

RESOLUTION NO. 2018-0065

Adopted by the City of Sacramento City Council

February 20, 2018

Authorizing Access to Summary Criminal History Information for Employment, Certification and Licensing Purposes

BACKGROUND

- A. Penal Code sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, and districts to access state and local summary criminal history information for employment, licensing or certification purposes.
- B. Penal Code section 11105(b)(11) authorizes cities, counties, and districts to access federal criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to Federal Bureau of Investigation.
- C. Penal Code sections 11105(b)(11) and 13300(b)(11) require that the state and local criminal history information is required to implement a statute, ordinance, or regulation that expressly refers to specific criminal conduct applicable to the subject and contains a requirement or exclusion expressly based on that specific criminal conduct.
- D. Penal Code Sections 11105(b)(11) require the City Council, Board of Supervisors, or governing body of a city, county or district to specifically authorize access to summary criminal history information for employment, licensing or certification purposes.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City of Sacramento, its officers, and officials are hereby authorized to access local, state and federal summary criminal history information to fulfill employment, certification, and licensing duties.
- Section 2. The authorization in Section 1 above includes, but is not limited to, access necessary to assist the City in fulfilling its duties, pertaining to the following statutes, ordinances, and regulations that expressly refer to specific criminal conduct applicable to the subject person of the summary criminal history information, and contains requirements or exclusions, or both, expressly based upon that specified criminal conduct:

- 1) Adult-related establishment permit (Sacramento City Code (SCC) Ch. 5.04)
- 2) Massage technician permit (SCC Ch. 5.04)
- 3) Escort permit (SCC Ch. 5.04)
- 4) Adult-entertainment business permit (SCC Ch. 5.06)
- 5) Adult performer permit (SCC Ch. 5.06)
- 6) Figure model permit (SCC Ch. 5.06)
- 7) Alcoholic beverage license (SCC Ch. 5.08)
- 8) Amusement arcade license (SCC Ch. 5.12)
- 9) Astrology and related practices license (SCC Ch. 5.16)
- 10) Billiard and pool parlor license (SCC Ch. 5.20)
- 11) Bingo license (SCC Ch. 5.24)
- 12) Cable television franchise (SCC Ch. 5.28)
- 13) Cable television license (SCC Ch. 5.28)
- 14) Cardroom license (SCC Ch. 5.32)
- 15) Cardroom work permit (SCC Ch. 5.32)
- 16) Journey-level plumbers' certificate of competency (SCC Ch. 5.36)
- 17) Coin operated gaming permit (SCC Ch. 5.48)
- 18) Firearm and ammunition sales license (SCC Ch. 5.64)
- 19) Firearm and ammunition sales work permit (SCC Ch. 5.64)
- 20) Food vending vehicle permit (SCC Ch. 5.68)
- 21) Food vending vehicle driver permit (SCC Ch. 5.68)
- 22) Junk dealer, secondhand dealer, pawnbroker and pallet reseller permit (SCC Ch. 5.64)
- 23) Food or flower vendors' permit (SCC Ch. 5.88)
- 24) Pedicab owner permit (SCC Ch. 5.94)
- 25) Pedicab driver permit (SCC Ch. 5.94)
- 26) Pedicab vehicle permit (SCC Ch. 5.94)
- 27) Entertainment permit (SCC Ch. 5.108)
- 28) Solicitor license (SCC Ch. 5.116)
- 29) Canvasser permit (SCC Ch. 5.116)
- 30) Somatic practitioner permit (SCC Ch. 5.124)
- 31) Somatic practitioners' establishment permit (SCC Ch. 5.124)
- 32) Tattooing permit (SCC Ch. 5.132)
- 33) Taxicab fleet association permit (SCC Ch. 5.136)
- 34) Taxicab vehicle permit (SCC Ch. 5.144)
- 35) Taxicab driver permit (SCC Ch. 5.144)
- 36) Tow car vehicular permit (SCC Ch. 5.144)
- 37) Tow car driver permit (SCC Ch. 5.144)
- 38) Funeral escort permit (SCC Ch. 10.28)
- 39) Curb painting permit (SCC Ch. 12.08)
- 40) Cannabis businesses (SCC Ch. 5.150)

Adopted by the City of Sacramento City Council on February 20, 2018, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren
and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest:

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.