

1 SB543
2 120915-3
3 By Senators Figures, Smitherman, Mitchell, Little (Z), Penn,
4 Ross, Butler, Mitchem, Dixon, Waggoner, Orr, Pittman, Brooks,
5 French, and Sanders
6 RFD: Governmental Affairs
7 First Read: 11-MAR-10

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Sections 41-9-590, 41-9-591, 41-9-592,
12 41-9-594, 41-9-597, 41-9-600, 41-9-601, 41-9-621 to 41-9-623,
13 inclusive, and 41-9-630, Code of Alabama 1975; to further
14 provide for the operation, powers, and duties of the Alabama
15 Criminal Justice Information Center Commission and the Alabama
16 Criminal Justice Information Center; to further provide for
17 crimes and penalties related to violations; to authorize any
18 licensing agency to conduct a background check; to authorize
19 the interstate exchange of criminal history information and to
20 ratify the National Crime Prevention and Privacy Compact; and
21 in connection therewith would have as its purpose or effect
22 the requirement of a new or increased expenditure of local
23 funds within the meaning of Amendment 621 of the Constitution
24 of Alabama of 1901.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Sections 41-9-590, 41-9-591, 41-9-592,
27 41-9-594, 41-9-597, 41-9-600, 41-9-601, 41-9-621 to 41-9-623,

1 inclusive, 41-9-630, Code of Alabama 1975, are amended to read
2 as follows:

3 "§41-9-590.

4 "When used in this article, the following terms
5 shall have the following meanings, respectively, unless the
6 context clearly indicates a different meaning:

7 "~~(6)~~ (1) ACJIC. The Alabama Criminal Justice
8 Information Center.

9 "~~(7)~~ (2) CENTER. The Alabama Criminal Justice
10 Information Center.

11 "~~(4)~~ (3) COMMISSION. The Alabama Criminal Justice
12 Information Center Commission.

13 "~~(1)~~ (4) CRIMINAL JUSTICE ~~AGENCIES~~ AGENCY. ~~Such~~ The
14 term ~~shall include~~ includes those public agencies at all
15 levels of government which perform as their principal function
16 activities or planning for such activities relating to the
17 identification, apprehension, prosecution, adjudication or
18 rehabilitation of civil, traffic and criminal offenders.

19 "~~(8)~~ (5) DIRECTOR. The Director of the Alabama
20 Criminal Justice Information Center.

21 "~~(3)~~ (6) ~~CRIMINAL JUSTICE~~ INFORMATION SYSTEM and
22 SYSTEM. Such terms shall include that portion of those public
23 agencies, procedures, mechanisms, media and Criminal Justice
24 Information Center forms as well as the information itself
25 involved in the origination, transmittal, storage, retrieval,
26 analysis, and dissemination of information related to ~~reported~~
27 ~~offenses, offenders and actions related to such events or~~

1 ~~persons required to be reported to and received by, as well as~~
2 ~~stored, analyzed and disseminated by the Alabama Criminal~~
3 ~~Justice Information Center Commission through the center~~
4 ~~criminal justice and public protection.~~

5 ~~"(2)(7) OFFENSE. Any act which is a felony or is a~~
6 ~~misdemeanor as described in Section 41-9-622.~~

7 ~~"(5) ACJICC. The Alabama Criminal Justice~~
8 ~~Information Center Commission.~~

9 ~~"(8) PUBLIC PROTECTION. Any lawful performance of~~
10 ~~duties by a law enforcement officer or other government~~
11 ~~official that directly affects the safety of citizens.~~

12 ~~"§41-9-591.~~

13 ~~"(a) There is hereby created and established an~~
14 ~~Alabama Criminal Justice Information Center Commission, which~~
15 ~~shall establish, develop, and continue to operate a center and~~
16 ~~system information systems for the interstate and intrastate~~
17 ~~accumulation, storage, retrieval, analysis and dissemination~~
18 ~~of vital information relating to certain crimes, criminals and~~
19 ~~criminal activity to purpose of accessing, accumulating,~~
20 ~~storing, retrieving, analyzing, and disseminating criminal~~
21 ~~justice and public protection information. The center shall be~~ be
22 known as the Alabama Criminal Justice Information Center.

23 ~~"(b) Central responsibility for the development,~~
24 ~~maintenance, operation, and administration of the Alabama~~
25 ~~Criminal Justice Information Center center shall be vested~~
26 with the Director of ~~the~~ ACJIC under the supervision of the

1 ~~Alabama Criminal Justice Information Center Commission~~
2 ~~commission.~~

3 "(c) The center shall be designated the CJIS Systems
4 Agency (CSA) to the Federal Bureau of Investigation Criminal
5 Justice Information Systems Division, or its successor, and
6 the Nlets System Agency (NSA) to Nlets, or its successor. The
7 center shall have the authority to enforce all laws and
8 regulations regarding transmittal, exchange, and retrieval of
9 information with and through these entities. The director, or
10 his or her designee, shall serve as the representative to
11 these entities.

12 "§41-9-592.

13 "(a) The commission shall be composed of two
14 sections.

15 "(b) The voting section ~~will~~ shall include all of
16 the following:

17 "(1) The ~~the~~ Attorney General~~.~~

18 "(2) The ~~the~~ Chairman of the Board of Pardons and
19 Paroles~~.~~

20 "(3) The ~~the~~ Commissioner of the Board of
21 Corrections~~.~~

22 "(4) The ~~the~~ President of the Alabama Sheriffs'
23 Association~~.~~

24 "(5) The ~~the~~ Director of the Department of Public
25 Safety~~.~~

26 "(6) The ~~the~~ President of the Alabama Association of
27 Chiefs of Police~~.~~

1 "(7) The ~~the~~ Director of the Alabama ~~Law Enforcement~~
2 ~~Planning Agency,~~ Department of Economic and Community Affairs.

3 "(8) The ~~the~~ President of the Alabama District
4 Attorney's Association~~,~~.

5 "(9) The ~~the~~ President of the Alabama Circuit
6 Clerks' Association~~,~~.

7 "(10) The ~~the~~ Chief Justice of the Alabama Supreme
8 Court~~,~~.

9 "(11) The ~~the~~ President of the Alabama ~~Association~~
10 ~~of Intermediate Court Judges,~~ District Judges' Association.

11 "(12) The ~~the~~ President of the Alabama Circuit
12 Judges' Association~~,~~.

13 "(13) The ~~the Governor's coordinator of Alabama~~
14 ~~Highway and Traffic Safety and~~ Director of State Homeland
15 Security.

16 "(14) The State Chief Information Officer, or if not
17 appointed, the Director of the ~~Data Systems Management~~
18 ~~Division~~ Information Services Division of the Alabama
19 Department of Finance.

20 "(c) The advisory section ~~will~~ shall include: the
21 presiding officer of the Alabama Senate, the Speaker of the
22 Alabama House of Representatives, the President of the
23 Association of County Commissions of Alabama, the President of
24 the Alabama League of Municipalities, the Administrative
25 Director of the Courts, the Executive Director for the Alabama
26 Peace Officers' Standards and Training Commission, the

1 Director of the Alabama Sentencing Commission, and a citizen
2 of the State of Alabama, to be appointed by the Governor.

3 "(d) The member shall have authority to select a
4 designee based upon qualifications and with a view of
5 continuity of representation and attendance at the commission
6 meetings.

7 "(e) No person or individual shall continue to serve
8 on the commission when he or she no longer officially
9 represents the function or serves in the capacity enumerated
10 in this section as a member to which he or she was elected or
11 appointed, except the citizen appointee who serve at the
12 pleasure of the Governor.

13 "(f) A report of the work of the commission shall be
14 provided to the Alabama Legislature by the 5th legislative day
15 of each regular session.

16 "§41-9-594.

17 "(a) The commission shall establish its own rules,
18 regulations, and policies for the performance of the
19 responsibilities charged to it in this article.

20 "(b) The commission shall ensure that: The the
21 information obtained under authority of this article is
22 restricted to the items germane to the implementation of this
23 article; and that the Alabama Criminal Justice Information
24 Center (ACJIC) center is administered so as not to accumulate
25 or distribute any information not required by this article;
26 and.

1 "(c) The commission shall ensure that adequate
2 safeguards are incorporated so that data available through
3 ~~this system~~ ACJIC information systems is used only by properly
4 authorized persons and agencies.

5 "~~(b)~~ (d) The commission shall appoint a Privacy and
6 Security Committee from the membership of the commission who
7 are elected officials, consisting of a chair and three
8 members, to study the privacy and security implications of
9 sharing criminal justice and homeland security information and
10 to formulate policy recommendations for consideration by the
11 commission concerning the collection, storage, dissemination,
12 or usage of ~~criminal justice~~ information.

13 "~~(c)~~ (e) The commission may adopt policies regarding
14 the collection, storage, and dissemination of criminal
15 intelligence, investigation, arrest, and criminal history
16 information and other crime-related data that conform to the
17 policies of the ~~National Crime Information Center of the~~
18 Federal Bureau of Investigation Criminal Justice Information
19 Systems Division.

20 "(f) The commission may adopt policies and
21 regulations to permit ACJIC ~~may supply employee criminal~~
22 ~~records as provided in subsection (a) and~~ to perform
23 name-based background checks of the state criminal history
24 repository through the ACJIC information system for
25 noncriminal purposes. The commission may limit who may receive
26 this information and may provide for the procedure for
27 obtaining the records including, but not limited to, charging

1 ~~a twenty-five dollar (\$25) fee~~ fees not to exceed twenty-five
2 dollars (\$25) for securing records through the an ACJIC
3 information system. All monies received for background checks
4 shall be deposited in the State Treasury to be divided equally
5 to the credit of the Criminal Justice Information System
6 Automation Fund, the Public Safety Special Revenue Fund, and
7 the Court Automation Fund, and such funds may be expended as
8 authorized by law.

9 "(d)(g) Any rule, regulation, or policy of the
10 commission to the contrary notwithstanding, the police
11 department of any college or university in this state which
12 offers medical, nursing, and health care education, or which
13 operates a hospital, including, but not limited to, the
14 University of Alabama in Birmingham and the University of
15 South Alabama, and excluding the University of Alabama in
16 Tuscaloosa may request from the ACJIC a criminal background
17 check on any person who applies for employment with the
18 college or university, and may charge a background search fee
19 of twenty-five dollars (\$25) from each applicant for each
20 search conducted on the applicant.

21 "(h) All fee proceeds from the background check fee
22 In addition to the fees provided for in subsection (f), the
23 commission may adopt a schedule of reasonable fees to provide
24 access to other ACJIC information systems which shall be
25 deposited in the State Treasury to the credit of the Criminal
26 Justice Information System Automation Fund and shall be

1 expended for any purposes for which the ACJIC is authorized to
2 expend funds appropriated to that department.

3 "(i) ACJIC shall not provide civil circuit or
4 district court records, nor provide access to civil circuit or
5 district court records, to any entity without express written
6 authorization of the Administrative Director of Courts.

7 "(j) Notwithstanding any other provisions of this
8 section, county and municipal governments and their
9 instrumentalities may directly contract with ACJIC to perform
10 background checks through an ACJIC information system. The
11 cost of a check may not exceed fifteen dollars (\$15) per
12 check. Fifty percent of the total amount expended by an agency
13 or its parent governmental body shall be applied as a credit
14 against the fees incurred by that agency for other services
15 provided to it directly by ACJIC.

16 "§41-9-597.

17 "The staff ~~and personnel~~ employed by the commission
18 for the development and operation of the center and system
19 shall be governed by the personnel Merit System rules and
20 regulations of the State Personnel Department.

21 ~~"Employees of agencies or institutions which are~~
22 ~~transferred to the center or commission under the provisions~~
23 ~~of this article shall remain in their respective employments~~
24 ~~and shall be considered to meet the requirements of the~~
25 ~~department in terms of training and experience, but nothing in~~
26 ~~this section shall be construed to prevent or preclude the~~
27 ~~removal of an employee for cause in the manner provided by~~

1 ~~law. Such employees shall continue to enjoy employment~~
2 ~~conditions, including, but not limited to, salary range and~~
3 ~~advancement at a level no less than those enjoyed prior to~~
4 ~~transfer to the center or commission. All time accumulated~~
5 ~~while engaged in such prior employment shall be credited~~
6 ~~toward all privileges enjoyed under state merit employment.~~

7 "§41-9-600.

8 "Any officer or official mentioned in this article
9 who ~~neglects or~~ refuses to make any report, submit
10 information, or to do any other act required in this article
11 shall be subject to prosecution for a misdemeanor and, if
12 found guilty, may be fined not less than ~~\$100.00~~ one hundred
13 dollars (\$100) nor more than ~~\$10,000.00~~ ten thousand dollars
14 (\$10,000) and may be confined in a county jail for not more
15 than one year. ~~He~~ The officer or official shall also be
16 subject to prosecution for nonfeasance and, if found guilty,
17 shall be subject to removal from office therefor.

18 "§41-9-601.

19 "(a) A person commits the crime of misuse of ACJIC
20 information if he or she does either of the following:

21 "(1) Willfully ~~Any person who willfully~~ requests,
22 obtains, or seeks to obtain ~~criminal offender record~~
23 information from an ACJIC information system under false
24 pretenses ~~or.~~

25 "(2) Willfully ~~who willfully~~ communicates or seeks
26 to communicate ~~criminal offender record~~ information from an

1 ACJIC information system to any agency or person except in
2 accordance with this article, ~~or.~~

3 "(b) ~~A any member, officer, employee, or agent of~~
4 ~~the ACJIC commission, the ACJIC center, or any participating~~
5 ~~agency who commits the crime of misuse of ACJIC information if~~
6 ~~he or she willfully falsifies criminal offender record~~
7 ~~information or any records relating thereto shall, for each~~
8 ~~offense, be fined not less than \$5,000.00 nor more than~~
9 ~~\$10,000.00 or imprisoned in the state penitentiary for not~~
10 ~~more than five years or both maintained in or accessible by an~~
11 ACJIC information system.

12 "(c) Misuse of ACJIC information is a Class B
13 felony.

14 "(d) Misuse of each individual record constitutes a
15 separate offense under this section.

16 "§41-9-621.

17 "The commission, acting through the ~~Director of the~~
18 ~~Alabama Criminal Justice Information Center~~ director, shall:

19 "(1) Develop, operate and maintain ~~an~~ information
20 ~~system~~ systems which will support the collection, storage,
21 retrieval, analysis, ~~and~~ dissemination of all ~~crime and~~
22 ~~offender~~ data described in this article consistent with those
23 principles of scope, security, ~~and~~ responsiveness prescribed
24 by this article~~7~~. The primary mission of the center is to
25 serve the informational needs of criminal justice agencies and
26 other agencies and entities specifically authorized by law

1 connecting local, county, state, and federal authorities to a
2 centralized state clearinghouse of information.

3 "(2) Cooperate with all criminal justice and public
4 protection agencies within the state in providing those forms,
5 procedures, standards, and related training assistance
6 necessary for the uniform and integrated operation of the
7 statewide ACJIC ~~crime reporting and criminal justice~~
8 information ~~system;~~ systems.

9 "(3) Offer assistance and, when practicable,
10 instruction to all criminal justice and public protection
11 agencies in establishing efficient systems for information
12 management;.

13 ~~"(4) Compile statistics on the nature and extent of~~
14 ~~crime in Alabama and compile data for planning and operating~~
15 ~~criminal justice agencies; provided, that such statistics~~
16 ~~shall not identify persons. The commission shall make~~
17 ~~available all such statistical information obtained to the~~
18 ~~Governor, the Legislature, the judiciary and any such other~~
19 ~~governmental agencies whose primary responsibilities include~~
20 ~~the planning, development or execution of crime reduction~~
21 ~~programs. Access to such information by such governmental~~
22 ~~agencies shall be on an individual written request basis or in~~
23 ~~accordance with the approved operational procedure, wherein~~
24 ~~must be demonstrated a need to know, the intent of any~~
25 ~~analyses and dissemination of such analyses, and shall be~~
26 ~~subject to any security provisions deemed necessary by the~~
27 ~~commission;~~

1 "(4) Develop, operate, and maintain a unit within
2 ACJIC to be known as the Alabama Statistical Analysis Center
3 that shall perform the following operations:

4 "a. Compile general statistics on the nature and
5 extent of crime in Alabama to be made available to the public.
6 These statistics shall be updated on a regular basis no less
7 frequently than annually. No statistics available to the
8 public pursuant to this paragraph shall identify persons.

9 "b. Make available all criminal statistical
10 information obtained and developed by ACJIC to the Governor,
11 the Legislature, the judiciary, and any other governmental
12 agencies whose responsibilities include the planning,
13 development, or execution of crime reduction programs. Access
14 to information by a governmental agency shall be pursuant to
15 an individual written request or in accordance with the
16 approved operational procedures, which shall be based on a
17 demonstrated need to know, considering the intent for the use
18 and dissemination of the information. Access to information
19 may be subject to any security provisions deemed necessary by
20 the commission. No statistics generated pursuant to this
21 paragraph shall identify persons.

22 "c. Provide statistical and investigative data
23 including identifying information pertaining to individuals
24 listed on incident/offense and arrest reports to participating
25 law enforcement agencies based upon the data collected from
26 the agencies' uniform crime reports submitted pursuant to
27 Section 41-9-620.

1 "d. Gather, analyze, and disseminate data from other
2 agencies to supplement the criminal information in the
3 previous subsections subject to the identification limitations
4 of the previous subsections.

5 ~~"(5) Periodically publish statistics, no less~~
6 ~~frequently than annually, that do not identify persons and~~
7 ~~report such information to the chief executive officers of the~~
8 ~~agencies and branches of government concerned; such~~
9 ~~information shall accurately reflect the level and nature of~~
10 ~~crime in this state and the general operation of the agencies~~
11 ~~within the criminal justice system;~~

12 "(5) Apply for grants to provide for research and
13 development activities that will encourage the application of
14 advanced technology, including the development of prototype
15 systems and procedures, the development of plans for the
16 implementing of these prototypes, and the development of
17 technological expertise which can provide assistance to
18 criminal justice and public protection agencies.

19 ~~"(6) Make available, upon request, to all any local,~~
20 ~~state, including any other state, or federal criminal justice~~
21 ~~agencies in this state, to all federal criminal justice and or~~
22 ~~criminal identification agencies and to state criminal justice~~
23 ~~and criminal identification agencies in other states any~~
24 ~~agency information in the files of the ACJIC information~~
25 ~~systems which will aid these agencies in crime fighting; for.~~
26 ~~For this purpose ~~the~~ ACJIC shall operate 24 hours per day,~~
27 ~~seven days per week; The commission may adopt policies to~~

1 share criminal justice information with international criminal
2 justice agencies.

3 "(7) Cooperate with other agencies of this state,
4 the crime information agencies of other states and the uniform
5 crime reports and national crime information center systems of
6 the Federal Bureau of Investigation or any entity designated
7 by the federal government as the central clearinghouse for
8 criminal justice information systems in developing and
9 conducting an interstate, national, and international system
10 of criminal identification, records and statistics.

11 "(8) Provide the administrative mechanisms and
12 procedures necessary to respond to those individuals who file
13 requests to view their own records as provided for elsewhere
14 in this article and to cooperate in the correction of the
15 central ACJIC records and those of contributing agencies when
16 their accuracy has been successfully challenged either through
17 the related contributing agencies or by court order issued on
18 behalf of the individual.

19 "(9) Institute the necessary measures in the design,
20 implementation, and continued operation of ~~the criminal~~
21 ~~justice~~ ACJIC information system systems to ensure the privacy
22 and security of the ~~system~~ data accumulated or accessed
23 through its systems. ~~Such~~ Any privacy and security measures
24 ~~must~~ shall meet standards to be set by the commission ~~as well~~
25 ~~as those set by the nationally operated systems for interstate~~
26 ~~sharing of such information; and.~~

1 "(10) Designate in writing agents or employees of
2 ~~the~~ ACJIC who shall be and are hereby constituted peace
3 officers of the State of Alabama with full and unlimited
4 police power and statewide jurisdiction. ~~to~~ The designated law
5 enforcement officers shall enforce the laws of this state
6 pertaining to the operation and administration of the ~~Alabama~~
7 ~~criminal justice information system~~ center and the storage,
8 use, and dissemination of information processed ~~therein by~~
9 ACJIC information systems and may assist other criminal
10 justice agencies upon request with investigations or as
11 further directed by the commission or director.

12 "§41-9-622.

13 "(a) ~~The commission may obtain, compare, file,~~
14 ~~analyze, and disseminate, and all~~ shall maintain criminal
15 history files within the ACJIC information systems in
16 accordance with federal regulations and this article. The
17 files shall be compared, analyzed, and disseminated according
18 to this article.

19 "(b) ~~All state, county, and municipal~~ criminal
20 justice agencies ~~are required to report~~ shall submit to ACJIC
21 all fingerprints, descriptions, photographs, and any other
22 pertinent identifying and historical criminal data for
23 inclusion in the criminal history files on the following
24 persons:

25 "(1) Persons who have been or are hereafter arrested
26 or convicted in this state or any state for an offense which
27 is a felony or ~~an offense which is~~ a misdemeanor or a

1 violation of a municipal ordinance which would constitute a
2 misdemeanor under the laws of this state. ~~escalating to a~~
3 ~~felony involving, but not limited to: Possession of burglary~~
4 ~~tools or unlawful entry; engaging in unlawful commercial~~
5 ~~gambling; dealing in gambling; dealing in gambling devices;~~
6 ~~contributing to the delinquency of a child; robbery, larceny~~
7 ~~or dealing in stolen property; possession of controlled~~
8 ~~substances and illegal drugs, including marijuana; firearms;~~
9 ~~dangerous weapons; explosives; pandering; prostitution; rape;~~
10 ~~sex offenses, where minors or adults are victims;~~
11 ~~misrepresentation; fraud; and worthless checks.~~

12 "(2) Persons who have been or are hereafter charged
13 with an act of delinquency or adjudicated a delinquent or
14 youthful offender in this state or any state for an act which
15 would constitute a felony or misdemeanor offense, as described
16 in subdivision (1), or any other offense as proscribed by
17 state or federal law if it had been committed by an adult.

18 "(3) Persons who have been or are hereafter arrested
19 or convicted for any offense required for inclusion in the
20 state criminal history file by federal law or regulation.

21 "§41-9-623.

22 "(a) All criminal justice agencies within the state
23 shall submit to ~~the ACJIC, by forwarding to~~ and the Alabama
24 Department of Public Safety, fingerprints, descriptions,
25 photographs, ~~when specifically requested,~~ and other
26 identifying data on the following persons:

1 "(1) Persons who have been lawfully arrested in this
2 state for all ~~felonies and certain misdemeanors~~ offenses
3 described in Section 41-9-622.

4 "(2) Persons who have been charged with an act of
5 delinquency or adjudicated a youthful offender for conduct
6 which would constitute a felony or misdemeanor offense, as
7 described in subdivision (1), if committed by an adult.

8 "(b) All chiefs of police, sheriffs, prosecuting
9 attorneys, parole and probation officers, wardens, or other
10 persons in charge of correctional or detention institutions or
11 other criminal justice agencies in this state shall furnish
12 ~~the~~ ACJIC with any other criminal justice data deemed
13 necessary by the commission to carry out its responsibilities
14 under this article.

15 "(c) Any agency that maintains noncriminal justice
16 information may provide ACJIC access to its data for inclusion
17 in the ACJIC information systems that may be used for criminal
18 justice purposes.

19 "§41-9-630.

20 "(a) All persons in charge of criminal justice
21 agencies in this state shall furnish ~~the~~ ACJIC with any other
22 identifying data required in accordance with guidelines
23 established by the ~~ACJIC~~ commission.

24 "(b) All criminal justice agencies in this state
25 having criminal identification files shall cooperate in
26 providing to ACJIC information in ~~such~~ the files as will aid

1 in establishing the nucleus of the state criminal
2 identification file."

3 Section 2. Any governmental licensing entity within
4 the state may enact rules to require a background check
5 through ACJIC as part of its licensing requirements.

6 Section 3. (a) In order to facilitate the authorized
7 interstate exchange of criminal history information for
8 noncriminal justice purposes, including, but not limited to,
9 background checks for the licensing and screening of employees
10 and volunteers under the National Child Protection Act of
11 1993, as amended, and to implement the National Crime
12 Prevention and Privacy Compact, 42 U.S.C. § 14616, the
13 Legislature approves and ratifies the compact. The director
14 shall execute the compact on behalf of the state.

15 (b) The center is the repository of criminal history
16 records for purposes of the compact and shall do all things
17 necessary or incidental to carrying out the compact.

18 (c) The director, or the director's designee, is the
19 state's compact officer and shall administer the compact
20 within the state. The commission may adopt rules and establish
21 procedures for the cooperative exchange of criminal history
22 records between the state and federal government for use in
23 noncriminal justice cases.

24 (d) The state's ratification of the compact remains
25 in effect until legislation is enacted which specifically
26 renounces the compact.

1 (e) This compact and this section do not affect or
2 abridge the obligations and responsibilities of the center
3 under other provisions of Article 23 of Chapter 9 of Title 41,
4 Code of Alabama 1975, and does not alter or amend the manner,
5 direct or otherwise, in which the public is afforded access to
6 criminal history records under state law.

7 Section 4. Although this bill would have as its
8 purpose or effect the requirement of a new or increased
9 expenditure of local funds, the bill is excluded from further
10 requirements and application under Amendment 621 because the
11 bill defines a new crime or amends the definition of an
12 existing crime.

13 Section 5. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs 11-MAR-10

Read for the second time and placed on the calen-
dar with 1 substitute and 30-MAR-10

Read for the third time and passed as amended ... 08-APR-10

Yeas 21
Nays 0

McDowell Lee
Secretary