
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2168 Session of
1995

INTRODUCED BY CURRY, CORRIGAN, STURLA, LEDERER, WAUGH, WOGAN,
WALKO, RUBLEY, TRELLO, SATHER, BELARDI, KAISER, LEVDANSKY,
MERRY, JAROLIN, VAN HORNE, RUDY, ITKIN, TIGUE, DeLUCA,
McCALL, OLASZ, HALUSKA, MANDERINO, BELFANTI, SHANER,
TANGRETTI, DALEY, GORDNER, ROONEY, BROWNE, STEELMAN AND
PETRARCA, OCTOBER 30, 1995

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 30, 1995

AN ACT

1 Establishing a Statewide fingerprinting network for law
2 enforcement; conferring powers and duties on the Pennsylvania
3 Commission on Crime and Delinquency and the Pennsylvania
4 State Police; and making an appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Law
9 Enforcement Fingerprint Network Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Automated systems." As defined in 18 Pa.C.S. § 9102
15 (relating to definitions).

16 "Central repository." As defined in 18 Pa.C.S. § 9102
17 (relating to definitions).

1 "Commission." The Pennsylvania Commission on Crime and
2 Delinquency.

3 "Fund." The Law Enforcement Fingerprint Network Fund
4 established in section 5.

5 "Network." The Law Enforcement Fingerprint Network
6 established in sections 6 and 7.

7 "Network equipment." Equipment necessary for the operation
8 of the network. The term includes fingerprint machinery.

9 "Network participant." A selected participant or a voluntary
10 participant.

11 "Selected participant." A law enforcement agency selected
12 under section 6(a) to participate in the network.

13 "Voluntary participant." A local law enforcement agency
14 which elects under section 6(c) to participate in the network.

15 Section 3. Commission.

16 The commission has the following powers and duties:

17 (1) To administer this act.

18 (2) To consult with the Pennsylvania State Police and
19 local law enforcement agencies to develop a Statewide
20 strategy to select, on a competitive basis, selected
21 participants. The selection process shall consider all of the
22 following:

23 (i) Geographical location and distribution to
24 facilitate key placement of equipment on a regional and
25 Statewide basis.

26 (ii) Ability and willingness of law enforcement
27 agencies to share network equipment.

28 (iii) Volume of fingerprinting activity.

29 (iv) Volume of crime and arrest.

30 (v) Utilization of multijurisdictional agencies and

1 regional consortiums for processing criminal information.

2 (3) To promulgate regulations to implement this act.

3 (4) To administer the fund under section 5(d).

4 (5) To submit an annual report on the network
5 participation under section 6 and on the status of the fund
6 to all of the following:

7 (i) The Secretary of the Senate and the chairman and
8 minority chairman of the Appropriations Committee, the
9 Judiciary Committee and the Law and Justice Committee of
10 the Senate.

11 (ii) The Chief Clerk of the House of Representatives
12 and the chairman and minority chairman of the
13 Appropriations Committee and the Judiciary Committee of
14 the House of Representatives.

15 Section 4. Pennsylvania State Police.

16 The Pennsylvania State Police have the following powers and
17 duties:

18 (1) To establish, in cooperation with the commission,
19 the network.

20 (2) To maintain and operate the network.

21 (3) To submit an annual report on network operation
22 under section 7 to all of the following:

23 (i) The Secretary of the Senate and the chairman and
24 the minority chairman of the Appropriations Committee,
25 the Judiciary Committee and the Law and Justice Committee
26 of the Senate.

27 (ii) The Chief Clerk of the House of Representatives
28 and the chairman and minority chairman of the
29 Appropriations Committee and the Judiciary Committee of
30 the House of Representatives.

1 Section 5. Fund.

2 (a) Establishment.--The Law Enforcement Fingerprint Network
3 Fund is established as a separate fund in the State Treasury.

4 (b) Purpose.--The fund has the following purposes:

5 (1) To pay for installation of network equipment for the
6 Pennsylvania State Police and for selected participants.

7 (2) To pay for the purchase, including replacement, and
8 installation of network equipment.

9 (3) To administer this act.

10 (c) Source.--The following are the sources of the fund:

11 (1) Appropriations.

12 (2) Sale of network equipment.

13 (3) Available Federal funds.

14 (4) Donations.

15 (d) Administration.--The commission shall administer the
16 fund.

17 Section 6. Network participation.

18 (a) Selected participants.--In accordance with the selection
19 process established under section 3(3), the commission shall
20 select law enforcement agencies to participate in the network.

21 (b) Contract.--A selected participant must sign a contract
22 with the commission containing the following terms:

23 (1) For the transfer of network equipment from the
24 commission to the selected participant at no cost to the
25 selected participant.

26 (2) For the installation of network equipment without
27 cost to the selected participant.

28 (3) For maintenance of network equipment by the selected
29 participant.

30 (4) For periodic telecommunications costs to be paid by

1 the selected participant.

2 (5) For access to the network. This paragraph includes
3 provisions for the selected participant to make network
4 equipment available to other law enforcement agencies on a
5 24-hour basis.

6 (6) For termination of the contract upon any of the
7 following:

8 (i) Agreement by the selected participant, the
9 commission and the Pennsylvania State Police.

10 (ii) The expiration of three years. This
11 subparagraph is subject to extensions by agreement of the
12 commission and the selected participant.

13 (c) Voluntary participants.--A local law enforcement agency
14 which is not a selected participant may elect to become a
15 network participant by purchasing and maintaining its own
16 network equipment and notifying the commission of its election.

17 Section 7. Network operation.

18 (a) General rule.--The network shall connect network
19 participants to the Pennsylvania State Police for the purpose of
20 transmitting on-line fingerprint information.

21 (b) Time periods.--The Pennsylvania State Police shall
22 operate the network on a continuous basis, 24 hours per day,
23 seven days per week, subject to reasonable maintenance needs.

24 (c) Matching.--The Pennsylvania State Police shall, as
25 quickly as the technology allows, do all of the following:

26 (1) Compare fingerprint information sent by a network
27 participant against fingerprint information in the automated
28 systems and central repository.

29 (2) Notify the network participant of the results of the
30 comparison.

1 Section 8. Appropriation.

2 The sum of \$2,000,000 is hereby appropriated to the
3 Pennsylvania Commission on Crime and Delinquency for the fiscal
4 year July 1, 1995, to June 30, 1996, for deposit into the Law
5 Enforcement Fingerprint Network Fund.

6 Section 9. Effective date.

7 This act shall take effect in 60 days.