

IN THE SENATE

SENATE BILL NO. 1154

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO TEMPORARY CARE ASSISTANCE PROGRAMS; AMENDING SECTION 32-1805,
2 IDAHO CODE, TO REVISE PROVISIONS REGARDING CRIMINAL HISTORY AND BACK-
3 GROUND CHECKS FOR POTENTIAL TEMPORARY CAREGIVERS; AND DECLARING AN
4 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 32-1805, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 32-1805. TEMPORARY CARE ASSISTANCE PROGRAM REQUIREMENTS. (1) A tempo-
10 rary care assistance program shall check against the state's sex offender
11 registry operated by the Idaho state police and against the national sex of-
12 fender public website operated by the United States department of justice
13 that checks names and addresses in the registries before allowing someone
14 to become a temporary caregiver within the program's service. ~~The process~~
15 ~~must include a check against the Idaho child protection central registry op-~~
16 ~~erated by the Idaho department of health and welfare. The process must also~~
17 include a criminal history and background check conducted by the department
18 of health and welfare, ~~which may assess a fee to the temporary care assis-~~
19 ~~tance program to cover costs associated with the criminal history and back-~~
20 ~~ground check comparable to the background check processed for foster par-~~
21 ~~ents. The background check shall be fingerprint-based, requiring that the~~
22 fingerprints of temporary caregivers be submitted to the federal bureau of
23 investigation and the Idaho state police bureau of criminal identification
24 to complete a national criminal history background check.

25 (2) The temporary caregiver's residence must be inspected annually by
26 the affiliated temporary care assistance program.

27 (3) The temporary care assistance program must disclose to any parent
28 or guardian using its services that any delegation of parental rights and re-
29 sponsibilities shall be made to a temporary caregiver, not to the temporary
30 care assistance program itself.

31 SECTION 2. An emergency existing therefor, which emergency is hereby
32 declared to exist, this act shall be in full force and effect on and after
33 July 1, 2023.