



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

REVISED
FACT SHEET FOR H.B. 2084

kinship care; fingerprint requirement; waiver

Purpose

Requires a kinship foster care parent to apply for a fingerprint clearance card and allows Department of Child Safety (DCS) to waive the fingerprint clearance card requirement.

Background

DCS licenses and certifies foster homes. To qualify for licensure, the foster parent or parents must: 1) complete six actual hours of approved initial foster parent training; and 2) possess a valid fingerprint clearance card. Each other adult member of the household must also possess a valid fingerprint clearance card. If DCS determines that completing the required training would be a hardship to the foster parent or parents, DCS may issue a provisional license for a period not to exceed six months. DCS reports outlined information regarding kinship foster care placements, services and families on an annual basis to outlined persons (A.R.S. §§ [8-509](#) and [8-526](#)).

The Fingerprinting Division is established in the Department of Public Safety and must conduct fingerprint background checks for persons and applicants who are seeking licenses that require fingerprint background checks. In order to receive a fingerprint clearance card, a person must: 1) complete an application; 2) submit a full set of fingerprints to the Fingerprinting Division; 3) pay associated fees; 4) be at least 18 years old; and 5) not have committed outlined crimes, including various crimes involving children, manslaughter, assault, fraud, murder and various drug related crimes (A.R.S. §§ [41-1758.01](#); [41-1758.02](#); [41-1758.03](#); and [41-1758.07](#)).

A person who is awaiting trial or has been convicted of committing or attempting, soliciting, facilitating or conspiring to commit one or more of various offenses in Arizona or another state or jurisdiction may not receive a Level I fingerprint clearance card, but may petition the Board of Fingerprinting for a good cause exception ([A.R.S. § 41-1758.07](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires kinship foster care parents to apply for a fingerprint clearance card.
2. Allows DCS to waive the fingerprint clearance card requirement for kinship foster care parents.
3. Requires DCS to apply statutorily prescribed criteria in evaluating whether good cause exists to waive fingerprint clearance card requirements.

4. Requires DCS, if the requirement is waived, to issue a restricted license to the kinship foster care parent that applies only to the children placed with the parent for kinship foster care.
5. Makes technical and conforming changes.
6. Becomes effective on the general effective date.

Revisions

- Corrects the provisions to reflect that the removal of duplicative statutes relating to DCS child placement and kinship foster care program reporting requirements are technical changes.

House Action

HHS	2/7/22	DPA	8-0-0-1
3 rd Read	2/17/22		54-4-2

Prepared by Senate Research

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MM/MC/sr