

Text of Regulations

California Code of Regulations

Title 11. Law

Division 1. Attorney General

Chapter 18. Electronic Recording Delivery System

Article 4. Fingerprinting and Criminal Record Checks

§ 999.121. Fingerprinting and Criminal Record Checks.

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- (e) The ERDS Program shall request subsequent arrest [and/or disposition](#) notification service, pursuant to section 11105.2 of the Penal Code for individuals assigned an ERDS role that requires fingerprinting.
- (f) If the ERDS Program is notified of a subsequent arrest [and/or disposition](#), the individual, his or her known employer, the Computer Security Auditor, and the County Recorder shall be notified within 10 business days of the individual's ineligibility for access to an ERDS, if applicable.
- (g) Re-fingerprinting of Individuals Changing Roles and/or Agencies.
 - (1) When an individual who was previously approved for an ERDS role that requires fingerprinting, changes roles and/or agencies, changes employment, or is designated additional secure access roles within the same agency; or if an employee or agent of an Authorized Submitter submits to one county and now submits to multiple counties re-fingerprinting is not required. However, for such an individual, proof of fingerprinting shall be provided to the ERDS Program by submission of a Change of ERDS Role form #ERDS 0008 (~~February 2007~~), ([May 2011](#)) consistent with procedures outlined within these regulations.

~~(h) Proof of fingerprint submission can be met as follows:~~

- ~~(1) Electronic fingerprint submissions. A notarized applicant copy of the Request for Live Scan Services form # BCH 8016ERDS (February 2007) shall be provided as proof of fingerprint submission. If a notarized copy cannot be provided, the individual shall be fingerprinted.~~
- ~~(2) Manual fingerprint submissions. If an individual initially used the manual method of fingerprinting, the individual shall be fingerprinted.~~

Note: Authority Cited: Sections 27393, 27395(a), 27395(b), 27395(c), 27395(d) and 27395(e), Government Code. Reference: Sections 27393(b), 27393(b)(9) and 27395, Government Code; and Sections 1203.4, 11105 and 11105.2, Penal Code.

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