

1 S.134

2 Introduced by Senator White

3 Referred to Committee on Government Operations

4 Date: February 27, 2019

5 Subject: Executive; federal tax information; background investigations

6 Statement of purpose of bill as introduced: This bill proposes to require State
7 employees with access to federal tax information to undergo a background
8 investigation at least every 10 years.

9 An act relating to background investigations for State employees with
10 access to federal tax information

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 ~~Sec. 1. 3 V.S.A. § 241 is amended to read:~~

13 § 241. BACKGROUND INVESTIGATIONS

14 * * *

15 (b) As used in this chapter, "Recipient" means the following authorities of
16 the Executive Branch of State government that receive FTI:

17 (1) Agency of Human Services, including the:

18 (A) Department for Children and Families;

19 (B) Department of Health;

20 ~~(C) Department of Mental Health, and~~

1 ~~(D) Department of Vermont Health Access.~~

2 (2) Department of Labor.

3 (3) Department of Motor Vehicles.

4 (4) Department of Taxes.

5 (5) Agency of Digital Services.

6 (6) Department of Buildings and General Services.

7 (c)(1) The Recipient shall conduct an initial background investigation of
8 any individual, including a current or prospective employee, volunteer,
9 contractor, or subcontractor, to whom the Recipient will permit access to FTI
10 for the purpose of assessing the individual's fitness to be permitted access to
11 FTI.

12 (2) The Recipient shall, at least every 10 years, conduct a periodic
13 background reinvestigation of any employee, volunteer, contractor, or
14 subcontractor to whom the Recipient permits access to FTI.

15 * * *

16 Sec. 2. EFFECTIVE DATE

17 ~~This act shall take effect on July 1, 2019.~~

Sec. 1. 3 V.S.A. § 241 is amended to read:

§ 241. BACKGROUND INVESTIGATIONS

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(b) As used in this chapter, "Recipient" means the following authorities of the Executive Branch of State government that receive FTI:

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(c)(1) The Recipient shall conduct an initial background investigation of any individual, including a current or prospective employee, volunteer, contractor, or subcontractor, to whom the Recipient will permit access to FTI for the purpose of assessing the individual's fitness to be permitted access to FTI.

(2) The Recipient shall, at least every 10 years, conduct a periodic background reinvestigation of any employee, volunteer, contractor, or subcontractor to whom the Recipient permits access to FTI.

(3) The impact of the results of a background investigation performed pursuant to subdivision (1) of this subsection shall be the subject of impact bargaining between the State and the collective bargaining representative for the employee's bargaining unit to the extent required by any collective bargaining agreements between the parties.

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This act shall take effect on July 1, 2019.