



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1413 (as reported without amendment)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

CONTENT

The bill would enact the "National Crime Prevention and Privacy Compact" to authorize the Governor to enter into the Compact on behalf of the State of Michigan with any of the states of the United States that legally join in that compact.

The Compact "organizes an electronic information sharing system among the federal government and the states to exchange criminal history records for non-criminal justice purposes authorized by federal or state law, such as background checks for governmental licensing and employment". "Under this compact, the FBI and the party states agree to maintain detailed databases of their respective criminal history records, including arrests and dispositions, and to make them available to the federal government and to party states for authorized purposes." The Compact also requires the FBI to manage the Federal data facilities that provide a significant part of the infrastructure for the system.

The Compact does all of the following:

- Identifies its purposes.
- Specifies the responsibilities of the FBI and party states.
- Describes authorized record disclosures and request procedures.
- Provides for the establishment of a 15-member Compact Council (located within the FBI), which has the authority to promulgate rules and procedures.
- Outlines the procedures for ratification and renunciation of the Compact by a state.
- Specifies the procedure for adjudication of disputes, including appeals to the U.S. Attorney General and the U.S. District Court.
- Allows a state's criminal history record repository or the FBI to charge a fee for handling a request involving fingerprint processing, but not for responding to an electronic request for a record that does not involve processing fingerprints.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the Department of State Police. The bill's provisions would be accomplished with existing resources and services provided by the Department.

Date Completed: 11-13-08

Fiscal Analyst: Bruce Baker