

1 A bill to be entitled
2 An act relating to criminal history records;
3 amending s. 943.053, F.S.; establishing a
4 schedule of fees to be collected by the
5 Department of Law Enforcement for producing
6 criminal history information; authorizing the
7 executive director of the department to reduce
8 such fees for good cause; providing for
9 construction of the act in pari materia with
10 laws enacted during the Regular Session of the
11 Legislature; providing an effective date.

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

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

17 943.053 Dissemination of criminal justice information;
18 fees.--

19 (3)(a) Criminal history information, including
20 information relating to minors, compiled by the Criminal
21 Justice Information Program from intrastate sources shall be
22 available on a priority basis to criminal justice agencies for
23 criminal justice purposes free of charge ~~and, otherwise, to~~
24 ~~governmental agencies not qualified as criminal justice~~
25 ~~agencies on an approximate-cost basis.~~ After providing the
26 program with all known identifying information, persons in the
27 private sector and noncriminal justice agencies may be
28 provided criminal history information upon tender of fees as
29 established in this subsection and in the manner prescribed by
30 rule of the Department of Law Enforcement. Such fees are to
31 offset ~~shall approximate~~ the ~~actual~~ cost of producing the

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

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

28 Section 2. If any law that is amended by this act was
29 also amended by a law enacted at the 2003 Regular Session of
30 the Legislature, such laws shall be construed as if they had
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1 been enacted during the same session of the Legislature, and
2 full effect should be given to each if that is possible.

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