

20081792e1

1 A bill to be entitled
2 An act relating to criminal justice information; amending
3 s. 943.053, F.S.; deleting provisions requiring that fees
4 collected from the private sector or noncriminal justice
5 agencies for criminal history information be applied to
6 offset the cost of producing the information; eliminating
7 authorization for the executive director of the Department
8 of Law Enforcement to waive such fees; increasing the
9 amount of the fee charged per record for criminal history
10 information; repealing s. 741.316(3), F.S., relating to
11 provisions requiring that local domestic violence fatality
12 review teams collect data concerning incidents of domestic
13 violence and provisions requiring that the Department of
14 Law Enforcement prepare an annual report using such date;
15 providing an effective date.

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

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

21 943.053 Dissemination of criminal justice information;
22 fees.--

23 (3) (a) Criminal history information, including information
24 relating to minors, compiled by the Criminal Justice Information
25 Program from intrastate sources shall be available on a priority
26 basis to criminal justice agencies for criminal justice purposes
27 free of charge. After providing the program with all known
28 identifying information, persons in the private sector and
29 noncriminal justice agencies may be provided criminal history

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30 information upon tender of fees as established in this subsection
31 and in the manner prescribed by rule of the Department of Law
32 Enforcement. ~~Such fees are to offset the cost of producing the~~
33 ~~record information, including the total cost of creating,~~
34 ~~storing, maintaining, updating, retrieving, improving, and~~
35 ~~providing criminal history information in a centralized,~~
36 ~~automated database, including personnel, technology, and~~
37 ~~infrastructure expenses.~~ Any access to criminal history
38 information by the private sector or noncriminal justice agencies
39 as provided in this subsection shall be assessed without regard
40 to the quantity or category of criminal history record
41 information requested. ~~Fees may be waived or reduced by the~~
42 ~~executive director of the Department of Law Enforcement for good~~
43 ~~cause shown.~~

44 (b) The fee per record for criminal history information
45 provided pursuant to this subsection is \$24 ~~\$23~~ per name
46 submitted, except that the fee for vendors of the Department of
47 Children and Family Services, the Department of Juvenile Justice,
48 and the Department of Elderly Affairs shall be \$8 for each name
49 submitted; the fee for a state criminal history provided for
50 application processing as required by law to be performed by the
51 Department of Agriculture and Consumer Services shall be \$15 for
52 each name submitted; and the fee for requests under the National
53 Child Protection Act shall be \$18 for each volunteer name
54 submitted. The state offices of the Public Defender shall not be
55 assessed a fee for Florida criminal history information or wanted
56 person information.

57 Section 2. Subsection (3) of section 741.316, Florida
58 Statutes, is repealed.

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Section 3. This act shall take effect July 1, 2008.