

FINGERPRINT FAQ

Q. Who must be fingerprinted?

A. All new salesperson, dealer, manufacturer and distributor license applicants and participating persons or responsible managing employees thereof must submit fingerprints. Individuals that currently are licensed by HCD will not be required to submit new fingerprints, unless HCD is notified that fingerprint submittals have been rejected by the Department of Justice or the Federal Bureau of Investigation.

Q. What is a Live Scan fingerprint process?

A. Live Scan is an electronic method of processing fingerprint images, as opposed to an ink method. The Live Scan method is now the required method of processing fingerprints for background checks and is mandated by the Department of Justice, except under certain circumstances, as explained below, when a Live Scan facility is not available.

Q. How do I go about getting fingerprinted?

A. As part of your application, each individual requiring a background check will be provided a “*Request for Live Scan*” form HCD OL 8016. The section of the form titled “Applicant Information” must be completed in its entirety. Take the completed form with you to a Live Scan facility.

Q. Where can I find a Live Scan fingerprint facility?

A. A listing of Live Scan facilities is available on the internet at the following address: <http://caag.state.ca.us/fingerprints/publications/contact.htm>. Live Scan fingerprinting services usually are available at most police departments and sheriff’s offices.

Q. Is there a cost for fingerprinting?

A. Yes. You will be required to pay the Live Scan operator a “rolling” or scanning fee, which may vary at each fingerprint facility. HCD does not set the amount of the fee for this service. Contact the facility to learn more.

Q. What if I live or am located out-of-state and do not plan to come into California during the application process?

A. See answer to next question.

Q. What if I do not have access to a Live Scan fingerprint facility?

A. If you are living out-of-state and do not plan on coming to California during the application process, or if you do not have access to a Live Scan fingerprint facility, you may contact the HCD Occupational Licensing Program at 916/323-9803 to request a set of fingerprint cards. You must take the fingerprint cards to a law enforcement agency, police department or sheriff’s office to have your fingerprints taken, using the ink method. You must also complete a Department of Justice “Request for Exemption from Mandatory Electronic Fingerprint Submission Requirement” BCII 9004 form <http://caag.state.ca.us/fingerprints/pdf/bcii9004.pdf> . Return the completed BCII 9004 form and fingerprint cards along with your completed HCD application and license application fees directly to HCD. Background checks using ink rolled fingerprint cards, may take substantially longer than the Live Scan fingerprint processing and may cause delays in the issuance or denial of a license.

Q. What information does HCD receive from the background check?

A. When an individual submits fingerprints, a background check is conducted for criminal history. If the individual has no criminal history, the Department of Justice and the Federal Bureau of Investigation will forward a clearance notice to HCD. If the individual is found to have a criminal background, HCD will receive a criminal record transcript disclosing any arrests and/or convictions. The information is then reviewed for relevancy to the license application, in accordance with state laws and regulations.

Q. What if I have a criminal record?

A. HCD will review all criminal convictions, especially crimes involving moral turpitude, to determine if the crime is substantially related to the duties and responsibilities of the license in which you are applying for. HCD will review and consider any written evidence of rehabilitation that is submitted by the applicant or licensee. The review will determine if the license application will be refused or if an issued license will be revoked.

Q. What if I fail to disclose past criminal history on my application?

A. Failure to disclose criminal history may be grounds for refusal of the license application or even revocation of an issued license. Even if a conviction has been expunged, you must disclose that conviction per Penal Code Section 1203.4. It is unlawful to file an application for a license using a false or fictitious name, to knowingly make a false statement, or to conceal any material fact in the application for the license.

Q. What are my rights if HCD denies my application on the grounds of a criminal conviction?

A. If HCD determines the applicant is not qualified to receive a license due to criminal history, the applicant has a right to request a hearing on the matter. The request must be submitted in writing no later than 60 days from the date of HCD's decision to refuse, in accordance with Health and Safety Code Section 18052(b).