



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# HOUSE BILL 122: Criminal Information Network/Revise Fee.

2019-2020 General Assembly

|                       |  |                     |                                      |
|-----------------------|--|---------------------|--------------------------------------|
| <b>Committee:</b>     | House Judiciary. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House | <b>Date:</b>        | February 27, 2019                    |
| <b>Introduced by:</b> | Rep. Stevens   | <b>Prepared by:</b> | Shawn Middlebrooks<br>Staff Attorney |
| <b>Analysis of:</b>   | PCS to First Edition<br>H122-CSBQ-5  |                     |                                      |

**OVERVIEW:** The PCS to House Bill 122 would amend G.S. 143B-905 to modify how the Department of Public Safety (DPS) collects fees from participating agencies that access the Criminal Information Network, and change any reference to the DPS to the State Bureau of Investigation (SBI).

**CURRENT LAW:** The Department of Public Safety (DPS) is authorized to collect and correlate information pertaining to the administration of criminal law. The information is maintained in a central location known as the Criminal Information Network (Network). DPS is authorized to adopt rules and regulations regarding the organization, maintenance, and access of the Network, and is authorized to charge participating agencies a monthly access fee to offset cost related to the Network's operation and maintenance.

DPS currently charges participating agencies a \$300.00 circuit fee, plus an additional monthly fee per device (desktop device or mobile device) connected to the Network. The additional fee is \$25.00 per desktop device over 7 devices or \$12.00 per mobile device. DPS may also charge a *monthly device fee* if an agency accesses the Network by some other approved means. G.S. 143B-905.

SBI is administratively located in the DPS, but functions as an independent agency under the direction and supervision of a Director who is solely responsible for all management functions of the agency. G.S. 143B-915.

**BILL ANALYSIS:** The PCS would amend G.S. 143B-905 to eliminate the current fee practices conducted by DPS, and allow the *SBI* to impose a monthly fee of up to \$21.00 for *each user in a participating agency* for access to the Criminal Information Network.

**EFFECTIVE DATE:** This bill would be effective on July 1, 2019 and apply to fees imposed on or after that date.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
(919) 733-2578