

FORM APPROVED COUNTY COUNSEL
 BY: ANNY R. YANG 6/13/11
 DATE
 Departmental Concurrent

**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

FINANCIAL DATA	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

SOURCE OF FUNDS:	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 Cournoyer*

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: June 28, 2011
 xc: CHA/Environmental Health

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.: 5/17/11	District: all	Agenda Number: 3.5
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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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1 BE IT FURTHER RESOLVED AND ORDERED that the Director of the Department of
2 Environmental Health apply, sign and designate appropriate personnel to administer this program and
3 become custodian of the criminal history records.
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9 FORM APPROVED COUNTY COUNSEL

10 BY: JIMMY R. YANG 6/9/11
DATE

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12
13 ROLL CALL:

14 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
15 Nays: None
16 Absent: None

17 The foregoing is certified to be a true copy of a resolution duly
adopted by said Board of Supervisors on the date therein set forth.

18 KECIA HARPER-IHEM, Clerk of said Board

19 By: _____
20 Deputy