

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	8 - 1 - 0
Yeas:	Doherty, Johnson, Keny-Guyer, Lively, Richardson, Smith, Vega Pederson, Holvey
Nays:	Thatcher
Exc.:	0
Prepared By:	Bob Estabrook, Administrator
Meeting Dates:	3/21, 4/16

WHAT THE MEASURE DOES: Directs Department of State Police (OSP) to convene work group to develop recommendations on retention of fingerprint information to allow notification of entities that requested criminal records checks when OSP receives criminal justice information on subject individuals. Specifies certain work group members. Specifies work group considerations. Requires report to Legislative Assembly on or before November 1, 2013. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Existing statutory requirement that fingerprints be destroyed instead of retained
- Professions requiring criminal records checks for employment or licensure purposes
- Challenges associated with implementing change

EFFECT OF COMMITTEE AMENDMENT: Replaces the original measure.

BACKGROUND: In 2012, the Legislative Assembly directed the Department of Administrative Services to convene a work group to make recommendations for performing criminal records checks (House Bill 4091). The report of the work group contains seven recommendations for further action, but it did not specifically recommend a “rap back” program that would allow public entities to receive notice of new information relating to criminal records on individuals who had undergone a fingerprint-based criminal records check.

House Bill 2828 A requires the Department of State Police to convene a work group to develop recommendations for a fingerprint retention and agency notification program at the department. The measure specifies certain required participants and directs the work group to consider certain priorities in its deliberations