

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2332
OFFERED BY MR. OWENS OF UTAH**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “States Handling Ac-
3 cess to Reciprocity for Employment Act of 2026” or the
4 “SHARE Act of 2026”.

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

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

**10 “SEC. 6404. SHARING AND USE OF CRIMINAL HISTORY
11 RECORD INFORMATION.**

12 “(a) REQUIREMENT FOR FEDERAL BUREAU OF IN-
13 VESTIGATION TO PROVIDE CERTAIN CRIMINAL HISTORY
14 RECORD INFORMATION.—Subject to the restrictions in
15 subsection (b), the Director of the Federal Bureau of In-
16 vestigation shall furnish or otherwise make available to a
17 State licensing authority, through an agreement with a
18 State law enforcement agency or State identification bu-

1 reau, criminal history record information to the extent re-
2 quired by an interstate compact, or the regulations duly
3 promulgated thereunder, for the purpose of conducting a
4 criminal history background check of any individual seek-
5 ing a license or privilege to practice an occupation or pro-
6 fession in a compact member State.

7 “(b) STATE LICENSING AUTHORITY USE OF CRIMI-
8 NAL HISTORY RECORD INFORMATION.—

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

20 “(2) SHARING FACT OF COMPLETION OF CRIMI-
21 NAL HISTORY BACKGROUND CHECK EXPRESSLY PER-
22 MITTED.—A State licensing authority informing a
23 compact Commission of the completion of the crimi-
24 nal history background check, including a binary de-
25 termination of whether or not the criminal history

1 background check of an applicant was satisfactory,
2 is expressly permitted under this section and shall
3 not constitute the sharing of criminal history record
4 information under paragraph (1).

5 “(c) DEFINITIONS.—In this section:

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

10 “(2) CRIMINAL HISTORY RECORD INFORMA-
11 TION.—The term ‘criminal history record informa-
12 tion’ means information collected by criminal justice
13 agencies on individuals consisting of identifiable de-
14 scriptions and notations of arrests, detentions, in-
15 dictments, information, or other formal criminal
16 charges, and any disposition arising therefrom, in-
17 cluding acquittal, sentencing, correctional super-
18 vision, and release. The term does not include identi-
19 fication information such as fingerprint records if
20 such information does not indicate the individual’s
21 involvement with the criminal justice system.

22 “(3) LICENSE.—The term ‘license’ means a li-
23 cense, multistate license, certification, or other au-
24 thorization by which a State licensing authority au-

1 thorizes an individual to practice an occupation or
2 profession in that State.

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

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

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

13 “(7) STATE LICENSING AUTHORITY.—The term
14 ‘State licensing authority’ means a State licensing
15 board, agency, department, or other entity that is
16 empowered under the law of that State to grant a
17 license to practice an occupation or profession.”.

