

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1033 be amended to read as follows:

- 1 Page 1, line 9, delete "in the business of providing" and insert "**or**
2 **organization that assembles**".
- 3 Page 1, line 10, delete "information to a person that is not" and
4 insert "**reports and either uses the report or provides the report to**
5 **a person or organization other than**".
- 6 Page 1, line 13, after "section," insert ""**criminal history report**"
7 **means criminal history information that has been compiled for the**
8 **purposes of evaluating a particular person's:**
- 9 **(1) character; or**
10 **(2) eligibility for:**
11 **(A) employment;**
12 **(B) housing; or**
13 **(C) participation in any activity or transaction.**
- 14 **Sec. 4. As used in this section,**
- 15 Page 1, line 15, delete "4." and insert "5".
- 16 Page 1, line 17, delete "5." and insert "**6. (a)**".
- 17 Page 2, line 1, delete "A", begin a new paragraph and insert:
18 **"(b) A"**.
- 19 Page 2, line 2, delete "to an" and insert "**to the following:**
- 20 **(1) An"**.
- 21 Page 2, between lines 3 and 4, begin a new line block indented and
22 insert:
23 **"(2) A record that has been expunged.**
24 **(3) A record that is restricted by the rules of a court.**
25 **(4) A record that has been restricted or expunged under**
26 **IC 35-38-5 or restricted or expunged under another law.**
27 **(5) A record that the criminal history provider knows is**
28 **inaccurate.**
- 29 **Sec. 7. A criminal history provider may not include criminal**
30 **history data in a criminal history report if the criminal history**

1 **data has not been updated to reflect changes to the official record**
2 **occurring sixty (60) days or more before the date the criminal**
3 **history report is delivered."**

4 Page 2, delete lines 4 through 13.

5 Page 2, line 14, delete "7." and insert "**8.**".

6 Page 2, line 15, delete "5 or 6" and insert "**6 or 7**".

7 Page 2, line 20, delete "5 or 6" and insert "**6 or 7**".

(Reference is to EHB 1033 as printed February 17, 2012.)

Senator STEELE