

PROPOSED LEGISLATIVE TEXT

SECTION 1. SHORT TITLE AND CONGRESSIONAL FINDINGS.

(a) **SHORT TITLE.**—This Act may be cited as the “Protecting Vulnerable Persons from Violent Offenders Act”.

(b) **CONGRESSIONAL FINDINGS.**—The Congress finds that—

(1) **XXXX.**

SEC. 2. JUDICIAL HISTORY OF VIOLENCE TO PROTECT VULNERABLE PERSONS.

(a) **ARREST HISTORY FOR VIOLENT CRIMES TO PROTECT VULNERABLE PERSONS**—Section 605(b) of the Fair Credit Reporting Act (15 U.S.C. 1681c) is amended by—

(1) redesignating paragraphs (1), (2) and (3) as subparagraphs (A), (B) and (C), respectively, and adjusting the margins accordingly;

(2) in the matter preceding subparagraph (A), as redesignated by paragraph (1) of this act, striking “The provisions” and inserting the following—

“(1) The provisions”;

(3) inserting at the end the following—

“(2) The provisions of paragraph (2) of subsection (a) are not applicable, as it relates to criminal behavior involving injury to a person, in the case of any consumer report provided to an organization providing programs, activities or services to vulnerable persons, to be used in connection with the service of any administrator, employee, contractor, or volunteer for a position that predominately provides direct services to vulnerable persons.”

(b) **PROTECTION OF VULNERABLE PERSONS ACROSS ALL STATES**—Section 625(b) of the Fair Credit Reporting Act (15 U.S.C. 1681t(b)) is amended inserting at the end—

“(6) with respect to limiting the ability of a consumer reporting agency from including information regarding convictions, civil suits, civil judgments, and records of arrest as it relates to criminal behavior involving injury to a person, in the case of any consumer credit report provided to an organization providing programs, activities or services to vulnerable persons, to be used in connection with the service of any administrator, employee, contractor, or volunteer for a position that predominately provides services to vulnerable persons.”

(c) **APPLICABLE DEFINITIONS**—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a) is amended inserting at the end—

“(bb) **VULNERABLE PERSONS RELATED TERMS**

“(1) the term “criminal behavior involving injury to a person” —

“(A) means offenses under state or federal law causing injury or death of a person, including—

“(i) kidnapping;

“(ii) human trafficking;

“(iii) assault;

“(iv) sexual assault;

“(v) sexual abuse;

“(vi) sexual exploitation;

“(vii) domestic violence;

“(viii) physical abuse;

“(ix) injury to a vulnerable person; or

“(x) abandoning or endangering a child;

“(B) does not include any offense for which an individual has been acquitted or pardoned.

“(2) the term “vulnerable person” means individuals—

“(A) under eighteen years of age;

“(B) with an intellectual disability, developmental disability or impairment such that that individual is vulnerable to coercion or undue influence; or

“(C) with impaired or limited decision-making capacity.”