**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION’S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

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

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

“Section 23-3-90. (A) Notwithstanding any other provision of law, an agency authorized to conduct fingerprint background checks in this State may conduct a federal fingerprint review.

(B) SLED, upon request, may submit the fingerprints collected by agencies authorized to conduct fingerprint background checks or any information regarding the fingerprints stored, including arrests, convictions, dispositions, and warrants, for determinations including, but not limited to, employment, licensing, suitability, certification, and permitting to the Federal Bureau of Investigation’s Next Generation Identification program.

(C) SLED and the Federal Bureau of Investigation may retain collected fingerprints and search any retained fingerprints at a later date pursuant to an appropriate inquiry.

(D) SLED may charge a reasonable fee for the collection and retention of the fingerprints.”

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

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