

IN THE SENATE

SENATE BILL NO. 1281

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO TEMPORARY CARE ASSISTANCE PROGRAMS; AMENDING SECTION 32-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING CRIMINAL HISTORY AND BACKGROUND CHECKS FOR POTENTIAL TEMPORARY CAREGIVERS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

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

32-1805. TEMPORARY CARE ASSISTANCE PROGRAM REQUIREMENTS. (1) A temporary care assistance program shall check against the state's sex offender registry operated by the Idaho state police and against the national sex offender public website operated by the United States department of justice that checks names and addresses in the registries before allowing someone to become a temporary caregiver within the program's service. ~~The process must include a check against the Idaho child protection central registry operated by the Idaho department of health and welfare.~~ The process must also include a criminal history and background check conducted by the department of health and welfare, ~~which may assess a fee to the temporary care assistance program to cover costs associated with the criminal history and background check~~ comparable to the background check processed for foster parents. The background check shall be fingerprint-based, requiring that the fingerprints of temporary caregivers be submitted to the federal bureau of investigation and the Idaho state police bureau of criminal identification to complete a national criminal history background check.

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

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

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2024.