



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB3801

Introduced 2/25/2005, by Rep. Robin Kelly

#### SYNOPSIS AS INTRODUCED:

New Act  
20 ILCS 2605/2605-327 new

Creates the Medical School Applicant Criminal Background Check Act. Provides that an applicant for admission to a medical school in the State must submit to, and each medical school located in the State must require, a criminal background check for felony convictions by the Department of State Police and the Federal Bureau of Investigation as part of the medical school admissions application process. Sets forth procedures for conducting the criminal background check. Provides that the Department of State Police shall charge a fee for conducting the criminal background check and that the medical school requesting the check shall be responsible for paying the fee. Provides that the medical school may, in turn, impose a fee on applicants to cover the cost of the background check. Provides that a felony conviction shall not preclude an applicant from gaining admission to any medical school located in the State, but shall be used as a factor in determining whether or not to admit an applicant. Amends the Department of State Police Law of the Civil Administrative Code of Illinois to make a corresponding change. Effective immediately.

LRB094 03494 RAS 33497 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Medical School Applicant Criminal Background Check Act.

6 Section 5. Criminal background check for applicants. An  
7 applicant for admission to a medical school located in Illinois  
8 must submit to, and each medical school located in Illinois  
9 must require, a criminal background check for felony  
10 convictions by the Department of State Police and the Federal  
11 Bureau of Investigation as part of the medical school  
12 admissions application process. A medical school shall forward  
13 the name, sex, race, date of birth, and social security number  
14 of each of its applicants to the Department of State Police to  
15 be searched against the Illinois criminal history records  
16 database in the form and manner prescribed by the Department of  
17 State Police. If a search of the Illinois criminal history  
18 records database indicates that the applicant has a conviction  
19 record, a fingerprint-based criminal history records check  
20 shall be required. Each applicant requiring a  
21 fingerprint-based search shall submit his or her fingerprints  
22 to the Department of State Police in the form and manner  
23 prescribed by the Department of State Police. These  
24 fingerprints shall be checked against the fingerprint records  
25 now and hereafter filed in the Department of State Police and  
26 Federal Bureau of Investigation criminal history records  
27 databases. The Department of State Police shall furnish,  
28 pursuant to positive identification, records of an applicant's  
29 felony convictions to the medical school that requested the  
30 criminal background check.

31 Section 10. Fees. The Department of State Police shall

1 charge each requesting medical school a fee for conducting the  
2 criminal background check, which shall be deposited in the  
3 State Police Services Fund and shall not exceed the cost of the  
4 inquiry. Each requesting medical school is solely responsible  
5 for payment of this fee to the Department of State Police. Each  
6 medical school may impose its own fee upon an applicant for  
7 admission to cover the cost of the criminal background check at  
8 the time the applicant submits to the criminal background  
9 check.

10 Section 15. Admissions decision. The information collected  
11 as a result of the criminal background check shall be  
12 considered by the requesting medical school in determining  
13 whether or not to admit the applicant. A felony conviction  
14 shall not preclude an applicant from gaining admission to any  
15 medical school located in Illinois.

16 Section 90. The Department of State Police Law of the Civil  
17 Administrative Code of Illinois is amended by adding Section  
18 2605-327 as follows:

19 (20 ILCS 2605/2605-327 new)

20 Sec. 2605-327. Conviction information for medical school.  
21 Upon the request of a medical school under the Medical School  
22 Applicant Criminal Background Check Act, to ascertain whether  
23 an applicant for admission has been convicted of any felony.  
24 The Department shall furnish the conviction information to the  
25 medical school that requested the information.

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.