



# HOUSE BILL 607: LEO Background Checks/FBI Rap Back Services.

2021-2022 General Assembly

<b>Committee:</b>	House State Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	May 5, 2021
<b>Introduced by:</b>	Reps. McNeill, C. Smith, Greene, Miller	<b>Prepared by:</b>	Howard Marsilio
<b>Analysis of:</b>	PCS to Second Edition H607-CSBG-12		Committee Co-Counsel

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 607 would implement the use of the Federal Bureau of Investigation's (FBI) Record of Arrest and Prosecution Background (Rap Back) Service for law enforcement hiring purposes.*

- *The PCS would make a technical correction within Section 1.*

### CURRENT LAW:

The FBI Rap Back Service is an optional program that stores fingerprints, continuously compares them to arrest records throughout the United States, and allows authorized agencies to receive on-going status notifications of any criminal history reported to the FBI on individuals who hold positions of trust.

**BILL ANALYSIS:** The PCS for House Bill 607 would authorize the State Bureau of Investigation (SBI) to provide background checks on any person who applies for certification or is certified by either the North Carolina Criminal Justice Education and Training Standards Commission or the North Carolina Sheriffs' Education and Training Standards Commission.

The SBI would enroll each person whose fingerprints are received under this provision in the FBI Rap Back Service and maintain the fingerprints in the Statewide Automated Fingerprint Identification System (SAFIS). The fingerprints would be removed within 15 business days of notification to the SBI that the person is no longer employed in a certified position.

The PCS would also require that, no later than June 30, 2022, any person certified by either Commission on the effective date of the act submit fingerprints to the SBI for inclusion in the FBI Rap Back Service and storage in SAFIS.

**EFFECTIVE DATE:** This act would be effective when it becomes law.

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