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604-05484-08

Proposed Committee Substitute by the Committee on Criminal and  
Civil Justice Appropriations

1 A bill to be entitled

2 An act relating to criminal history information; amending  
3 s. 943.053, F.S.; clarifying the purposes for which the  
4 fees collected from the private sector or noncriminal  
5 justice agencies to acquire criminal history information  
6 may be applied; increasing the amount of the fee charged  
7 per record for criminal history information; providing an  
8 effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

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

14 943.053 Dissemination of criminal justice information;  
15 fees.--

16 (3) (a) Criminal history information, including information  
17 relating to minors, compiled by the Criminal Justice Information  
18 Program from intrastate sources shall be available on a priority  
19 basis to criminal justice agencies for criminal justice purposes  
20 free of charge. After providing the program with all known  
21 identifying information, persons in the private sector and  
22 noncriminal justice agencies may be provided criminal history  
23 information upon tender of fees as established in this subsection  
24 and in the manner prescribed by rule of the Department of Law  
25 Enforcement. The revenues generated by such fees may be applied  
26 to any legislatively approved department purpose ~~are to offset~~  
27 ~~the cost of producing the record information, including the total~~



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28 ~~cost of creating, storing, maintaining, updating, retrieving,~~  
29 ~~improving, and providing criminal history information in a~~  
30 ~~centralized, automated database, including personnel, technology,~~  
31 ~~and infrastructure expenses.~~ Any access to criminal history  
32 information by the private sector or noncriminal justice agencies  
33 as provided in this subsection shall be assessed without regard  
34 to the quantity or category of criminal history record  
35 information requested. ~~Fees may be waived or reduced by the~~  
36 ~~executive director of the Department of Law Enforcement for good~~  
37 ~~cause shown.~~

38 (b) The fee per record for criminal history information  
39 provided pursuant to this subsection is \$25 ~~\$23~~ per name  
40 submitted, except that the fee for vendors of the Department of  
41 Children and Family Services, the Department of Juvenile Justice,  
42 and the Department of Elderly Affairs shall be \$8 for each name  
43 submitted; the fee for a state criminal history provided for  
44 application processing as required by law to be performed by the  
45 Department of Agriculture and Consumer Services shall be \$15 for  
46 each name submitted; and the fee for requests under the National  
47 Child Protection Act shall be \$18 for each volunteer name  
48 submitted. The state offices of the Public Defender shall not be  
49 assessed a fee for Florida criminal history information or wanted  
50 person information.

51 Section 2. This act shall take effect July 1, 2008.