



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2243: fingerprinting; criminal history; records checks

Sponsor: Representative Nguyen, LD 1

Committee on Military Affairs & Public Safety

Overview

Modifies various aspects of data management, handling and permissions for the criminal history records managed by the Central State Repository (Repository).

History

The Department of Public Safety (DPS) manages the Repository which stores Arizona criminal history records and related criminal justice information for any person who has been arrested or charged with: 1) a felony offence; 2) an offence involving domestic violence; 3) a sexual offence; or 4) a DUI offence ([A.R.S. § 41-1750](#)). The records in the Repository are used for various purposes including background checks and the issuance of Fingerprint Clearance Cards and Level I Fingerprint Clearance Cards (Fingerprint Cards) ([Title 41, Chapter 12, Article 3.1](#)). These records are also shared with the Federal Bureau of Investigation (FBI) and authorized criminal justice agencies in other states ([A.R.S. § 41-1750](#)).

Provisions

1. Narrows when the Board of Fingerprinting (Board) may receive criminal history records to only when it is reviewing a person's application for a good cause exception to receive a Fingerprint Card. (Sec. 1, 4, 5)
2. Removes the Board's ability to disseminate criminal history records to other agencies. (Sec. 1)
3. Specifies that fingerprints submitted to the Repository may be searched through both DPS and the FBI to conduct background checks. (Sec. 2)
4. Permits DPS to retain fingerprints submitted for background checks for the purpose of future searches, when submitted by criminal justice agencies or other specified government agencies. (Sec. 2)
5. Modifies procedures for records checks and the reconciliation of state and federal criminal history records to specify the use of state and federal rap back services. (Sec. 2, 4, 5)
6. Directs DPS to update the status of Fingerprint Cards through the use of rap back services. (Sec. 4, 5)
7. Defines *biometric data* and *rap back services*. (Sec. 2, 3)
8. Contains an emergency clause. (Sec. 6)
9. Contains technical and conforming changes. (Sec. 1, 2, 3, 4, 5)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note