

1 HB645  
2 140038-2  
3 By Representative Wren  
4 RFD: Ways and Means General Fund  
5 First Read: 05-APR-12

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8 SYNOPSIS: This bill would specify that the Alabama  
9 Criminal Justice Information Center would be the  
10 repository for criminal history records, would  
11 authorize the center to perform criminal record  
12 checks for employment or licensing and other  
13 noncriminal purposes, and would authorize fees for  
14 criminal records checks and for services rendered  
15 to agencies and other entities.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

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21 Relating to the Alabama Criminal Justice Information  
22 Center; to provide for the duties and responsibilities of the  
23 center for criminal history files and other criminal records  
24 maintained by the center; to authorize the Alabama Criminal  
25 Justice Information Center Commission to adopt rules to permit  
26 the center to perform criminal records checks for employment  
27 or licensing or other noncriminal purposes; to authorize the

1 commission to establish fees for record checks and for  
2 services rendered to agencies and entities; and to provide for  
3 the deposit of funds in the Alabama Criminal Justice  
4 Information System Automation Fund to be used for the  
5 operation of the center.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The Alabama Criminal Justice Information  
8 Center (ACJIC) may obtain, compare, file, analyze,  
9 disseminate, and maintain the state's criminal history files  
10 within the ACJIC information systems in accordance with  
11 federal regulations and as prescribed by the rules set forth  
12 by the Alabama Criminal Justice Information Center Commission.  
13 The state criminal history repository shall include all  
14 information as required or allowed by federal law or  
15 regulation.

16 Section 2. (a) The Alabama Criminal Justice  
17 Information Center Commission may adopt policies and rules to  
18 permit ACJIC to perform criminal record checks through the  
19 ACJIC information systems for employment or licensing purposes  
20 and for other noncriminal purposes as provided by the  
21 commission. The commission may limit who may receive this  
22 information and may provide for the procedure for obtaining  
23 the records including, but not limited to, charging a fee not  
24 to exceed twenty-five dollars (\$25) per record for securing  
25 such records through the ACJIC information system.

26 (b) Notwithstanding the previous subsection, county  
27 and municipal governments and their instrumentalities may

1 directly contract with ACJIC to perform criminal record checks  
2 through an ACJIC information system. The cost of a check may  
3 not exceed fifteen dollars (\$15) per check. Fifty percent of  
4 the total amount expended by an agency or its parent  
5 governmental body shall be applied as a credit against the  
6 fees incurred by that agency for other services provided to it  
7 directly by ACJIC.

8 Section 3. (a) The Alabama Criminal Justice  
9 Information Center Commission may establish a fee schedule for  
10 services rendered to any agency or entity that receives  
11 services from ACJIC.

12 (b) All fee proceeds from the criminal record fee or  
13 fees for other services provided by the center shall be  
14 deposited in the State Treasury to the credit of the Criminal  
15 Justice Information System Automation Fund and shall be  
16 expended for any purposes for which the ACJIC is authorized to  
17 expend funds appropriated to the center.

18 Section 4. The ACJIC may provide criminal history  
19 information to a judge of probate for the purpose of name  
20 changes, adoption hearings, determining the eligibility of  
21 administrators or executors of estates, and for any other  
22 lawful purpose.

23 Section 5. In addition to any other requirements,  
24 any licensing or permitting agency, board, or commission in  
25 this state may by rule require a criminal background check  
26 provided by ACJIC as part of its licensing or permitting  
27 requirements.

1                   Section 6. All laws or parts of laws which conflict  
2 with this act are repealed.

3                   Section 7. This act shall become effective  
4 immediately following its passage and approval by the  
5 Governor, or its otherwise becoming law.