

House Research Act Summary

CHAPTER: 269

SESSION: 2002 Regular Session

TOPIC: Inter-governmental Compact for Sharing Criminal History Data

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Overview

This compact establishes an agreement among states and the federal government to share fingerprint-based criminal history records for the purposes of background checks relating to licensing, employment, and certain other matters. The compact does not expand the scope of the purposes for which criminal history data may be used. The compact only governs background checks conducted in noncriminal matters. The compact establishes a council to adopt rules and procedures relevant to administering the compact. It provides that the commissioner of public safety is in charge of implementing the compact in Minnesota.

Fourteen states have ratified the compact.

Section 1 contains the citation and section 2 contains the basic compact ratification language, broken into the following articles:

Article

- 1 **Definitions.** Provides definitions for terms used in the compact.
- 2 **Purposes.** Lays out the general purposes of the compact with respect to providing a legal framework for a cooperative federal-state system for the sharing of criminal history records for noncriminal justice uses, and the responsibilities that the FBI and the participating states will assume as part of this system.
- 3 **Responsibilities of compact parties.** Outlines the administrative framework for the compact at both the state and federal levels.
- 4 **Authorized record disclosures.** Describes the circumstances, consistent with current federal law, under which the FBI and state criminal history record repositories will provide criminal history records for various purposes.
- 5 **Record request procedures.** Contains the framework for requesting records, such as fingerprint

requirements and fees.

- 6 **Establishment of compact council.** Establishes a compact council with authority to promulgate rules and procedures governing the use of the federal system for noncriminal justice purposes and provides for the organization, membership, and operation of the council.
- 7 **Ratification of compact.** Specifies that the compact will take effect upon being entered into by two or more states.
- 8 **Miscellaneous provisions.** Specifies the relation of the compact to certain FBI activities and other miscellaneous provisions.
- 9 **Renunciation.** Provides that the compact is binding upon states that become a party until it is renounced by the state under specified circumstances.
- 10 **Severability.** If a portion of the compact is held unconstitutional, provides that the remaining provisions remain in effect.
- 11 **Adjudication of disputes.** Specifies the authority of the council, the duties of the FBI, and the right of appeal when disputes arise under the compact.

Section 3 vests the powers and duties related to the compact with the commissioner of public safety.