

FORM APPROVED COUNTY COUNSEL  
 BY: ANNY K. YANG 6/13/11 DATE  
 Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

148



**FROM:** Community Health Agency/Department of Environmental Health

**SUBMITTAL DATE:**  
June 13, 2011

**SUBJECT:** Adoption of Resolution 2011-190 Authorizing the Department of Environmental Health to Access Federal and State Criminal History Information to Determine Body Art Practitioner Eligibility.

**RECOMMENDED MOTION:**

That the Board of Supervisors adopt Resolution No. 2011-190.

**BACKGROUND:** The proposed Riverside County Ordinance No. 907 prohibits "sex offenders," as specified in California Penal Code Section 290, to engage in the practice of Body Art in Riverside County. In order for the Department of Environmental Health to access the federal and state criminal history information, the State Department of Justice and California law require the Board of Supervisors to grant authorization. Body Art Practitioners will be processed electronically through the Livescan system available countywide.

*Steve Van Stockum*

Steve Van Stockum, Director

SVS:JSW

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	10/11

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY: *Michael R. Shetler for*  
Michael R. Shetler

**County Executive Office Signature** *Debbie Courmoyer*

- Policy
- Consent
- Policy
- Consent

2 **RESOLUTION NO. 2011-190**

3 **A RESOLUTION OF THE COUNTY OF RIVERSIDE AUTHORIZING THE DEPARTMENT OF**  
4 **ENVIRONMENTAL HEALTH TO ACCESS FEDERAL AND STATE CRIMINAL HISTORY**  
5 **INFORMATION TO DETERMINE BODY ART PRACTITIONER ELIGIBILITY**  
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7 WHEREAS, California Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities,  
8 counties, and districts to access state and local summary criminal history information for employment,  
9 licensing and certification purposes; and

10 WHEREAS, California Penal Code Section 11105(b)(11) authorizes cities, counties, and districts  
11 to access federal level criminal history information by transmitting fingerprint images and related  
12 information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

13 WHEREAS, California Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be  
14 a requirement or exclusion from employment, licensing, or certification based on specific criminal  
15 conduct on the part of the subject of the record; and

16 WHEREAS, California Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city  
17 council, board of supervisors, or governing body of a city, county or district to specifically authorize  
18 access to summary criminal history information for employment, licensing or certification purposes.

19 NOW THEREFORE BE IT RESOLVED AND ORDERED that the Board of Supervisors of the  
20 County of Riverside, State of California, in regular session assembled on June 28, 2011, has authorized  
21 the Riverside County Department of Environmental Health to access state and federal level summary  
22 criminal history information for licensing (registration) of Body Art Practitioners, as specified in  
23 proposed Riverside County Ordinance No. 907, and is prohibited from disseminating the information to a  
24 private entity.

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BE IT FURTHER RESOLVED AND ORDERED that the Director of the Department of Environmental Health apply, sign and designate appropriate personnel to administer this program and become custodian of the criminal history records.

FORM APPROVED COUNTY COUNSEL  
BY: J. R. Yang 6/9/11  
JIMMY R. YANG DATE