

By Senator Crist

12-1677-03

1 A bill to be entitled
2 An act relating to criminal justice
3 information; amending s. 943.053, F.S.;
4 revising entities responsible for paying
5 criminal history information fees; providing an
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (3) of section 943.053, Florida
11 Statutes, is amended to read:

12 943.053 Dissemination of criminal justice information;
13 fees.--

14 (3) Criminal history information, including
15 information relating to minors, compiled by the Criminal
16 Justice Information Program from intrastate sources shall be
17 available on a priority basis to criminal justice agencies for
18 criminal justice purposes free of charge ~~and, otherwise, to~~
19 ~~governmental agencies not qualified as criminal justice~~
20 ~~agencies on an approximate cost basis.~~ After providing the
21 program with all known identifying information, persons in the
22 private sector and noncriminal justice agencies may be
23 provided criminal history information upon tender of fees as
24 established and in the manner prescribed by rule of the
25 Department of Law Enforcement or as otherwise established by
26 the Legislature. Such fees shall, at a minimum, assure that
27 the department is recovering approximate the actual cost of
28 ~~producing the record information. As used in this subsection,~~
29 ~~the department's determination of actual cost shall take into~~
30 account the total cost of creating, storing, maintaining,
31 updating, retrieving, improving, and providing criminal

1 history information in a centralized, automated database,
2 including personnel, technology, and infrastructure expenses.
3 The fees to be collected ~~Actual cost~~ shall be computed on a
4 fee-per-record basis, and any access to criminal history
5 information by the private sector or noncriminal justice
6 agencies as provided in this subsection shall be assessed the
7 per-record fee without regard to the quantity or category of
8 criminal history record information requested. Fees may be
9 waived or reduced by the executive director of the Department
10 of Law Enforcement for good cause shown.

11 Section 2. This act shall take effect upon becoming a
12 law.

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15 SENATE SUMMARY

16 Clarifies that criminal history information is available
17 on a fee basis to noncriminal justice agencies. Fees must
18 recover the total cost of the criminal history
19 information. Authorizes the Executive Director of the
20 Department of Law Enforcement to reduce fees as well as
21 waive them.
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