

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 54

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

Sponsors: Representatives Stevens and McNeill (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

February 8, 2021

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

The General Assembly of North Carolina enacts:

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

"§ 143B-905. Criminal Information Network.

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

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

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

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

(1) ~~The Department may impose a monthly circuit fee on agencies that access the Criminal Information Network through a circuit maintained and operated by the Department of Public Safety. The amount of the monthly fee is three hundred dollars (\$300.00) plus an additional fee amount for each device~~



1 ~~linked to the Network. The additional fee amount varies depending upon the~~
2 ~~type of device. For a desktop device after the first seven desktop devices, the~~
3 ~~additional monthly fee is twenty-five dollars (\$25.00) per device. For a mobile~~
4 ~~device, the additional monthly fee is twelve dollars (\$12.00) per device.~~

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

10 **SECTION 2.** This act becomes effective July 1, 2021, and applies to fees imposed
11 on or after that date.