COMMITTEE REPORT

May 11, 2016

**S. 1052**

Introduced by Senator Alexander

S. Printed 5/11/16--S.

Read the first time February 2, 2016.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1052) to amend the Code of Laws of South Carolina, 1976, by adding Section 23-3-180 so as to provide that the State Law Enforcement Division is authorized to, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

PAUL THURMOND for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill adds Section 23-3-180 so as to provide that the State Law Enforcement Division is authorized to submit fingerprints collected by certain agencies to the Federal Bureau of Investigation’s Next Generation Identification Program under certain circumstances and to provide for their retention and use.

The State Law Enforcement Division reports that this bill would have no expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑180 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION IS AUTHORIZED TO SUBMIT FINGERPRINTS COLLECTED BY CERTAIN AGENCIES TO THE FEDERAL BUREAU OF INVESTIGATION’S NEXT GENERATION IDENTIFICATION PROGRAM UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE FOR THEIR RETENTION AND USE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 3, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23‑3‑180. SLED is authorized to submit fingerprints collected by those agencies authorized to do so for certain determinations including, but not limited to, employment, licensing, suitability, certification, and permitting to the Federal Bureau of Investigation’s (FBI) Next Generation Identification Program (NGI) when requested to do so by the submitting agency. These fingerprints are authorized to be retained by SLED and the FBI. The fingerprints retained by SLED and the FBI are authorized to be searched by future submissions to the SLED system and the NGI system and appropriate responses are authorized to be sent to the submitting agency. SLED and the FBI are authorized to charge a fee for this service and for the retention of fingerprints at SLED and the FBI. SLED and the FBI are authorized to retain and store the fingerprints for further use in identification of persons including, but not limited to, use in identifying unsolved latent prints. SLED and the FBI are authorized to provide the submitting agency with current and future information regarding the fingerprints stored including arrests, convictions, dispositions, warrants, and other information available to the FBI including civil and criminal information.”

SECTION 2. This act takes effect upon approval by the Governor.

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