

CHAPTER 182

AN ACT concerning family day care providers and amending P.L.2017, c.89.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 5 of P.L.2017, c.89 (C.30:5B-25.9) is amended to read as follows:

C.30:5B-25.9 Exchange of fingerprint data; notification.

5. a. The Commissioner of Children and Families is authorized to exchange fingerprint data with, and to receive information from, the Division of State Police in the Department of Law and Public Safety and the Federal Bureau of Investigation.

b. Upon receipt of criminal history record information from the Federal Bureau of Investigation and the Division of State Police, for each of the parties identified in subsection a. of section 2 of P.L.2017, c.89 (C.30:5B-25.6), the Department of Children and Families shall notify the family day care provider, in writing, of the department's decision to approve or deny the family day care provider's application for a certificate or renewal of registration, or its decision to revoke the family day care provider's existing registration, as the case may be. The department shall also advise the family day care provider, the family day care sponsoring organization, and any person, other than the provider, who was the subject of the criminal history record background check, within a reasonable timeframe, of the results of any criminal history record background check that is conducted under section 3 of P.L.2017, c.89 (C.30:5B-25.7).

c. If the department denies an application for a certificate or renewal of registration, or revokes an existing registration, because the family day care provider, or other relevant party listed in subsection a. of section 2 of P.L.2017, c.89 (C.30:5B-25.6), has been determined to have a disqualifying record of convictions, as provided by section 3 of P.L.2017, c.89 (C.30:5B-25.7), the convictions that constitute the basis for such denial or revocation shall be identified in the written notice of disqualifying convictions that is provided to the family day care provider or other person who was the subject of the criminal history record background check under subsection b. of this section. In such a case, the family day care provider or other person who was the subject of the criminal history record background check shall have 14 days from the date of the written notice to challenge the accuracy of the criminal history record information upon which the denial or revocation was based. If no challenge is filed, or if a challenge is filed, but the denial or revocation is upheld, the department shall notify the family day care sponsoring organization that the family day care provider's registration has been denied or revoked.

d. The Division of State Police shall promptly notify the department whenever a person who was the subject of a criminal history record background check under section 3 of P.L.2017, c.89 (C.30:5B-25.7), is convicted of a crime or offense in this State after the date on which the background check was performed. Upon receipt of such notification, the department shall determine whether to revoke the family day care provider's certificate of registration.

2. This act shall take effect immediately.

Approved July 19, 2019.