

119TH CONGRESS
1ST SESSION

S. 1101

To authorize the use of Federal Bureau of Investigation criminal history
record information for administration of certain licenses.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2025

Mr. WELCH (for himself, Mrs. BLACKBURN, and Mr. KING) introduced the
following bill; which was read twice and referred to the Committee on the
Judiciary

A BILL

To authorize the use of Federal Bureau of Investigation
criminal history record information for administration
of certain licenses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “States Handling Ac-
5 cess to Reciprocity for Employment Act of 2025” or the
6 “SHARE Act of 2025”.

1 **SEC. 2. SHARING AND USE OF CRIMINAL HISTORY RECORD**
2 **INFORMATION.**

3 Subtitle E of title VI of the Intelligence Reform and
4 Terrorism Prevention Act of 2004 (34 U.S.C. 41106 et
5 seq.) is amended by adding at the end the following:

6 **“SEC. 6404. SHARING AND USE OF CRIMINAL HISTORY**
7 **RECORD INFORMATION.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) COMMISSION.—The term ‘Commission’
10 means a joint governmental entity, including an
11 interstate compact commission, established by legis-
12 lative enactment of an interstate compact.

13 “(2) CRIMINAL HISTORY RECORD INFORMA-
14 TION.—The term ‘criminal history record informa-
15 tion’—

16 “(A) means information collected by crimi-
17 nal justice agencies on individuals consisting of
18 identifiable descriptions and notations of ar-
19 rests, detentions, indictments, information, or
20 other formal criminal charges, and any disposi-
21 tion arising therefrom, including acquittal, sen-
22 tencing, correctional supervision, and release;
23 and

24 “(B) does not include identification infor-
25 mation, such as fingerprint records, if such in-

1 formation does not indicate the individual’s in-
2 volvement with the criminal justice system.

3 “(3) LICENSE.—The term ‘license’ means a li-
4 cense, multistate license, certification, or other au-
5 thorization by which a State licensing authority au-
6 thorizes an individual to practice an occupation or
7 profession in that State.

8 “(4) PRIVILEGE.—The term ‘privilege’ means a
9 grant of authority issued pursuant to an interstate
10 compact to a license holder that permits the license
11 holder to practice in a compact member State.

12 “(5) STATE.—The term ‘State’ means any
13 State, territory, or possession of the United States,
14 and the District of Columbia.

15 “(6) STATE IDENTIFICATION BUREAU.—The
16 term ‘State identification bureau’ has the meaning
17 given such term in section 6402(c).

18 “(7) STATE LICENSING AUTHORITY.—The term
19 ‘State licensing authority’ means a State licensing
20 board, agency, department, or other entity that is
21 empowered under the law of that State to grant a
22 license to practice an occupation or profession.

23 “(b) REQUIREMENT FOR FEDERAL BUREAU OF IN-
24 VESTIGATION TO PROVIDE CERTAIN CRIMINAL HISTORY
25 RECORD INFORMATION.—Subject to the restrictions in

1 subsection (c), the Director of the Federal Bureau of In-
 2 vestigation shall furnish or otherwise make available to a
 3 State licensing authority, through an agreement with a
 4 State law enforcement agency or State identification bu-
 5 reau, criminal history record information to the extent re-
 6 quired by an interstate compact, or the regulations duly
 7 promulgated thereunder, for the purpose of conducting a
 8 criminal history background check of any individual seek-
 9 ing a license or privilege to practice an occupation or pro-
 10 fession in a compact member State.

11 “(c) STATE LICENSING AUTHORITY USE OF CRIMI-
 12 NAL HISTORY RECORD INFORMATION.—

13 “(1) PROHIBITION.—A State licensing author-
 14 ity that is a member of an interstate compact that
 15 requires completion of a criminal history background
 16 check for an individual for the purpose of acting
 17 upon a license or privilege of that individual to prac-
 18 tice an occupation or profession in a State shall use
 19 such information solely for that purpose and may
 20 not share criminal history record information or any
 21 part thereof with the compact’s Commission, any
 22 other State entity or State Licensing Authority, or
 23 the public.

24 “(2) SHARING FACT OF COMPLETION OF CRIMI-
 25 NAL HISTORY BACKGROUND CHECK EXPRESSLY PER-

1 MITTED.—A State licensing authority informing a
2 compact Commission of the completion of the crimi-
3 nal history background check, including a binary de-
4 termination of whether or not the criminal history
5 background check of an applicant was satisfactory,
6 is expressly permitted under this section and shall
7 not constitute the sharing of criminal history record
8 information under paragraph (1).”.

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