

Bill No. SB 10-A, 1st Eng.

Amendment No. ob Barcode 470198

CHAMBER ACTION

Senate

House

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The Conference Committee on SB 10-A, 1st Eng. recommended the following amendment:

Conference Committee Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

943.053 Dissemination of criminal justice information; fees.--

(3)(a) Criminal history information, including information relating to minors, compiled by the Criminal Justice Information Program from intrastate sources shall be available on a priority basis to criminal justice agencies for criminal justice purposes free of charge ~~and, otherwise, to governmental agencies not qualified as criminal justice agencies on an approximate cost basis.~~ After providing the program with all known identifying information, persons in the private sector and noncriminal justice agencies may be provided criminal history information upon tender of fees as

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1 established in this subsection and in the manner prescribed by
2 rule of the Department of Law Enforcement. Such fees are to
3 offset ~~shall approximate~~ the ~~actual~~ cost of producing the
4 record information, including. ~~As used in this subsection, the~~
5 ~~department's determination of actual cost shall take into~~
6 ~~account~~ the total cost of creating, storing, maintaining,
7 updating, retrieving, improving, and providing criminal
8 history information in a centralized, automated database,
9 including personnel, technology, and infrastructure expenses.
10 ~~Actual cost shall be computed on a fee per record basis, and~~
11 Any access to criminal history information by the private
12 sector or noncriminal justice agencies as provided in this
13 subsection shall be assessed ~~the per record fee~~ without regard
14 to the quantity or category of criminal history record
15 information requested. Fees may be waived or reduced by the
16 executive director of the Department of Law Enforcement for
17 good cause shown.

18 (b) The fee per record for criminal history
19 information provided pursuant to this subsection is \$23 per
20 name submitted, except that the fee for vendors of the
21 Department of Children and Family Services, the Department of
22 Juvenile Justice, and the Department of Elderly Affairs shall
23 be \$8 for each name submitted; the fee for a state criminal
24 history provided for application processing as required by law
25 to be performed by the Department of Agriculture and Consumer
26 Services shall be \$15 for each name submitted; and the fee for
27 requests under the National Child Protection Act shall be \$18
28 for each volunteer name submitted. The state offices of the
29 Public Defender shall not be assessed a fee for Florida
30 criminal history information or wanted person information.

31 Section 2. If any law that is amended by this act was

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1 also amended by a law enacted at the 2003 Regular Session of
2 the Legislature, such laws shall be construed as if they had
3 been enacted during the same session of the Legislature, and
4 full effect should be given to each if that is possible.

5 Section 3. This act shall take effect July 1, 2003.

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8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 Delete everything before the enacting clause

11
12 and insert:

13 A bill to be entitled

14 An act relating to criminal history records;
15 amending s. 943.053, F.S.; establishing a
16 schedule of fees to be collected by the
17 Department of Law Enforcement for producing
18 criminal history information; authorizing the
19 executive director of the department to reduce
20 such fees for good cause; providing for
21 construction of the act in pari materia with
22 laws enacted during the Regular Session of the
23 Legislature; providing an effective date.

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