

FIRST REGULAR SESSION

HOUSE BILL NO. 499

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DUSENBERG (Sponsor), SATER,
MOORE AND BROWN (50) (Co-sponsors).

Read 1st time January 22, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1071L.02I

AN ACT

To repeal section 43.530, RSMo, and to enact in lieu thereof two new sections relating to the
Missouri state highway patrol.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 43.530, RSMo, is repealed and two new sections enacted in lieu
2 thereof, to be known as sections 43.530 and 43.546, to read as follows:

43.530. **1.** For each request requiring the payment of a fee received by the central
2 repository, the requesting entity shall pay a fee of not more than [five] **nine** dollars per request
3 for criminal history record information not based on a fingerprint search [when the requesting
4 entity is required to obtain such information by any provision of state or federal law and pay a
5 fee of not more than fourteen dollars per request for criminal history record information based
6 on a fingerprint search when the requesting entity is required to obtain such information by any
7 provision of state or federal law; provided that, when the requesting entity is not required to
8 obtain such information by law, the requesting entity shall pay a fee of not more than ten dollars
9 per request for criminal history record information not based on a fingerprint search and pay a
10 fee of not more than twenty dollars per request for criminal history record information based on
11 a fingerprint search. Each such request] . **Beginning January 1, 2010, the superintendent**
12 **may increase the fee paid by requesting entities by an amount not to exceed one dollar per**
13 **year; except that, such fee shall not exceed fifteen dollars per request.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 **2. For each request requiring the payment of a fee received by the central**
15 **repository, the requesting entity shall pay a fee of not more than twenty dollars per request**
16 **for criminal history record information based on a fingerprint search; except that, if the**
17 **request is required under section 571.101, RSMo, the fee shall be fourteen dollars.**

18 **3. A request made under subsection 1 or 2 of this section** shall be limited to check
19 and search on one individual. Each request shall be accompanied by a check, warrant, voucher,
20 money order, or electronic payment payable to the state of Missouri-criminal record system or
21 payment shall be made in a manner approved by the highway patrol. The highway patrol may
22 establish procedures for receiving requests for criminal history record information for
23 classification and search for fingerprints, from courts and other entities, and for the payment of
24 such requests. There is hereby established by the treasurer of the state of Missouri a fund to be
25 entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section
26 33.080, RSMo, to the contrary, if the moneys collected and deposited into this fund are not
27 totally expended annually for the purposes set forth in sections 43.500 to [43.543] **43.546**, the
28 unexpended moneys in such fund shall remain in the fund and the balance shall be kept in the
29 fund to accumulate from year to year.

43.546. 1. Any state agency may require the fingerprinting of applicants or
2 **employees in specified occupations for the purpose of positive identification and receiving**
3 **criminal history record information when determining an applicant's or employee's ability**
4 **or fitness to serve in such occupation.**

5 **2. To facilitate the criminal background check under subsection 1 of this section**
6 **on any applicant for a position with or person employed by a state agency and in**
7 **accordance with section 43.543, the applicant or employee shall submit a set of fingerprints**
8 **collected under the standards determined by the Missouri state highway patrol. The**
9 **fingerprints and accompanying fees, unless alternately arranged, shall be forwarded to the**
10 **highway patrol to be used to search the state criminal history repository and the**
11 **fingerprints shall be forwarded to the Federal Bureau of Investigations for a national**
12 **criminal background check. Notwithstanding any provision of section 610.120, RSMo, to**
13 **the contrary, all records related to any criminal history information discovered shall be**
14 **accessible and available to the state agency making the request.**

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