

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2877

BY DELEGATES WHITE AND WESTFALL

[Introduced March 9, 2017; referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §15-2C-6 of the Code of West Virginia, 1931, as amended, relating
2 to fees collected to conduct criminal background checks.

Be it enacted by the Legislature of West Virginia:

1 That §15-2C-6 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 2C. CENTRAL ABUSE REGISTRY.

§15-2C-6. Fees.

1 The criminal identification bureau may charge, and any requester shall pay a user charge
2 ~~of \$10~~ as established by the superintendent for each request for information made by a requester
3 to the central abuse registry. In order to expedite requests by requesters, the criminal identification
4 bureau may establish a procedure permitting service providers or qualified entities as defined in
5 section one of this article to deposit funds with the bureau in anticipation of requests. Fees
6 pursuant to this section shall be paid into a special account in the State Treasury to be expended
7 for registry purposes and criminal record keeping: *Provided*, That for and after the fiscal year
8 ending June 30, 1998, all expenditures shall be made in accordance with appropriation by the
9 Legislature. Amounts collected which are found from time to time to exceed the funds needed for
10 Central Abuse Registry and criminal record keeping purposes may be transferred to other
11 accounts or funds and redesignated for other purposes by appropriation of the Legislature. For
12 purposes of this section, the term "criminal record keeping" means the compiling of fingerprints,
13 photographs, criminal disposition reports, uniform crime report statistics and other relevant data
14 regarding the arrest, conviction, incarceration and post-conviction status of criminal violators and
15 sex offenders. "Criminal record keeping" does not include the creation of any data.

NOTE: The purpose of this bill is to allow the superintendent the ability to set the fees for services under the central abuse registry related to background checks.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.