

By the Committee on Criminal and Civil Justice Appropriations;
and Senator Crist

604-06522-08

20081792c1

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.

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

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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~~
28 ~~cost of creating, storing, maintaining, updating, retrieving,~~
29 ~~improving, and providing criminal history information in a~~

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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.