

SENATE BILL NO. 2041

Introduced by

Legislative Council

(Information Technology Committee)

1 A BILL for an Act to amend and reenact section 54-59-21 of the North Dakota Century Code,
2 relating to the criminal justice information sharing board.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-59-21 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-59-21. Criminal justice information sharing board - Membership - Duties and**
7 **powers - Director - Exempt records.**

- 8 1. The criminal justice information sharing board consists of ~~the~~:
- 9 a. The chief justice of the supreme court or the chief justice's designee,~~the~~
 - 10 b. The attorney general or the attorney general's designee,~~and the~~
 - 11 c. The chief information officer of the state.
 - 12 d. The director of the department of emergency services division of state radio or
13 the director's designee.
 - 14 e. The director of the department of corrections and rehabilitation or the
15 director's designee.
 - 16 f. The superintendent of the state highway patrol or the superintendent's
17 designee.
 - 18 g. The chief of the bureau of criminal investigation.
 - 19 h. The director of the department of transportation or the director's designee.
 - 20 i. A representative of a city police department, appointed by the governor from a
21 list of two or more nominees from the North Dakota chiefs of police
22 association.

- 1 j. A representative of a county sheriff's office, appointed by the governor from a
2 list of two or more nominees from the North Dakota sheriffs and deputies
3 association.
- 4 k. A state's attorney, appointed by the governor from a list of two or more
5 nominees from the North Dakota state's attorneys association.
- 6 l. One at-large member appointed by the governor.
- 7 2. The chief information officer is chairman of the board. Board members who are
8 not permanent full-time state employees are entitled to compensation of
9 seventy-five dollars per day and mileage and expenses as provided by law for
10 state employees to be paid by the information technology department. A state
11 employee who is a board member must receive that employee's regular salary and
12 is entitled to mileage and expenses, to be paid by the employing agency. Board
13 members who are appointed by the governor under this section serve for a term of
14 three years.
- 15 ~~2.~~ 3. The information technology department, at the direction of the board, shall maintain
16 a criminal justice data information sharing system to facilitate the exchange of
17 criminal justice information among judicial, law enforcement, and emergency
18 personnel. Only a criminal justice agency, as defined in section 12-60-16.1, and
19 any other person designated by the board may access the system. The system
20 only may be accessed for the purposes set forth by the board. Any law
21 enforcement record in the possession of the department is an exempt record.
- 22 ~~3.~~ 4. The board may appoint and employ a director who serves at the pleasure of and
23 under the direct supervision of the board. The information technology department
24 shall provide staff and other necessary support to the board. The board or director
25 may acquire support staff and employ personnel who are under the direct
26 supervision of the director and the board.
- 27 ~~4.~~ 5. The board shall set policy and adopt rules relating to the access to and the
28 collection, storage, and sharing of criminal justice information and the systems
29 necessary to perform those functions. The board shall provide operational
30 oversight for criminal justice information sharing activities and shall approve and
31 provide oversight of criminal justice information sharing budgets. The board may

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- 1 ~~appoint an executive committee and an advisory committee that would serve in an~~
2 ~~advisory capacity to the board~~ such committees as it deems necessary.
- 3 5. 6. The director may contract with the bureau of criminal investigation for the
4 processing of federal fingerprint identification.