

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY
HIGHWAY PATROL DIVISION
RECORDS AND IDENTIFICATION SERVICES

MEMORANDUM

January 22, 2003

TO: Mike Jensen
FROM: Daryl Riersgard *DR*
SUBJECT: BDR 14-430 — *AB155*

Thank you for providing us the opportunity to review and comment on the captioned BDR. After careful review by Repository staff, attached you will find one change that needs to be made and another is an opinion that should be taken under consideration. Please review the attached comments and advise if there is a problem. All questions or concerns should be directed to Suzie Carrillo. Her telephone number is 687-1600, extension 226.

1 of 6

ASSEMBLY JUDICIARY
DATE: *2/13/03* ROOM: *3138* EXHIBIT *E*
SUBMITTED BY: *DARYL RIERSGARD*

CHANGES TO NRS 239B.010

Pursuant to an FBI contributor letter dated October 21, 2002, the added language must be included in statute for the submission of fingerprints pursuant to a county or local ordinances. The Repository has always been the sole contributor of fingerprints to the FBI. This letter is requesting that it be included in statute for the submission of fingerprints pursuant to a county or local ordinance.

A copy of the letter is attached for your review and information.

E 2076

239B.010 1. Any agency of the state or any political subdivision may request of and receive from the Federal Bureau of investigation information on the background and personal history of any person.

E 306

[1.] (a) Who has applied to it for a license *as required by a county or local ordinance* in which (it) *a county or local official* has the power to grant or deny:

[2.] (b) With whom it intends to enter into a relationship of employment or a contract for personal services: or

[3.] (c) About whom it has a legitimate need to have accurate personal information for the protection of the agency or the people within its jurisdiction.

2. *To request and receive information from the Federal Bureau of Investigation concerning a person pursuant to subsection 1, the agency or political subdivision shall require the person to submit a complete set of his fingerprints and written permission authorizing the agency or political subdivision to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigations for its report.*

[3.] *The Central Repository for Nevada Records of Criminal History is the State's sole contributor of fingerprints submissions and responses for fingerprint submitted to the Federal Bureau of Investigations pursuant to NRS 239B010.*

E 4086

OPINION ON NRS 645B.450

It is our opinion that by creating (4) would require individuals to submit fingerprint cards. By placing the fingerprint submission requirement after:

.....Such information or supporting materials **may include**, without limitation *a complete set of his fingerprints and written permission authorizing*.....

would still allow discretionary submission to the FBI and not mandatory. It still meets the requirements of the FBI.

F 506

~~(4) Includes a complete set of his fingerprints and written permission authorizing the Division to forward the fingerprints to the Central Repository for Nevada records of Criminal History for submission to the Federal Bureau of Investigations for its report; and~~

(5) (4) Includes any other information or supporting materials required by the regulations adopted by the commissioner. Such information or supporting materials may include, without limitation a complete set of his fingerprints and written permission authorizing the Division to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report, the social security number of the person and other forms of identification of the person.

(b) For each initial registration, pay the actual costs and expense incurred by the Division to investigate the credit history, criminal history and background of the person. All money received

.....
.....
.....

E 6086