

*As Amended by Senate Committee*

Session of 2007

**SENATE BILL No. 107**

By Committee on Public Health and Welfare

1-17

10 AN ACT concerning the board of nursing; concerning fingerprinting and  
11 criminal history records checks; creating the criminal background and  
12 fingerprinting fund.  
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. (a) The board of nursing may require an **original** appli-  
16 cant for licensure as a professional nurse, practical nurse or mental health  
17 technician to be fingerprinted and submit to a state and national criminal  
18 history record check. The fingerprints shall be used to identify the ap-  
19 plicant and to determine whether the applicant has a record of criminal  
20 history in this state or other jurisdictions. The board of nursing is au-  
21 thorized to submit the fingerprints to the Kansas bureau of investigation  
22 and the federal bureau of investigation for a state and national criminal  
23 history record check. The board of nursing may use the information ob-  
24 tained from fingerprinting and the applicant's criminal history for pur-  
25 poses of verifying the identification of any applicant and in the official  
26 determination of character and fitness of the applicant for any licensure  
27 to practice professional or practical nursing or mental health technology  
28 in this state.

29 (b) Local and state law enforcement officers and agencies shall assist  
30 the board of nursing in taking and processing of fingerprints of applicants  
31 to practice professional or practical nursing or mental health technology  
32 in this state and shall release all records of adult and juvenile convictions,  
33 adjudications, expungements and non-convictions to the board of nursing.

34 (c) The board shall fix a fee for fingerprinting of applicants or licens-  
35 ees, or both, as may be required by the board in an amount necessary to  
36 reimburse the board for the cost of the fingerprinting. Fees collected  
37 under this subsection shall be deposited in the criminal background and  
38 fingerprinting fund.

39 (d) There is hereby created in the state treasury the criminal back-  
40 ground and fingerprinting fund. All moneys credited to the fund shall be  
41 used to pay the Kansas bureau of investigation for the processing of fin-  
42 gerprints and criminal history background checks for the board of nurs-  
43 ing. The fund shall be administered by the board of nursing. All expend-

1 itures from the fund shall be made in accordance with appropriation acts  
2 upon warrants of the director of accounts and reports issued pursuant to  
3 vouchers approved by the president of the board or a person designated  
4 by the president.

5 Sec. 2. This act shall take effect and be in force from and after its  
6 publication in the statute book.