



SPONSOR: Rep. Osienski & Rep. K. Williams & Sen. Townsend &  
Sen. Walsh  
Reps. Cooke, Harris, Hilovsky, K. Johnson, Lambert;  
Sens. Lockman, Paradee

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 113

AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATED TO UNEMPLOYMENT INSURANCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 3307, Title 19 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 3307. Required employee background checks.

4           (a) All prospective employees, contractors, and any subcontractors thereof, of the Department who will have  
5     access to federal tax information shall obtain a background check as provided in subsection (c) in order to be considered for  
6     employment to ensure compliance by the Department with Section 6103(p)(4) of the Internal Revenue Code of 1986 (26  
7     U.S.C. § 6103(p)(4)) and IRS Publication 1075, including amendments thereto, and any successor statutory provisions or  
8     IRS publications.

9           (b) All current employees, contractors, and any subcontractors thereof, of the Department who have access to  
10    federal tax information shall be required to submit to an initial and subsequent background checks as provided in subsection  
11    (c) not less frequently than necessary ~~once every ten years~~ to ensure compliance by the Department with IRS Publication  
12    1075, including any amendments thereto and any successor IRS publications.

13          (c) A person required to obtain a background check under this chapter shall submit fingerprints and other  
14    necessary information to the State Bureau of Identification in order to obtain all of the following:

15           (1) A report of the person's entire criminal history record from the State Bureau of Identification or a  
16    statement that the State Bureau of Identification Central Repository contains no such information relating to that  
17    person.

18           (2) A report of the person's entire federal criminal history record from the Federal Bureau of Investigation  
19    pursuant to Federal Bureau of Investigation appropriation of Title II of Public Law 92-544 (28 U.S.C. § 534) or a  
20    statement that the Federal Bureau of Investigation's records contain no such information relating to that person.

21          (d) The State Bureau of Identification shall be the intermediary for the purpose of subsection (c) of this section and  
22    shall forward all information required by subsections (a) and (b) of this section to the Department.

- 23 (e) The Department may adopt such standards for screening the background checks required by this section as the  
24 Department shall determine appropriate.

#### SYNOPSIS

This Act amends the renewal period for obtaining background checks for employees of the Department of Labor who have access to Federal Tax Information. This amendment is necessary to conform to revisions of the federal Internal Revenue Service in Publication 1075, which shortened the renewal period from 10 to 5 years. The language is intended to allow conformity with this and any future revisions to the renewal period.