

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2551

By: Pope (Clay)

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 1991, Section 150.9, as amended by Section 2, Chapter 259, O.S.L. 1994 (74 O.S. Supp. 1997, Section 150.9), which relates to the criminal history check system; authorizing the Oklahoma State Bureau of Investigation to do a criminal history check on volunteers serving 4-H clubs in this state; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 1991, Section 150.9, as amended by Section 2, Chapter 259, O.S.L. 1994 (74 O.S. Supp. 1997, Section 150.9), is amended to read as follows:

Section 150.9 A. The Oklahoma State Bureau of Investigation shall procure, file and maintain criminal history records for each person subject to the mandatory reporting provisions of this act, including photographs, descriptions, fingerprints, measurements and other pertinent information relating to such persons. It shall be the duty of law enforcement officers and agencies, sheriffs, police, courts, judicial officials, district attorneys, and the persons in

charge of any state correctional facility or institution to furnish criminal history records to the Bureau as required by this act. The Oklahoma State Bureau of Investigation shall cooperate with and assist the sheriffs, chiefs of police and other law enforcement officers of the state by maintaining a complete criminal history record on each person subject to the mandatory reporting requirements of this act, and shall have on file the fingerprint impressions of all such persons together with other pertinent information as may from time to time be received from the law enforcement officers of this and other states or as may be required by law.

B. The Oklahoma Department of Consumer Credit, the Oklahoma State Insurance Commission, the Oklahoma Horse Racing Commission, or any other state agency, board, department or commission or any other person or entity, including but not limited to 4-H organizations working with children in a volunteer capacity, requesting a criminal history record or an analysis of fingerprints for commercial, licensing or other purposes, except law enforcement purposes, shall pay a fee to the Bureau for each criminal history record or fingerprint analysis as follows:

Oklahoma criminal history record only	\$15.00 each
Oklahoma criminal history record with fingerprint analysis	\$35.00 each
National criminal history record with fingerprint analysis	\$41.00 each

Unless a national criminal history record is specifically requested, a fingerprint analysis shall be limited to only those records available at the Oklahoma State Bureau of Investigation. Following receipt of the appropriate fee, the Bureau shall provide, as soon as possible, the criminal history record requested; provided, however, it shall be the duty and responsibility of the requesting authority

to evaluate the criminal history record as such record may apply to a specific purpose or intent.

C. The Oklahoma Bureau of Investigation may maintain an identification file, including fingerprint impressions, on any person under eighteen (18) years of age who is arrested or subject to criminal or juvenile delinquency proceedings, provided all such information shall be confidential and shall only be made available to the Bureau and other law enforcement agencies. Whenever a fingerprint impression or other identification information is submitted to the Bureau on a person under eighteen (18) years of age, the Bureau may retain and file such fingerprint and identification information for identification purposes only. The Bureau shall ensure that the information received and maintained for identification purposes on persons under eighteen (18) years of age shall be handled and processed with great care to keep such information confidential from the general public. The Bureau may receive and maintain the fingerprints and other identification information on any person under eighteen (18) years of age believed to be the subject of a runaway, missing, or abduction investigation, for identification purposes at the request of a parent, guardian or legal custodian of the person.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-8358

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