



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

House: MAPS DP 14-0-0-0 | 3<sup>rd</sup> Read 58-0-0-2

Senate: MAPS DP 7-0-0-0 | 3<sup>rd</sup> Read 25-4-0-1

Final Pass: 51-6-0-3

## **HB 2243: fingerprinting; criminal history; records checks**

**Sponsor: Representative Nguyen, LD 1**

**Transmitted to the Governor**

### **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 offense; 2) an offense involving domestic violence; 3) a sexual offense; or 4) a DUI offense ([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. Permits agencies to grant temporary work authorizations, for persons with occupations pending approval for federal criminal records checks, while their Fingerprint Card applications are being processed. (Sec. 6)

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

8. Outlines relevant requirements and procedures for granting said temporary work authorizations. (Sec. 6)
9. Repeals the grant of temporary work authorizations upon the FBI approving DPS to conduct federal criminal records checks. (Sec. 7)
10. Defines *biometric data* and *rap back services*. (Sec. 2, 3)
11. Contains an emergency clause. (Sec. 8)
12. Contains technical and conforming changes. (Sec. 1, 2, 3, 4, 5)