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Senate BILL NO. 439
Hayden

INTRODUCED BY _____

BY REQUEST OF THE MONTANA BOARD OF CRIME CONTROL

A BILL FOR AN ACT ENTITLED: "AN ACT TO REGULATE THE COLLECTION, STORAGE, AND DISSEMINATION OF CRIMINAL JUSTICE INFORMATION; TO ESTABLISH A STATE REPOSITORY FOR THE INFORMATION; TO PROVIDE FOR PRIVACY OF THE INFORMATION IN CERTAIN CIRCUMSTANCES AND PROCEDURES FOR REQUESTING CERTAIN INFORMATION; TO ESTABLISH A PRIVACY AND SECURITY BOARD AND TO PROVIDE FOR ITS POWERS AND DUTIES; AND TO PROVIDE PENALTIES FOR MISUSE OF CRIMINAL JUSTICE RECORDS; REPEALING SECTION 82-417, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Short title. This act may be cited as the "Montana Criminal Justice Information Act of 1977".

Section 2. Purpose. The purpose of this act is to control and coordinate manual and automated criminal justice information in the state; to ensure the accuracy and completeness of criminal history information; and to establish an effective administrative structure for the protection of individual privacy in criminal justice information recordkeeping.

Section 3. Definitions. As used in this act, the

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following definitions apply:

(1) "Access" means the ability to read, change, copy, use, transfer, or disseminate criminal justice information maintained by criminal justice agencies.

(2) "Administration of criminal justice" means the performance of any of the following activities: detection, apprehension, detention, pretrial release, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders and includes criminal identification activities and the collection, storage, and dissemination of criminal justice information.

(3) "Confidential criminal justice information" means:

- (a) criminal investigative information;
- (b) criminal intelligence information;
- (c) fingerprints and photographs;
- (d) criminal justice information or records made confidential by law or that may be made confidential by law;

and

(e) any other criminal justice information not clearly defined as public criminal justice information.

(4) "Criminal history record information" means information about individuals collected by criminal justice agencies consisting of identifiable descriptions and notations of arrests, detentions, the filing of complaints,

1 indictments or information and dispositions arising
2 therefrom, sentences, correctional status, and release. It
3 does not include mental illness information as defined in
4 subsection (12) or identification information such as
5 fingerprint records or photographs obtained for purposes
6 other than the administration of criminal justice.

7 (5) (a) "Criminal intelligence information" means
8 information associated with an identifiable individual,
9 group, organization, or event compiled by a criminal justice
10 agency:

11 (i) in the course of conducting an investigation
12 relating to a major criminal conspiracy, projecting
13 potential criminal operation, or producing an estimate of
14 future major criminal activities; or

15 (ii) relating to the reliability of information
16 including information derived from reports of informants,
17 investigators, or from any type of surveillance.

18 (b) Criminal intelligence information does not include
19 information relating to political surveillance or to
20 criminal investigative information.

21 (6) "Criminal investigative information" means
22 information associated with an individual, group,
23 organization, or event compiled by a criminal justice agency
24 in the course of conducting an investigation of a crime or
25 crimes. It includes information about a crime or crimes

1 derived from reports of informants or investigators or from
2 any type of surveillance. It does not include criminal
3 intelligence information.

4 (7) "Criminal justice agency" means:

5 (a) any court with criminal jurisdiction;

6 (b) any state or local government agency designated by
7 statute or by a governor's executive order to perform the
8 administration of criminal justice; or

9 (c) any local government agency not authorized under
10 subsection (b) which:

11 (i) performs the administration of criminal justice
12 pursuant to an ordinance or local executive order; and

13 (ii) is certified by the security and privacy board.

14 (8) "Criminal justice information" means information
15 relating to criminal justice collected, processed, or
16 preserved by a criminal justice agency. It does not include
17 the administrative records of a criminal justice agency.

18 (9) "Criminal justice information system" means a
19 system, automated or manual, operated by federal, regional,
20 state, or local governments or governmental organizations.
21 It includes equipment, facilities, procedures, and
22 agreements for collecting, processing, preserving, or
23 disseminating criminal justice information.

24 (10) "Disposition" means information that criminal
25 proceedings against an individual have terminated and that

1 describes the nature of the termination. It includes
 2 information that a charge or charges have been dismissed,
 3 that a law enforcement agency or a prosecutor has elected
 4 not to charge, or that proceedings have been indefinitely
 5 postponed and the reason for the postponement. Particular
 6 dispositions include but are not limited to:

- 7 (a) conviction at trial or on a plea of guilty;
- 8 (b) acquittal;
- 9 (c) acquittal by reason of insanity;
- 10 (d) acquittal by reason of mental incompetence;
- 11 (e) a sentence given including all conditions attached
 12 thereto by the sentencing judge;
- 13 (f) deferred imposition of sentence with any
 14 conditions of deferral;
- 15 (g) nolle prosequi;
- 16 (h) nolo contendere plea;
- 17 (i) deferred prosecution or diversion;
- 18 (j) bond forfeiture;
- 19 (k) deceased;
- 20 (l) dismissal of criminal proceedings by court with or
 21 without commencement of civil action for determination of
 22 mental incompetence or mental illness;
- 23 (m) found civilly incompetent or mentally ill;
- 24 (n) exercise of executive clemency;
- 25 (o) correctional placement on probation, parole, or

1 release; or

2 (p) revocation of probation or parole.

3 (11) "Dissemination" means the communication or
 4 transfer of criminal justice information to individuals or
 5 agencies other than the criminal justice agency which
 6 maintains such information. It includes confirmation of the
 7 existence or nonexistence of criminal justice information.

8 (12) "Mental illness information" means any record
 9 information that a person is seriously mentally ill as
 10 defined in Title 38, chapter 13, or information developed in
 11 the course of an investigation prior to such a
 12 determination, except that it does not include information
 13 required from a peace officer or a county attorney by Title
 14 38, chapter 13, or an acquittal or dismissal based on mental
 15 disease or defect precluding responsibility pursuant to
 16 Title 95.

17 (13) "Public criminal justice information" means all
 18 information, except confidential criminal justice
 19 information:

- 20 (a) made public by law;
- 21 (b) of court records and proceedings;
- 22 (c) of convictions and deferred prosecutions;
- 23 (d) of postconviction proceedings and status;
- 24 (e) originated by a criminal justice agency,
 25 including:

1 (i) initial offense reports;
 2 (ii) initial arrest records;
 3 (iii) bail records; and
 4 (iv) daily jail occupancy rosters;
 5 (f) considered necessary by a criminal justice agency
 6 to secure public assistance in the apprehension of a
 7 suspect; or
 8 (g) of a statistical nature.
 9 (14) "Security and privacy board" means the board
 10 created by [section 23].
 11 (15) "State repository" means the recordkeeping systems
 12 maintained by the department of justice in which criminal
 13 justice information is collected, processed, preserved, and
 14 disseminated.
 15 (16) "Statistical information" means data derived from
 16 records in which individuals are not identified or
 17 identification is deleted and from which neither individual
 18 identity nor any other unique characteristic that could
 19 identify an individual is ascertainable.
 20 Section 4. Relationship to other statutes. Laws
 21 requiring disclosure of public records, writings, or
 22 information are not superseded by this act unless clearly
 23 inconsistent with its specific language. Laws requiring
 24 confidentiality of information contained in records or
 25 writings are not superseded by this act, which shall apply

1 only where information may be disclosed consistent with such
 2 laws.

3 Section 5. Authorization to collect, process, and
 4 preserve criminal justice information. A criminal justice
 5 agency may collect, process, and preserve only that criminal
 6 justice information which is necessary for the performance
 7 of its authorized functions.

8 Section 6. Photographs and fingerprints. (1) The
 9 following agencies may collect, process, and preserve
 10 photographs and fingerprints:

11 (a) any local law enforcement agency performing, under
 12 law, the functions of a police department or a sheriff's
 13 office, or both;

14 (b) the department of institutions; and

15 (c) the department of justice.

16 (2) A local law enforcement agency, as described in
 17 subsection (1) (a) and certified by the security and privacy
 18 board, shall photograph and fingerprint an accused person at
 19 the time of arrest when:

20 (a) the charge is the commission of a felony; or

21 (b) the charge is the commission of any offense if the
 22 identification of an accused is an issue or if required by
 23 court order.

24 (3) A local law enforcement agency, as described in
 25 subsection (1) (a), may photograph and fingerprint an accused

1 at the time of arrest for commission of a misdemeanor,
 2 except that an individual arrested for traffic, regulatory,
 3 or fish and game offenses may not be photographed or
 4 fingerprinted unless incarcerated.

5 (4) A copy of each photograph and fingerprint taken
 6 and of each arrest report shall be sent by the originating
 7 agency to the state repository.

8 (5) Photographs and fingerprints taken in connection
 9 with an arrest shall be returned by the originating agency
 10 and by the state repository to the person arrested:

11 (a) if a court so orders; or

12 (b) upon the request of the person arrested if no
 13 charges were filed or if a misdemeanor charge did not result
 14 in a conviction.

15 Section 7. Records to be maintained. Any criminal
 16 justice agency originating initial offense reports, initial
 17 arrest records, bail records, or daily jail occupancy
 18 rosters shall maintain a chronological or numerical record
 19 of these items in addition to any other records. These
 20 records may not contain any prior criminal history
 21 information and may not be used to access any other criminal
 22 justice information.

23 Section 8. Record preservation. Unless required by
 24 federal law, expunging, purging, or destroying of arrest
 25 record information or criminal justice information is not

1 required based on the length of time such records are held.

2 Section 9. Accuracy — state repository. In order to
 3 ensure complete and accurate criminal history record
 4 information:

5 (1) the department of justice shall maintain a
 6 centralized state repository of criminal history record
 7 information to serve all criminal justice agencies in the
 8 state;

9 (2) a prosecutor having jurisdiction in a criminal
 10 case shall advise the appropriate criminal justice agency
 11 authorized in [section 6] of the results of each formal
 12 proceeding in a criminal action prior to and including
 13 adjudication within 15 days of any final disposition of the
 14 case;

15 (3) criminal justice agencies authorized under
 16 [section 6] shall advise the state repository of all
 17 arrests, proceedings, and dispositions prior to and
 18 including results of adjudication within 30 days after final
 19 disposition of each criminal case;

20 (4) the department of institutions shall advise the
 21 state repository of all dispositions subsequent to
 22 conviction;

23 (5) the state repository shall notify the appropriate
 24 criminal justice agency of any incomplete arrest record in
 25 which there is no information that a disposition has

1 occurred within 6 months;

2 (6) each criminal justice agency shall query the state
3 repository prior to dissemination of any criminal history
4 record information to ensure the timeliness of the
5 information. When no final disposition is shown by the
6 state repository records, the agency shall query the source
7 of the document for current status.

8 (7) each criminal justice agency shall ensure that all
9 its criminal justice information is complete, accurate, and
10 current.

11 Section 10. Dissemination of public criminal justice
12 information. (1) There are no restrictions on the
13 dissemination of public criminal justice information except:

14 (a) when a record or index is compiled by name or
15 universal identifier from a manual or automated system, only
16 information about convictions or deferred prosecutions is
17 available to the public; or

18 (b) whenever the conviction record reflects only
19 misdemeanors or deferred prosecutions or whenever there are
20 no convictions except for traffic, regulatory, or fish and
21 game offenses for a period of 5 years from the date of the
22 last conviction, no record or index may be disseminated
23 pursuant to subsection (1)(a); however, the original
24 documents are available to the public from the originating
25 criminal justice agency.

1 (2) All public criminal justice information is
2 available from the agency which is the source of the
3 original documents and which shall maintain the documents
4 according to applicable law. These documents shall be open,
5 subject to restrictions in this section, during normal
6 business hours of the agency. A reasonable charge may be
7 made by a criminal justice agency for providing a copy of
8 public criminal justice information.

9 Section 11. Dissemination of criminal history record
10 information. Criminal history record information may be
11 disseminated with the consent or at the request of the
12 individual about whom it relates according to procedures
13 specified in [sections 19 and 20].

14 Section 12. Dissemination of confidential criminal
15 justice information. Dissemination of confidential criminal
16 justice information is restricted to criminal justice
17 agencies or to those authorized by law to receive it. Any
18 criminal justice agency accepting confidential criminal
19 justice information assumes equal responsibility for the
20 securing of such information as the originating agency.
21 Whenever confidential criminal justice information is
22 disseminated, it must be so designated.

23 Section 13. Dissemination of research information —
24 agreements. (1) An individual or agency with the express
25 purpose of acquiring statistical information may do so

1 pursuant to an agreement with a criminal justice agency.
 2 The agreement shall contain but need not be limited to the
 3 following provisions:

4 (a) specific authorization for access to specific
 5 information;

6 (b) a limitation on the use of the information for
 7 research, evaluative, or statistical purposes; and

8 (c) assurance of the confidentiality and security of
 9 the information.

10 (2) Proposed agreements and any completed research,
 11 statistical, or evaluative study or product developed from
 12 the use of statistical information is subject to review and
 13 approval by the security and privacy board to ensure
 14 compliance with this law.

15 Section 14. Criminal justice information system
 16 security. Provisions for the recording, preservation,
 17 dissemination, and management of court records and criminal
 18 justice information are made by law and may be supplemented
 19 by supreme court rule. Other criminal justice agencies
 20 shall protect the security of any criminal justice
 21 information system under its control, automated or manual,
 22 by taking reasonable precautions and establishing procedures
 23 to protect the system and data stored in the system from
 24 damage and for the prevention of and recovery from hazards
 25 such as fire, flood, power failure, and entry into secure

1 areas by unauthorized persons.

2 Section 15. Automated equipment security. In an
 3 automated criminal justice information system, information
 4 shall be collected, processed, and preserved on a computer
 5 dedicated solely to criminal justice information or, if this
 6 is impractical, a central computer may be utilized if the
 7 following safeguards are provided:

8 (1) any equipment associated with that system
 9 excluding the main frame is under the direct control of a
 10 criminal justice agency; and

11 (2) safeguards are built into the system to prevent
 12 unauthorized inquiry, modification, or destruction of
 13 criminal justice information.

14 Section 16. Software security. Procedures for each
 15 automated criminal justice information system shall assure
 16 that the information is secured by the following programming
 17 techniques:

18 (1) the assignment of a terminal identification code
 19 to each terminal authorized to access the system;

20 (2) the assignment of a unique identification number
 21 to each authorized terminal operator which number must be
 22 used to gain access to the files;

23 (3) the maintenance of a record of each inquiry to
 24 identify the inquiring agency, the program used to make the
 25 inquiry, the date of the inquiry, and the name of the file

1 being queried;

2 (4) software controls to ensure that each terminal

3 user can obtain only that information which the user is

4 authorized to use;

5 (5) creation and storage of a safe place for duplicate

6 computer files;

7 (6) built-in program controls to ensure that each

8 terminal is limited to the appropriate or authorized

9 information that can be input, modified, or canceled from

10 it;

11 (7) destruction or safeguarding of system

12 documentation and data input forms; and

13 (8) creation of reports to provide for an audit trail

14 and periodic review of file accessed, modifications, and

15 deletions. All criminal justice intelligence information

16 shall be so identified.

17 Section 17. Manual equipment security. In a manual

18 criminal justice information system, information shall be

19 protected as follows:

20 (1) provision of adequate physical security;

21 (2) marking of all criminal justice intelligence

22 information and precautions against unauthorized copying;

23 and

24 (3) establishment of a log of each external inquiry to

25 reflect the identity of the inquirer, the date of inquiry,

1 and the name of the files being queried.

2 Section 18. Personnel security. Each automated and

3 manual criminal justice information system, except those

4 that are or may be maintained by courts of criminal

5 jurisdiction, shall establish the following procedures to

6 ensure that personnel security is achieved and maintained:

7 (1) Applicants for employment or persons presently

8 employed to work with or in a computer center or manual

9 system that processes criminal justice information, except

10 elected officials, are subject to investigation by the

11 employing agency to establish their good moral character,

12 reputation, honesty, and fitness to handle sensitive

13 information. Consent to such an investigation may be a

14 prerequisite to the processing of an employment application.

15 (2) The character and fitness of criminal justice

16 information system personnel to handle sensitive

17 information, including those working with manual criminal

18 justice file systems and terminal operators as well as

19 personnel working with the system at a central computer,

20 shall be reviewed by the employing agency periodically.

21 (3) Each criminal justice agency shall develop and

22 maintain an in-service training program and security manual

23 to ensure that each employee who works with or has access to

24 the criminal justice information system annually reviews and

25 understands the nature and importance of the system's

1 security provisions.

2 (4) The security and privacy board, as provided in
3 [section 25], shall establish sanctions for violation of a
4 system's security provisions and may require enforcement of
5 disciplinary action.

6 Section 19. Inspection or transfer of criminal history
7 records. (1) An individual or his agent may inspect or
8 transfer to any other person any criminal history record
9 information maintained about the individual upon the
10 presentation of satisfactory identification to the criminal
11 justice agency maintaining criminal history record
12 information. Fingerprints may be required for
13 identification. An agent must also submit a notarized
14 authorization from his principal or an authorization order
15 from a district court.

16 (2) If an individual's criminal history records are
17 maintained in the state repository, the records shall be
18 transferred to the local agency for inspection upon proper
19 request of the individual or his agent. A local agency
20 shall honor a verified affidavit accompanying a request by
21 an individual for a transfer of criminal history records on
22 that individual to a criminal justice agency of another
23 state for the purpose of complying with this act.

24 (3) (a) An individual may request inspection or
25 transfer, or both, of criminal history records only during

1 normal working hours.

2 (b) Copies of records may be made by or at the request
3 of a properly identified individual or his authorized agent.
4 If a machine for making copies is not reasonably available,
5 the individual or his agent may make handwritten copies. A
6 charge, not to exceed the cost of labor and materials, may
7 be made by the agency for machine-produced copies. Each
8 copy must be clearly marked to indicate that it is for
9 inspection only.

10 (c) An agency employee should be available to answer
11 questions concerning record content. A record of each
12 request to inspect records under the purposes of this
13 section shall be maintained.

14 Section 20. Challenge and correction. (1) After
15 inspection of a criminal history record or records, an
16 individual may contest the accuracy or completeness, or
17 both, of the information about himself.

18 (2) If the agency maintaining the criminal history
19 record information does not correct it to the individual's
20 satisfaction, the individual may request review and
21 correction by the executive head of the agency.

22 (3) If the requested correction is denied by the head
23 of the agency, the individual may present a challenge to the
24 security and privacy board.

25 (4) If the agency in charge of the record in question

1 can verify the accuracy of its record by communication with
 2 the originating criminal justice agency, it shall do so. If
 3 accuracy or completeness cannot be so verified and if the
 4 agency primarily originating the information containing the
 5 alleged error or omission is in the state, the individual
 6 shall address his challenge to that agency. If information
 7 necessary to verify the accuracy or completeness of the
 8 record cannot be obtained by the originating agency, it may
 9 rely on verified written documents or include the
 10 individual's allegation in its records in dissemination
 11 until there is a final disposition of the challenge.

12 (5) If the challenge is successful, the agency shall:

13 (a) supply to the individual, if requested, a list of
 14 those noncriminal justice agencies which have received
 15 copies of the individual's criminal history records; and

16 (b) immediately correct its records and notify all
 17 criminal justice agencies to which it has given erroneous or
 18 incomplete information of these changes.

19 Section 21. Dissemination of copied or inspected
 20 records. (1) Criminal justice agencies shall maintain a
 21 record of all agencies to which copies of criminal history
 22 records have been disseminated.

23 (2) A criminal justice agency supplying criminal
 24 history record information to an individual upon request is
 25 not responsible for the use or secondary dissemination of

1 copied or inspected information and is not required to
 2 furnish updated information except upon a subsequent request
 3 by the individual.

4 Section 22. Criminal and administrative penalties.

5 (1) Criminal penalties relating to this act are provided in
 6 94-7-209.

7 (2) The security and privacy board may assess an
 8 administrative penalty not to exceed \$200 against a criminal
 9 justice agency for each willful unauthorized disclosure or
 10 willful unauthorized access to criminal justice information
 11 held by a criminal justice agency. Any penalty so assessed
 12 shall be deposited in the state general fund.

13 Section 23. Security and privacy board -- creation --
 14 composition. (1) There is established a security and
 15 privacy board within the department of justice. Members
 16 shall be appointed as provided in 82A-112. The board shall
 17 be attached to the department for administrative purposes
 18 only and may be provided with administrative support
 19 services by the board of crime control.

20 (2) There shall be nine members of the security and
 21 privacy board. At least one appointee shall represent each
 22 of the following areas of interest and expertise: courts,
 23 corrections, law enforcements, local government, and state
 24 government. The remaining appointees shall be chosen to
 25 represent the general public interest, but not all may be

1 legislators.

2 Section 24. Security and privacy board — duties. The
3 security and privacy board shall:

4 (1) study and review questions of individual privacy,
5 system security, and effectiveness of law enforcement in
6 connection with the collection, processing, preserving,
7 dissemination, and usage of criminal justice information;

8 (2) conduct such inquiries and investigations into the
9 operation of existing criminal justice information systems
10 as may be necessary to guarantee full compliance with this
11 act;

12 (3) review and approve or disapprove any proposed
13 agreements for the dissemination or collection of research
14 or statistical information and review and require compliance
15 with the provisions of this law for any completed research,
16 statistical, or evaluative study or product developed from
17 the use of statistical information;

18 (4) select one or more of its members to serve upon
19 any similar board or committee connected with any interstate
20 system for the exchange of criminal justice information; and

21 (5) report annually to the governor, the attorney
22 general, and the presiding officer of each house of the
23 legislature concerning the use of criminal justice
24 information in this state and to include in such report any
25 recommendations for improvement or modifications in the

1 operation of criminal justice information systems.

2 Section 25. Security and privacy board — powers. The
3 security and privacy board may:

4 (1) adopt rules necessary to carry out functions
5 assigned to it by this act, hear and decide contested cases
6 or challenges that may arise pursuant to those functions,
7 and provide appropriate procedures for judicial review of
8 board decisions in keeping with the requirements of the
9 Montana Administrative Procedure Act;

10 (2) conduct initial hearings in connection with
11 allegations of violations of the provisions of the act or of
12 rules adopted pursuant thereto within 10 days of a formal
13 request or petition for a hearing;

14 (3) issue an order to comply with the provisions of
15 this law or with any rules adopted hereunder to a criminal
16 justice agency after proper notification and opportunity for
17 a hearing available to all interested parties and apply for
18 an order from a district court to enforce a compliance order
19 issued by the security and privacy board. A provisional
20 compliance order may be issued by the board in an emergency,
21 but no final order may be made in the absence of full
22 procedural guarantees.

23 (4) assess administrative penalties pursuant to
24 [section 22] and refer allegations of criminal violations of
25 this act to the attorney general for investigation and

1 prosecution as appropriate;

2 (5) inspect all criminal justice information, files,
3 records, and systems of all criminal justice agencies to the
4 extent required to accomplish the assigned duties of the
5 security and privacy board; and

6 (6) certify a local government agency as a criminal
7 justice agency.

8 Section 26. Saving clause. This act does not affect
9 rights and duties that matured, penalties that were
10 incurred, or proceedings that were begun before the
11 effective date of this act.

12 Section 27. Severability. If a part of this act is
13 invalid, all valid parts that are severable from the
14 invalid part remain in effect. If a part of this act is
15 invalid in one or more of its applications, the part remains
16 in effect in all valid applications that are severable from
17 the invalid applications.

18 Section 28. Repealer. Section 82-417, R.C.M. 1947, is
19 repealed.

20

-End-

STATE OF MONTANA

REQUEST NO. 574-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 17, 19 77, there is hereby submitted a Fiscal Note for Senate Bill ~~438~~ 439 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to regulate the collection, storage, and dissemination of criminal justice information; to establish a state repository for the information; to provide for privacy of the information in certain circumstances and procedures for requesting certain information; to establish a privacy and security board and to provide for its powers and duties; and to provide penalties for misuse of criminal justice records; repealing Section 82-417, R.C.M. 1947.

ASSUMPTIONS:

1. This legislation will provide for an automated criminal justice information system.
2. Federal funds will be available to develop this program for four (4) years.
3. After the system is developed, the state will assume the full cost of maintaining it. The annual cost will be approximately \$172,000.
4. An additional 3.50 FTE employees are required.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Personal services	\$ 54,676	\$ 73,446
Operating expenses	139,747	145,567
Equipment	<u>46,764</u>	<u>70,000</u>
Additional cost of proposed legislation	<u>\$241,187</u>	<u>\$289,013</u>
Summary of funding for above costs:		
General Fund	\$ 24,118	\$ 28,901
Federal Funds	<u>217,069</u>	<u>260,112</u>
Total	<u>\$241,187</u>	<u>\$289,013</u>

LONG-RANGE IMPACT:

After four years, when federal funds are no longer available, other revenue totalling approximately \$172,000 per year must be located to maintain the system. At present, it appears that General Fund support will be required.

Richard L. Drangor
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-23-77