

Moved by Burgoyne

Seconded by Hagedorn

IN THE SENATE
SENATE AMENDMENT TO S.B. NO. 1033

AMENDMENT TO SECTION 2

1
2 On page 2 of the printed bill, delete lines 36 through 39, and insert:
3 "authorized purposes. The bureau shall submit such fingerprints to the fed-
4 eral bureau of investigation central fingerprint database for completion of
5 a criminal background check and report. Once complete, the federal bureau of
6 investigation shall provide the criminal background check report to the bu-
7 reau, and the bureau shall transmit the report to the appropriate authorized
8 agency or entity.

9 (2) The bureau shall retain fingerprints submitted pursuant to subsec-
10 tion (1) of this section in the state central fingerprint database following
11 the initial criminal background check for purposes of notification to those
12 agencies or entities authorized by law and choosing to participate in the rap
13 back service and for criminal justice purposes.

14 (a) Each agency or entity receiving a notification under the rap back
15 service shall provide a copy of any notification to the individual who
16 is the subject of the notification prior to taking any adverse action
17 against such individual.

18 (b) An individual fingerprinted for a noncriminal justice purpose
19 shall have his fingerprints expunged by the bureau:

20 (i) When he is no longer in a position or no longer holds a license
21 subject to criminal background checks and notifications in the rap
22 back service; or

23 (ii) Upon any withdrawal of the agency or entity from participa-
24 tion in the rap back service.

25 (c) The bureau shall provide notice to an individual fingerprinted for
26 a noncriminal justice purpose of his right to expunge when he is ini-
27 tially fingerprinted and when the rap back service is no longer applica-
28 ble to him for any reason.

29 (d) No fee shall be charged to an individual for expungement of his fin-
30 gerprints."

31 and in line 40, delete "2" and insert: "23".

32 On page 3, in line 17, delete "3" and insert: "34"; in line 19, delete
33 "4" and insert: "45"; in line 25, delete "5" and insert: "56"; in line 29,
34 delete "6" and insert: "67"; in line 34, delete "7" and insert: "78"; and
35 following line 36, insert:

36 "(9) For purposes of this section, "criminal justice purpose" means
37 biometric matching to arrest fingerprints, to unidentified or missing
38 person fingerprints or to latent or unknown fingerprints from criminal or
39 suspected events."

CORRECTION TO TITLE

1
2 On page 1, in line 5, following "STANCES" insert: ", TO PROVIDE NOTICE
3 TO CERTAIN INDIVIDUALS WHO ARE FINGERPRINTED, TO PROVIDE THAT NO FEE SHALL BE
4 CHARGED FOR EXPUNGEMENT OF FINGERPRINTS AND TO DEFINE A TERM".