

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 122
PROPOSED COMMITTEE SUBSTITUTE H122-PCS40101-BQ-5

Short Title: Criminal Information Network/Revise Fee. (Public)

Sponsors:

Referred to:

February 21, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE THE AMOUNT OF THE FEE THAT MAY BE IMPOSED BY THE
3 STATE BUREAU OF INVESTIGATION ON USERS OF THE CRIMINAL
4 INFORMATION NETWORK.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 143B-905 reads as rewritten:

7 "§ 143B-905. Criminal Information Network.

8 (a) The ~~Department of Public Safety~~ State Bureau of Investigation is authorized to
9 establish, devise, maintain and operate a system for receiving and disseminating to participating
10 agencies information collected, maintained and correlated under authority of G.S. 143B-902. The
11 system shall be known as the Criminal Information Network.

12 (b) The ~~Department of Public Safety~~ State Bureau of Investigation is authorized to
13 cooperate with the Division of Motor Vehicles, Department of Administration, and other State,
14 local and federal agencies and organizations in carrying out the purpose and intent of this section,
15 and to utilize, in cooperation with other State agencies and to the extent as may be practical,
16 computers and related equipment as may be operated by other State agencies.

17 (c) The ~~Department of Public Safety~~ State Bureau of Investigation, after consultation
18 with participating agencies, shall adopt rules and regulations governing the organization and
19 administration of the Criminal Information Network, including rules and regulations governing
20 the types of information relating to the administration of criminal justice to be entered into the
21 system, and who shall have access to such information. The rules and regulations governing
22 access to the Criminal Information Network shall not prohibit an attorney who has entered a
23 criminal proceeding in accordance with G.S. 15A-141 from obtaining information relevant to
24 that criminal proceeding. The rules and regulations governing access to the Criminal Information
25 Network shall not prohibit an attorney who represents a person in adjudicatory or dispositional
26 proceedings for an infraction from obtaining the person's driving record or criminal history.

27 (d) The ~~Department~~ State Bureau of Investigation may impose a monthly fees-fee of up
28 to twenty-one dollars (\$21.00) on each user in a participating agencies-agency. The monthly fees
29 fee collected under this subsection shall be used to offset the cost of operating and maintaining
30 the Criminal Information Network.

31 (1) The Department may impose a monthly circuit fee on agencies that access the
32 Criminal Information Network through a circuit maintained and operated by
33 the Department of Public Safety. The amount of the monthly fee is three
34 hundred dollars (\$300.00) plus an additional fee amount for each device
35 linked to the Network. The additional fee amount varies depending upon the
36 type of device. For a desktop device after the first seven desktop devices, the



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1 additional monthly fee is twenty five dollars (\$25.00) per device. For a mobile
2 device, the additional monthly fee is twelve dollars (\$12.00) per device.
3 (2) ~~The Department may impose a monthly device fee on agencies that access the~~
4 ~~Criminal Information Network through some other approved means. The~~
5 ~~amount of the monthly device fee varies depending upon the type of device.~~
6 ~~For a desktop device, the monthly fee is twenty five dollars (\$25.00) per~~
7 ~~device. For a mobile device, the fee is twelve dollars (\$12.00) per device."~~

8 **SECTION 2.** This act becomes effective July 1, 2019, and applies to fees imposed
9 on or after that date.