of social services of any criminal history record information or**
18 **lack of criminal history record information discovered on the individual.**
19 **Notwithstanding the provisions of section 610.120 to the contrary, all records related**
20 **to any criminal history information discovered shall be accessible and available to the**
21 **Missouri Medicaid audit and compliance unit within the department of social services.**

22 4. **For purposes of this section, the following terms mean:**

23 (1) **"Eligible persons", individuals or families in the categories provided in**
24 **section 208.151 and in Section 36(c) of Article IV of the Constitution of the state of**
25 **Missouri to receive medical assistance benefits Title XIX, P.L. 89-97, 1965 amendments**
26 **to the federal Social Security Act, 42 U.S.C. Section 301 et seq., known in this state as**
27 **the Missouri Medicaid Program or MO HealthNet;**

28 (2) **"MO HealthNet provider", any person, partnership, corporation, not-for-**
29 **profit corporation, professional corporation, or business entity that enters into a**
30 **contract or provider agreement with the department of social services or its divisions for**
31 **the purpose of providing services to eligible persons and obtaining from the department**
32 **of social services or its divisions reimbursement for such services;**

33 (3) **"MO HealthNet services", medical services defined and determined by the**
34 **department of social services or listed specifically in section 208.152 in which eligible**
35 **persons receive as part of their Missouri Medicaid coverage.**

209.324. 1. The state committee of interpreters may require that fingerprint submissions be made as part of an application seeking licensure as an interpreter, as such term is defined in section 209.285, and temporary interpreter, as provided in section 209.326.

2. If the state committee of interpreters requires that fingerprint submissions be made as part of such application, the state committee of interpreters shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the committee of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the committee.

210.482. 1. If the emergency placement of a child in a private home is necessary due to the unexpected absence of the child's parents, legal guardian, or custodian, the juvenile court or children's division of the department of social services:

(1) May request that a local or state law enforcement agency or juvenile officer, subject to any required federal authorization, immediately conduct a name-based criminal history record check to include full orders of protection and outstanding warrants of each person over the age of ~~seventeen~~ **eighteen** residing in the home by using the Missouri uniform law enforcement system (MULES) and the National Crime Information Center to access the Interstate Identification Index **(III)** maintained by the Federal Bureau of Investigation; and

(2) Shall determine or, in the case of the juvenile court, shall request the division to determine whether any person over the age of ~~seventeen~~ **eighteen** years residing in the home is listed on the child abuse and neglect registry. For any children less than ~~seventeen~~ **eighteen** years of age residing in the home, the children's division shall inquire of the person with whom an emergency placement of a child will be made whether any children less than ~~seventeen~~ **eighteen** years of age residing in the home have ever been certified as an adult and convicted of or pled guilty or nolo contendere to any crime.

2. If a name-based search has been conducted pursuant to subsection 1 of this section, within fifteen calendar days of the Interstate Identification Index **(III)** name-based check,

20 after the emergency placement of the child in the private home, and if the private home has
21 not previously been approved as a foster or adoptive home, all persons over the age of
22 ~~[seventeen]~~ **eighteen** residing in the home and all children less than ~~[seventeen]~~ **eighteen**
23 residing in the home who the **children's** division has determined have been certified as an
24 adult for the commission of a crime shall ~~[report to a local law enforcement agency for the~~
25 ~~purpose of providing fingerprints and accompanying fees]~~ **be fingerprinted**, pursuant to
26 sections 43.530 and 43.540. **The fingerprints shall be used for searching the state**
27 **criminal records repository and shall also be forwarded to the Federal Bureau of**
28 **Investigation for a federal criminal records search under section 43.540.** Results of the
29 checks shall be provided to the juvenile court or children's division office requesting such
30 information. Any child placed in emergency placement in a private home shall be removed
31 immediately if any person residing in the home fails to provide fingerprints after being
32 requested to do so, unless the person refusing to provide fingerprints ceases to reside in the
33 private home.

34 3. If the placement of a child is denied as a result of a name-based criminal history
35 check and the denial is contested, all persons over the age of ~~[seventeen]~~ **eighteen** residing in
36 the home and all children less than ~~[seventeen]~~ **eighteen** years of age residing in the home
37 who the **children's** division has determined have been certified as an adult for the
38 commission of a crime shall, within fifteen calendar days **of conducting the Interstate**
39 **Identification Index (III) name-based check**, submit ~~[to the juvenile court or the children's~~
40 ~~division]~~ **fingerprints and any required fees**, in the same manner described in subsection 2 of
41 this section~~], accompanying fees, and written permission authorizing the juvenile court or the~~
42 ~~children's division to forward the fingerprints to the state criminal record repository for~~
43 ~~submission to the Federal Bureau of Investigation.~~

44 4. ~~No person who submits fingerprints under this section shall be required to submit~~
45 ~~additional fingerprints under this section or section 210.487 unless the original fingerprints~~
46 ~~retained by the division are lost or destroyed].~~

47 ~~[5-]~~ 4. Subject to appropriation, the total cost of fingerprinting required by this section
48 may be paid by the state, including reimbursement of persons incurring fingerprinting costs
49 under this section.

50 ~~[6-]~~ 5. For the purposes of this section, "emergency placement" refers to those limited
51 instances when the juvenile court or children's division is placing a child in the home of
52 private individuals, including neighbors, friends, or relatives, as a result of a sudden
53 unavailability of the child's primary caretaker.

210.487. 1. **The children's division of the department of social services may**
2 **require fingerprint submissions to the Missouri state highway patrol for the purpose of**
3 **conducting a state and federal fingerprint-based criminal background check.** When

4 conducting investigations of persons for the purpose of foster parent licensing, the **children's**
5 division shall:

6 (1) Conduct a search for all persons over the age of ~~[seventeen]~~ **eighteen** in the
7 applicant's household and for any child less than ~~[seventeen]~~ **eighteen** years of age residing in
8 the applicant's home who the division has determined has been certified as an adult for the
9 commission of a crime for evidence of full orders of protection. The office of state courts
10 administrator shall allow access to the automated court information system by the division.
11 The clerk of each court contacted by the division shall provide the division information within
12 ten days of a request;

13 (2) Obtain fingerprints for any person over the age of ~~[seventeen]~~ **eighteen** in the
14 applicant's household and for any child less than ~~[seventeen]~~ **eighteen** years of age residing in
15 the applicant's home who the division has determined has been certified as an adult for the
16 commission of a crime ~~[in the same manner set forth in subsection 2 of section 210.482]~~. **The**
17 **fingerprints and any required fees shall be sent to the Missouri state highway patrol's**
18 **central repository. The fingerprints shall be used for searching the state criminal**
19 **records repository and shall also be forwarded to the Federal Bureau of Investigation**
20 **for a federal criminal records search under section 43.540. The Missouri state highway**
21 **patrol shall notify the juvenile court or the division of any criminal history record**
22 **information or lack of criminal history record information discovered on the individual.**
23 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
24 **any criminal history information discovered shall be accessible and available to the**
25 **juvenile court or the division.** The highway patrol shall assist the division and provide the
26 criminal fingerprint background information, upon request, under and in accordance with the
27 provisions of section 43.540; and

28 (3) Determine whether any person over the age of ~~[seventeen]~~ **eighteen** residing in
29 the home and any child less than ~~[seventeen]~~ **eighteen** years of age residing in the applicant's
30 home who the division has determined has been certified as an adult for the commission of a
31 crime is listed on the child abuse and neglect registry. For any children less than ~~[seventeen]~~
32 **eighteen** years of age residing in the applicant's home, the ~~[children's]~~ division shall inquire
33 of the applicant whether any children less than ~~[seventeen]~~ **eighteen** years of age residing in
34 the home have ever been certified as an adult and been convicted of or pled guilty or nolo
35 contendere to any crime.

36 2. ~~[After the initial investigation is completed under subsection 1 of this section:~~

37 ~~(1) No person who submits fingerprints under subsection 1 of this section or section~~
38 ~~210.482 shall be required to submit additional fingerprints under this section or section~~
39 ~~210.482 unless the original fingerprints retained by the division are lost or destroyed;~~

40 ~~(2) The highway patrol shall provide ongoing electronic updates to criminal history~~
41 ~~background checks of those persons previously submitted as part of the licensing or approval~~
42 ~~process under subsection 1 of this section. Ongoing electronic updates for such persons and~~
43 ~~for those in their households shall terminate when such persons cease to be applicant or~~
44 ~~licensed foster parents; and~~

45 ~~(3) The children's division and the department of health and senior services may~~
46 ~~waive the requirement for a fingerprint background check for any subsequent recertification.~~

47 3.] Subject to appropriation, the total cost of fingerprinting required by this section
48 may be paid by the state, including reimbursement of persons incurring fingerprinting costs
49 under this section.

50 [4.] 3. The division may make arrangements with other executive branch agencies to
51 obtain any investigative background information.

52 [5.] 4. The division may promulgate rules that are necessary to implement the
53 provisions of this section. Any rule or portion of a rule, as that term is defined in section
54 536.010, that is created under the authority delegated in this section shall become effective
55 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
56 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
57 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
58 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
59 of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be
60 invalid and void.

301.551. 1. The department of revenue may require that fingerprint submissions
2 **be made as part of an application seeking licensure for a new motor vehicle franchise**
3 **dealer, used motor vehicle dealer, powersport dealer, wholesale motor vehicle dealer,**
4 **motor vehicle dealer, public motor vehicle auction, recreational motor vehicle dealer,**
5 **trailer dealer, boat dealer, manufacturer, or boat manufacturer, as such terms are**
6 **defined in section 301.550.**

7 **2. If the department of revenue requires that fingerprint submissions be made as**
8 **part of such application, the department of revenue shall require applicants to submit**
9 **the fingerprints to the Missouri state highway patrol for the purpose of conducting a**
10 **state and federal fingerprint-based criminal history background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**
12 **highway patrol's central repository. The fingerprints shall be used for searching the**
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**
15 **state highway patrol shall notify the department of any criminal history record**
16 **information or lack of criminal history record information discovered on the individual.**

17 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
18 **any criminal history information discovered shall be accessible and available to the**
19 **department.**

20 **311.661. 1. The division of alcohol and tobacco control may require any owner,**
21 **as such term is defined in subsection 3 of this section, or applicant, as such term is**
22 **defined in section 43.540, seeking a license for the manufacture, sale, transport,**
23 **consumption, or delivery of intoxicating liquors within this state, as provided in this**
24 **chapter, to submit fingerprints to the Missouri state highway patrol for the purpose of**
25 **conducting a state and federal fingerprint-based criminal history background check.**
26 **The licenses provided by this chapter that require a background check for licensure are**
27 **as follows:**

- 28 (1) **Alcohol carrier or transportation license;**
- 29 (2) **Manufacturer-solicitor, domestic winery, or microbrewery liquor license;**
- 30 (3) **Primary retail liquor license;**
- 31 (4) **Solicitor license;**
- 32 (5) **Wholesalers license; and**
- 33 (6) **Wine direct shipper license.**

34 **2. The fingerprints and any required fees shall be sent to the Missouri state**
35 **highway patrol's central repository. The fingerprints shall be used for searching the**
36 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
37 **Investigation for a federal criminal records search under section 43.540. The Missouri**
38 **state highway patrol shall notify the division of alcohol and tobacco control of any**
39 **criminal history record information or lack of criminal history record information**
40 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
41 **contrary, all records related to any criminal history information discovered shall be**
42 **accessible and available to the division of alcohol and tobacco control.**

43 **3. For purposes of this section, the following terms mean:**

- 44 (1) **"Alcohol carrier or transportation license", a license issued to an applicant**
45 **for the transport or delivery of intoxicating liquor into, within, or through this state;**
- 46 (2) **"Manufacturer-solicitor, domestic winery, or microbrewery liquor license", a**
47 **license issued to an applicant authorizing the manufacturing, distilling, blending, or**
48 **brewing of intoxicating liquor in this state;**
- 49 (3) **"Owner", an individual holding ten percent or greater financial interest or**
50 **voting interest in an entity seeking to be licensed;**
- 51 (4) **"Primary retail liquor license", a license issued to an applicant for the retail**
52 **sale of intoxicating liquor in this state;**

34 (5) "Solicitor license", a license issued to an applicant which allows for the
35 solicitation of orders for the sale of intoxicating liquor to wholesalers licensed in this
36 state;

37 (6) "Wholesalers license", a license issued to an applicant authorizing the sale of
38 intoxicating liquor to retail licensees;

39 (7) "Wine direct shipper license", a license issued to an applicant allowing for
40 the direct shipping of intoxicating liquor to consumers who are residents of this state
41 and who are at least twenty-one years of age for the personal use and not for resale.

 324.055. 1. The Missouri board of occupational therapy may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 occupational therapist or an occupational therapy assistant, or a limited permit to
4 practice occupational therapy, as such terms are defined in section 324.050 and as
5 provided in section 324.077.

6 2. If the Missouri board of occupational therapy requires that fingerprint
7 submissions be made as part of such application, the Missouri board of occupational
8 therapy shall require applicants to submit the fingerprints to the Missouri state highway
9 patrol for the purpose of conducting a state and federal fingerprint-based criminal
10 history background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the Missouri board of occupational therapy of any
16 criminal history record information or lack of criminal history record information
17 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
18 contrary, all records related to any criminal history information discovered shall be
19 accessible and available to the Missouri board of occupational therapy.

 324.129. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking licensure as a licensed
3 clinical perfusionist and provisional clinical licensed perfusionist, as defined in section
4 324.128.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the state board of registration for the healing arts of**
15 **any criminal history record information or lack of criminal history record information**
16 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
17 **contrary, all records related to any criminal history information discovered shall be**
18 **accessible and available to the state board of registration for the healing arts.**

324.246. 1. The board of therapeutic massage may require that fingerprint
2 **submissions be made as part of an application seeking a license, provisional license, or**
3 **student license as a massage therapist and a license as a massage business, as such terms**
4 **are defined in section 324.240 and as provided in sections 324.247 and 324.265.**

5 **2. If the board of therapeutic massage requires that fingerprint submissions be**
6 **made as part of such application, the board of therapeutic massage shall require**
7 **applicants to submit the fingerprints to the Missouri state highway patrol for the**
8 **purpose of conducting a state and federal fingerprint-based criminal history**
9 **background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the board of therapeutic massage of any criminal**
15 **history record information or lack of criminal history record information discovered on**
16 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
17 **records related to any criminal history information discovered shall be accessible and**
18 **available to the board of therapeutic massage.**

324.488. 1. The state board of chiropractic examiners may require that
2 **fingerprint submissions be made as part of an application seeking licensure as an**
3 **acupuncturist, as such term is defined in section 324.475.**

4 **2. If the state board of chiropractic examiners requires that fingerprint**
5 **submissions be made as part of such application, the state board of chiropractic**
6 **examiners shall require applicants to submit the fingerprints to the Missouri state**
7 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
8 **criminal history background check.**

9 **3. The fingerprints and any required fees shall be sent to the Missouri state**
10 **highway patrol's central repository. The fingerprints shall be used for searching the**

11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of chiropractic examiners of any
14 criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the state board of chiropractic examiners.

324.1105. 1. The board of private investigator and private fire investigator
2 examiners may require that fingerprint submissions be made as part of an application
3 seeking licensure as a private investigator or private fire investigator or as an employee
4 of a private investigator agency or private fire investigator agency, as such terms are
5 defined in section 324.1100.

6 2. If the board of private investigator and private fire investigator examiners
7 requires that fingerprint submissions be made as part of such application, the board of
8 private investigator and private fire investigator examiners shall require applicants to
9 submit the fingerprints to the Missouri state highway patrol for the purpose of
10 conducting a state and federal fingerprint-based criminal history background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the board of private investigator and private fire
16 investigator examiners of any criminal history record information or lack of criminal
17 history record information discovered on the individual. Notwithstanding the
18 provisions of section 610.120 to the contrary, all records related to any criminal
19 history information discovered shall be accessible and available to the board of private
20 investigator and private fire investigator examiners.

326.257. 1. The Missouri state board of accountancy may require that
2 fingerprint submissions be made as part of an application seeking licensure as a
3 certified public accountant and a permit for a certified public accounting firm, as
4 defined in section 326.256.

5 2. If the Missouri state board of accountancy requires that fingerprint
6 submissions be made as part of such application, the Missouri state board of
7 accountancy shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the Missouri state board of accountancy of any**
15 **criminal history record information or lack of criminal history record information**
16 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
17 **contrary, all records related to any criminal history information discovered shall be**
18 **accessible and available to the Missouri state board of accountancy.**

330.025. 1. The state board of podiatric medicine may require that fingerprint
2 **submissions be made as part of an application seeking a permanent license or a**
3 **temporary license to practice podiatric medicine, as provided in sections 330.045 and**
4 **330.065, or a permanent podiatric medicine license with ankle certification, as such term**
5 **is defined in subsection 4 of this section.**

6 **2. If the state board of podiatric medicine requires that fingerprint submissions**
7 **be made as part of such application, the state board of podiatric medicine shall require**
8 **applicants to submit the fingerprints to the Missouri state highway patrol for the**
9 **purpose of conducting a state and federal fingerprint-based criminal history**
10 **background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**
12 **highway patrol's central repository. The fingerprints shall be used for searching the**
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**
15 **state highway patrol shall notify the state board of podiatric medicine of any criminal**
16 **history record information or lack of criminal history record information discovered on**
17 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
18 **records related to any criminal history information discovered shall be accessible and**
19 **available to the state board of podiatric medicine.**

20 **4. For purposes of this section, the term "permanent podiatric medicine license**
21 **with ankle certification" means a license issued to a doctor of podiatric medicine who**
22 **has met the requirements for performing surgery on the ankle as provided in section**
23 **330.010.**

331.025. 1. The state board of chiropractic examiners may require that
2 **fingerprint submissions be made as part of an application seeking licensure to engage in**
3 **the practice of chiropractic, as such term is defined in section 331.010.**

4 **2. If the state board of chiropractic examiners requires that fingerprint**
5 **submissions be made as part of such application, the state board of chiropractic**

6 examiners shall require applicants to submit the fingerprints to the Missouri state
7 highway patrol for the purpose of conducting a state and federal fingerprint-based
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of chiropractic examiners of any
14 criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the state board of chiropractic examiners.

 332.015. 1. The Missouri dental board may require that fingerprint submissions
2 be made as part of an application seeking licensure as a dentist, a dental specialist, a
3 volunteer dentist, a temporary dentist, a dental hygienist, or a volunteer dental
4 hygienist, a limited dental teaching license, and a dental faculty permit, as provided in
5 sections 332.091, 332.112, 332.113, 332.171, 332.181, 332.183, 332.201, and 332.425.

6 2. If the Missouri dental board requires that fingerprint submissions be made as
7 part of such application, the Missouri dental board shall require applicants to submit
8 the fingerprints to the Missouri state highway patrol for the purpose of conducting a
9 state and federal fingerprint-based criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the Missouri dental board of any criminal history
15 record information or lack of criminal history record information discovered on the
16 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
17 records related to any criminal history information discovered shall be accessible and
18 available to the Missouri dental board.

 334.015. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application for a permanent license,
3 temporary license, or limited license as a physician and assistant physician, as provided
4 in sections 334.035, 334.036, 334.045, 334.046, and 334.112.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state

8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.403. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 anesthesiologist assistant, as such term is defined in section 334.400, or a temporary
4 license to practice as an anesthesiologist assistant, as provided in section 334.406.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.501. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking a license or
3 temporary license as a physical therapist or physical therapist assistant, as such terms
4 are defined in section 334.500 and as provided in section 334.550.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state

8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the state board of registration for the healing arts of
15 any criminal history record information or lack of criminal history record information
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
17 contrary, all records related to any criminal history information discovered shall be
18 accessible and available to the state board of registration for the healing arts.

334.701. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking licensure as an
3 athletic trainer, as such term is defined in section 334.702.

4 2. If the state board of registration for the healing arts requires that fingerprint
5 submissions be made as part of such application, the state board of registration for the
6 healing arts shall require applicants to submit the fingerprints to the Missouri state
7 highway patrol for the purpose of conducting a state and federal fingerprint-based
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of registration for the healing arts of
14 any criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the state board of registration for the healing arts.

334.739. 1. The state board of registration for the healing arts may require that
2 fingerprint submissions be made as part of an application seeking a license or
3 temporary license as a physician assistant, as such term is defined in section 334.735 and
4 as provided in section 334.736.

5 2. If the state board of registration for the healing arts requires that fingerprint
6 submissions be made as part of such application, the state board of registration for the
7 healing arts shall require applicants to submit the fingerprints to the Missouri state
8 highway patrol for the purpose of conducting a state and federal fingerprint-based
9 criminal history background check.

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the state board of registration for the healing arts of**
15 **any criminal history record information or lack of criminal history record information**
16 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
17 **contrary, all records related to any criminal history information discovered shall be**
18 **accessible and available to the state board of registration for the healing arts.**

334.805. 1. The Missouri board for respiratory care may require that
2 **fingerprint submissions be made as part of an application seeking licensure as a**
3 **respiratory care practitioner, an educational permit to practice respiratory care, or a**
4 **temporary permit to practice respiratory care, as such terms are defined in section**
5 **334.800 and as provided in section 334.890.**

6 **2. If the Missouri board for respiratory care requires that fingerprint**
7 **submissions be made as part of such application, the Missouri board for respiratory**
8 **care shall require applicants to submit the fingerprints to the Missouri state highway**
9 **patrol for the purpose of conducting a state and federal fingerprint-based criminal**
10 **history background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**
12 **highway patrol's central repository. The fingerprints shall be used for searching the**
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**
15 **state highway patrol shall notify the Missouri board for respiratory care of any criminal**
16 **history record information or lack of criminal history record information discovered on**
17 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
18 **records related to any criminal history information discovered shall be accessible and**
19 **available to the Missouri board for respiratory care.**

335.022. 1. The state board of nursing may require applicants to submit
2 **fingerprints to the Missouri state highway patrol for the purpose of conducting a state**
3 **and federal fingerprint-based criminal history background check for employment**
4 **purposes with the state board of nursing.**

5 **2. The fingerprints and any required fees shall be sent to the Missouri state**
6 **highway patrol's central repository. The fingerprints shall be used for searching the**
7 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
8 **Investigation for a federal criminal records search under section 43.540. The Missouri**
9 **state highway patrol shall notify the state board of nursing of any criminal history**

10 record information or lack of criminal history record information discovered on the
11 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
12 records related to any criminal history information discovered shall be accessible and
13 available to the state board of nursing.

335.042. 1. The state board of nursing may require that fingerprint submissions
2 be made as part of an application seeking licensure to practice as a registered nurse,
3 practical nurse, and advanced practice registered nurse, as such terms are defined in
4 section 335.016.

5 2. If the state board of nursing requires that fingerprint submissions be made as
6 part of such application, the state board of nursing shall require nursing applicants to
7 submit the fingerprints to the Missouri state highway patrol for the purpose of
8 conducting a state and federal fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state board of nursing of any criminal history
14 record information or lack of criminal history record information discovered on the
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the state board of nursing.

336.025. 1. The state board of optometry may require that fingerprint
2 submissions be made as part of an application seeking licensure to practice as an
3 optometrist, as provided in sections 336.010 and 336.030.

4 2. If the state board of optometry requires that fingerprint submissions be made
5 as part of such application, the state board of optometry shall require applicants to
6 submit the fingerprints to the Missouri state highway patrol for the purpose of
7 conducting a state and federal fingerprint-based criminal history background check.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the state board of optometry of any criminal history
13 record information or lack of criminal history record information discovered on the
14 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and
16 available to the state board of optometry.

337.018. 1. The state committee of psychologists may require that fingerprint submissions be made as part of an application seeking licensure as a licensed psychologist, provisional licensed psychologist, and temporary license for a licensed psychologist.

2. If the state committee of psychologists requires that fingerprint submissions be made as part of such application, the state committee of psychologists shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the state committee of psychologists of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the state committee of psychologists.

337.308. 1. The behavior analyst advisory board may require that fingerprint submissions be made as part of an application seeking licensure, provisional licensure, or temporary licensure as a licensed behavior analyst or a licensed assistant behavior analyst, as such terms are defined in section 337.300.

2. If the behavior analyst advisory board requires that fingerprint submissions be made as part of such application, the behavior analyst advisory board shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the behavior analyst advisory board of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the behavior analyst advisory board.

1 **337.501. 1. The committee for professional counselors may require that**
2 **fingerprint submissions be made as part of an application seeking licensure as a licensed**
3 **professional counselor and provisional licensed professional counselor, as defined in**
4 **section 337.500.**

5 **2. If the committee for professional counselors requires that fingerprint**
6 **submissions be made as part of such application, the committee for professional**
7 **counselors shall require applicants to submit the fingerprints to the Missouri state**
8 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
9 **criminal history background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the committee for professional counselors of any**
15 **criminal history record information or lack of criminal history record information**
16 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
17 **contrary, all records related to any criminal history information discovered shall be**
18 **accessible and available to the committee for professional counselors.**

337.605. 1. The state committee for social workers may require that fingerprint
2 **submissions be made as part of an application seeking a license or a temporary permit**
3 **to practice as a licensed clinical social worker, licensed advanced macro social worker,**
4 **licensed master social worker, and licensed baccalaureate social worker, as such terms**
5 **are defined in section 337.600 and as provided in section 337.621.**

6 **2. If the state committee for social workers requires that fingerprint submissions**
7 **be made as part of such application, the state committee for social workers shall require**
8 **applicants to submit the fingerprints to the Missouri state highway patrol for the**
9 **purpose of conducting a state and federal fingerprint-based criminal history**
10 **background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**
12 **highway patrol's central repository. The fingerprints shall be used for searching the**
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**
15 **state highway patrol shall notify the state committee for social workers of any criminal**
16 **history record information or lack of criminal history record information discovered on**
17 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
18 **records related to any criminal history information discovered shall be accessible and**
19 **available to the state committee for social workers.**

337.702. 1. The state committee of marital and family therapists may require that fingerprint submissions be made as part of an application seeking licensure as a licensed marital and family therapist or provisional licensed marital and family therapist as such terms are defined in section 337.700.

2. If the state committee of marital and family therapists requires that fingerprint submissions be made as part of such application, the state committee of marital and family therapists shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the state committee of marital and family therapists of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the state committee of marital and family therapists.

338.052. 1. The board of pharmacy may require that fingerprint submissions be made as part of an application seeking a license to practice pharmacy as a pharmacist, a certificate of registration as a pharmacy technician, a license as an intern pharmacist, a license as a wholesale drug distributor, a license as a third-party logistics provider, a temporary license as a pharmacist, a permit for the practice of pharmacy to be conducted at a pharmacy, and a license as a drug outsourcer, as provided in sections 338.010, 338.013, 338.035, 338.043, 338.050, 338.210, and 338.330, and a manager-in-charge, wholesale drug distributor facility manager, third-party logistics provider facility manager, wholesale drug distributor facility owner, or third-party logistics provider facility owner, as such terms are defined in subsection 4 of this section.

2. If the board of pharmacy requires that fingerprint submissions be made as part of such application, the board of pharmacy shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the board of pharmacy of any criminal history record

20 information or lack of criminal history record information discovered on the individual.
21 Notwithstanding the provisions of section 610.120 to the contrary, all records related to
22 any criminal history information discovered shall be accessible and available to the
23 board of pharmacy.

24 4. For purposes of this section, the following terms mean:

25 (1) "Manager-in-charge", a person who directly supervises a licensed wholesale
26 drug distributor or a third-party logistics provider, as such terms are defined in section
27 338.330, and whose fingerprints are required by federal or state law for licensure of a
28 wholesale drug distributor facility or third-party logistics provider facility;

29 (2) "Third-party logistics provider facility manager", a person who is a manager
30 and direct supervisor of a licensed third-party logistics provider, as such term is defined
31 in section 338.330, and whose fingerprints are required by federal or state law for
32 licensure of a third-party logistics provider facility;

33 (3) "Third-party logistics provider facility owner", a person who is an owner
34 with greater than ten percent ownership interest of a licensed third-party logistics
35 provider, as such term is defined in section 338.330, and whose fingerprints are required
36 by federal or state law for licensure of a third-party logistics provider facility;

37 (4) "Wholesale drug distributor facility manager", a person who is a manager of
38 a wholesale drug distributor, as such term is defined in section 338.330, and whose
39 fingerprints are required by federal or state law for licensure of a wholesale drug
40 distributor facility;

41 (5) "Wholesale drug distributor facility owner", a person who is an owner with
42 greater than ten percent ownership interest of a licensed wholesale drug distributor, as
43 such term is defined in section 338.330, and whose fingerprints are required by federal
44 or state law for licensure of a wholesale drug distributor facility.

339.015. 1. The Missouri real estate commission may require that fingerprint
2 submissions be made as part of an application seeking licensure as a real estate broker,
3 real estate salesperson, and real estate broker-salesperson, as such terms are defined in
4 section 339.010 and as provided in sections 339.030 and 339.040.

5 2. If the Missouri real estate commission requires that fingerprint submissions
6 be made as part of such application, the Missouri real estate commission shall require
7 applicants to submit the fingerprints to the Missouri state highway patrol for the
8 purpose of conducting a state and federal fingerprint-based criminal history
9 background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of

13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the Missouri real estate commission of any criminal**
15 **history record information or lack of criminal history record information discovered on**
16 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
17 **records related to any criminal history information discovered shall be accessible and**
18 **available to the Missouri real estate commission.**

2 **339.510. 1. The Missouri real estate appraisers commission may require that**
3 **fingerprint submissions be made as part of an application seeking licensure as a**
4 **certified residential appraiser, a certified residential appraiser trainee, a certified**
5 **general appraiser, a certified general appraiser trainee, a state-licensed appraiser, a**
6 **state-licensed appraiser trainee, an appraisal management company, a controlling**
7 **person of an appraisal management company, and an owner of an appraisal**

8 **2. If the Missouri real estate appraisers commission requires that fingerprint**
9 **submissions be made as part of such application, the Missouri real estate appraisers**
10 **commission shall require applicants to submit the fingerprints to the Missouri state**
11 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
12 **criminal history background check.**

13 **3. The fingerprints and any required fees shall be sent to the Missouri state**
14 **highway patrol's central repository. The fingerprints shall be used for searching the**
15 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
16 **Investigation for a federal criminal records search under section 43.540. The Missouri**
17 **state highway patrol shall notify the Missouri real estate appraisers commission of any**
18 **criminal history record information or lack of criminal history record information**
19 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
20 **contrary, all records related to any criminal history information discovered shall be**
21 **accessible and available to the Missouri real estate appraisers commission.**

22 **4. For purposes of this section, the following terms mean:**

23 **(1) "Appraisal management company", a person that utilizes an appraisal panel**
24 **and performs appraisal management services, as defined in subdivision (2) of this**
25 **subsection, and who has met the qualifications for licensure as set forth in 20 CSR 2245-**
26 **10.010 and 10.040;**

27 **(2) "Appraisal management services", to perform any of the following functions**
28 **on behalf of a lender, financial institution, client, or any other person:**

29 **(a) Administer an appraiser panel;**

30 **(b) Recruit, qualify, verify licensing or certification, and negotiate fees and**
31 **service level expectations with persons who are part of an appraiser panel;**

32 (c) Receive an order for an appraisal from one person and deliver the order for
33 the appraisal to an appraiser that is part of an appraiser panel for completion;

34 (d) Track and determine the status of orders for appraisals performed by
35 appraisers who are part of an appraisal panel;

36 (e) Conduct quality control of a completed appraisal performed by an appraiser
37 who is part of an appraisal panel prior to the delivery of the appraisal to the person who
38 ordered the appraisal; and

39 (f) Provide a completed appraisal performed by an appraiser who is part of an
40 appraisal panel to one or more persons who have ordered an appraisal;

41 (3) "Certified general appraiser", an individual who is qualified by education,
42 experience, and examination to appraise any real property pursuant to 20 CSR 2245-
43 9.010 and whose fingerprints are required for licensure pursuant to 20 CSR 2245-3.010
44 and 12 CFR Chapter XI;

45 (4) "Certified general appraiser trainee", an individual who, under supervision,
46 is qualified to appraise certain real property pursuant to 20 CSR 2245-9.010 and whose
47 fingerprints are required for licensure pursuant to 20 CSR 2245-6.017(3) and 12 CFR
48 Chapter XI;

49 (5) "Certified residential appraiser", an individual who is qualified by
50 education, experience, and examination to appraise certain real property pursuant to
51 20 CSR 2245-9.010 and whose fingerprints are required for licensure pursuant to 20
52 CSR 2245-3.010 and 12 CFR Chapter XI;

53 (6) "Certified residential appraiser trainee", an individual who, under
54 supervision, is qualified to appraise certain real property pursuant to 20 CSR 2245-
55 9.010 and whose fingerprints are required for licensure pursuant to 20 CSR 2245-6.017
56 (3) and 12 CFR Chapter XI;

57 (7) "Controlling person of an appraisal management company":

58 (a) An owner of an appraisal management company;

59 (b) An individual employed, appointed, or authorized by an appraisal
60 management company that has the authority to enter into a contractual relationship
61 with other persons for the performance of appraisal management services and has the
62 authority to enter into agreements with appraisers for the performance of appraisals; or

63 (c) An individual who possesses the power to direct or cause the direction of the
64 management or policies of an appraisal management company whose fingerprints are
65 required for licensure pursuant to 20 CSR 2245-10.010 and 12 CFR Chapter XI;

66 (8) "Owner of an appraisal management company", a person who owns ten
67 percent or more of a licensed appraisal management company and whose fingerprints
68 are required for licensure pursuant to 20 CSR 2245-10.010 and 12 CFR Chapter XI;

69 **(9) "State-licensed appraiser", an individual who is qualified by education,**
70 **experience, and examination to appraise certain real property pursuant to 20 CSR 2245-**
71 **9.010 and whose fingerprints are required for licensure pursuant to 20 CSR 2245-3.010**
72 **and 12 CFR Chapter XI;**

73 **(10) "State-licensed appraiser trainee", an individual who, under supervision, is**
74 **qualified to appraise certain real property pursuant to 20 CSR 2245-9.010 and whose**
75 **fingerprints are required for licensure pursuant to 20 CSR 2245-6.017(3) and 12 CFR**
76 **Chapter XI.**

345.016. 1. The state board of registration for the healing arts may require that
2 **fingerprint submissions be made as part of an application seeking a license, as described**
3 **in section 345.020, or provisional license, as described in section 345.021, as an**
4 **audiologist, an audiology aide, a speech-language pathologist, a speech-language**
5 **pathology aide, and a speech-language pathology assistant, as such terms are defined**
6 **in section 345.015.**

7 **2. If the state board of registration for the healing arts requires that fingerprint**
8 **submissions be made as part of such application, the state board of registration for the**
9 **healing arts shall require applicants to submit the fingerprints to the Missouri state**
10 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
11 **criminal history background check.**

12 **3. The fingerprints and any required fees shall be sent to the Missouri state**
13 **highway patrol's central repository. The fingerprints shall be used for searching the**
14 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
15 **Investigation for a federal criminal records search under section 43.540. The Missouri**
16 **state highway patrol shall notify the state board of registration for the healing arts of**
17 **any criminal history record information or lack of criminal history record information**
18 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
19 **contrary, all records related to any criminal history information discovered shall be**
20 **accessible and available to the state board of registration for the healing arts.**

374.711. 1. The department of commerce and insurance may require that
2 **fingerprint submissions be made as part of an application seeking a license, or renewal**
3 **of a license, for a general bail bond agent, a bail bond agent, or a surety recovery agent,**
4 **as such terms are defined in section 374.700.**

5 **2. If the department of commerce and insurance requires that fingerprint**
6 **submissions be made as part of such application, the department of commerce and**
7 **insurance shall require applicants to submit the fingerprints to the Missouri state**
8 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
9 **criminal history background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**
11 **highway patrol's central repository. The fingerprints shall be used for searching the**
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**
14 **state highway patrol shall notify the department of any criminal history record**
15 **information or lack of criminal history record information discovered on the individual.**
16 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
17 **any criminal history information discovered shall be accessible and available to the**
18 **department.**

436.225. 1. The director of the division of professional registration may require
2 **that fingerprint submissions be made as part of an application seeking licensure as an**
3 **athlete agent.**

4 **2. If the director of the division of professional registration requires that**
5 **fingerprint submissions be made as part of such application, the director of the division**
6 **of professional registration shall require applicants to submit the fingerprints to the**
7 **Missouri state highway patrol for the purpose of conducting a state and federal**
8 **fingerprint-based criminal history background check.**

9 **3. The fingerprints and any required fees shall be sent to the Missouri state**
10 **highway patrol's central repository. The fingerprints shall be used for searching the**
11 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
12 **Investigation for a federal criminal records search under section 43.540. The Missouri**
13 **state highway patrol shall notify the director of the division of professional registration**
14 **of any criminal history record information or lack of criminal history record**
15 **information discovered on the individual. Notwithstanding the provisions of section**
16 **610.120 to the contrary, all records related to any criminal history information**
17 **discovered shall be accessible and available to the director of the division of professional**
18 **registration.**

19 **4. For purposes of this section, the term "athlete agent" means an individual**
20 **who:**

21 **(1) Recruits or solicits a student athlete to enter into an agency contract or, for**
22 **compensation, procures employment or offers, promises, attempts, or negotiates to**
23 **obtain employment for a student athlete as a professional athlete or member of a**
24 **professional sports team or organization;**

25 **(2) For compensation or in anticipation of compensation related to a student**
26 **athlete's participation in athletics:**

27 **(a) Serves the student athlete in an advisory capacity on a matter related to**
28 **finances, business pursuits, or career management decisions, unless the individual is an**

29 **employee of an educational institution acting exclusively as an employee of the**
30 **educational institution for the benefit of the educational institution; or**

31 **(b) Manages the business affairs of the student athlete by providing assistance**
32 **with bills, payments, contracts, or taxes; or**

33 **(3) In anticipation of representing a student athlete for a purpose related to the**
34 **student athlete's participation in athletics:**

35 **(a) Gives consideration to the student athlete or another person;**

36 **(b) Serves the student athlete in an advisory capacity on a matter related to**
37 **finances, business pursuits, or career management decisions; or**

38 **(c) Manages the business affairs of the student athlete by providing assistance**
39 **with bills, payments, contracts, or taxes.**

443.702. 1. The division of finance may require that fingerprint submissions be
2 **made as part of an application seeking licensure to act as a residential mortgage loan**
3 **broker or a mortgage loan originator.**

4 **2. If the division of finance requires that fingerprint submissions be made as part**
5 **of such application, the division of finance shall require applicants to submit the**
6 **fingerprints to the Missouri state highway patrol for the purpose of conducting a state**
7 **and federal fingerprint-based criminal history background check.**

8 **3. The fingerprints and any required fees shall be sent to the Missouri state**
9 **highway patrol's central repository. The fingerprints shall be used for searching the**
10 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
11 **Investigation for a federal criminal records search under section 43.540. The Missouri**
12 **state highway patrol shall notify the division of finance of any criminal history record**
13 **information or lack of criminal history record information discovered on the individual.**
14 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
15 **any criminal history information discovered shall be accessible and available to the**
16 **division of finance.**

17 **4. For purposes of this section, the following terms mean:**

18 **(1) "Mortgage loan originator", an individual who for compensation or gain or**
19 **in the expectation of compensation or gain takes a residential mortgage loan application,**
20 **or offers or negotiates terms of a residential mortgage loan. Mortgage loan originator**
21 **does not include:**

22 **(a) An individual engaged solely as a loan processor or underwriter except as**
23 **otherwise provided in sections 443.701 to 443.893;**

24 **(b) A person that only performs real estate brokerage activities and is licensed or**
25 **registered in accordance with the law of this state, unless the person is compensated by a**

26 lender, a mortgage broker, or other mortgage loan originator or by any agent of such
27 lender, mortgage broker, or other mortgage loan originator;

28 (c) A person solely involved in extensions of credit relating to time-share plans,
29 as the term time-share plans is defined in 11 U.S.C. Section 101(53D);

30 (d) An individual who is servicing a mortgage loan; and

31 (e) A person employed by a licensed mortgage broker or loan originator who
32 accepts or receives residential mortgage loan applications;

33 (2) "Residential mortgage loan broker", any person, other than an exempt
34 person, engaged in the business of brokering, funding, servicing, or purchasing
35 residential mortgage loans.

484.125. 1. The Missouri supreme court may require that fingerprint
2 submissions be made as part of an application of licensure for admission or
3 reinstatement to the Missouri Bar in order to engage in the practice of law or law
4 business, as such terms are defined in section 484.010.

5 2. If the Missouri supreme court requires that fingerprint submissions be made
6 as part of such application, the Missouri supreme court shall submit the fingerprints to
7 the Missouri state highway patrol for the purpose of conducting a state and federal
8 fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the Missouri supreme court of any criminal history
14 record information or lack of criminal history record information discovered on the
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the Missouri supreme court.

640.011. 1. The department of natural resources may require that fingerprint
2 submissions be made as part of an application seeking employment or to volunteer with
3 the department of natural resources.

4 2. If the department of natural resources requires that fingerprint submissions
5 be made as part of such application, the department of natural resources shall require
6 applicants to submit the fingerprints to the Missouri state highway patrol for the
7 purpose of conducting a state and federal fingerprint-based criminal history
8 background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the

11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the department of natural resources of any criminal
14 history record information or lack of criminal history record information discovered on
15 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
16 records related to any criminal history information discovered shall be accessible and
17 available to the department of natural resources.

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