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HOUSE BILL NO. 2340

Offered January 10, 2001

Prefiled January 10, 2001

A BILL to amend and reenact §§ 2.1-384 and 19.2-387 of the Code of Virginia and to repeal Chapter 10 (§§ 16.1-222 through 16.1-225) of Title 16.1 of the Code of Virginia, eliminating the Virginia Juvenile Justice Information System.

Patron—Blevins

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**That §§ 2.1-384 and 19.2-387 of the Code of Virginia are amended and reenacted as follows:**

§ 2.1-384. Systems to which chapter inapplicable.

The provisions of this chapter shall not be applicable to personal information systems:

1. Maintained by any court of this Commonwealth;

2. ~~Which~~ That may exist in publications of general circulation;

3. Contained in the Criminal Justice Information System as defined in §§ 9-184 through 9-196;

4. ~~Contained in the Virginia Juvenile Justice Information System as defined in §§ 16.1-222 through 16.1-225;~~

5. Maintained by agencies concerning persons required to be licensed by law in this Commonwealth to engage in the practice of any professional occupation, in which case the names and addresses of persons applying for or possessing any such license may be disseminated upon written request to a person engaged in the profession or business of offering professional educational materials or courses for the sole purpose of providing such licensees or applicants for licenses with informational materials relating solely to available professional educational materials or courses, provided such disseminating agency is reasonably assured that the use of such information will be so limited;

6. Maintained by the Parole Board, the Crime Commission, the Judicial Inquiry and Review Commission and the Department of Alcoholic Beverage Control;

7. Maintained by the Department of State Police; police departments of cities, counties, and towns; and the campus police departments of public institutions of higher education as established by Chapter 17 (§ 23-232 et seq.) of Title 23, and which deal with investigations and intelligence gathering relating to criminal activity; and maintained by local departments of social services regarding alleged cases of child abuse or neglect while such cases are also subject to an ongoing criminal prosecution;

8. Maintained by the Virginia Port Authority as provided in § 62.1-134.1 or § 62.1-132.4;

9. Maintained by the Virginia Economic Development Partnership in connection with or as a result of the promotion of travel or tourism in the Commonwealth, in which case names and addresses of persons requesting information on those subjects may be disseminated upon written request to a person engaged in the business of providing travel services or distributing travel information, provided the Virginia Economic Development Partnership is reasonably assured that the use of such information will be so limited;

10. Maintained by the Division of Consolidated Laboratory Services of the Department of General Services and the Division of Forensic Science of the Department of Criminal Justice Services, which deal with scientific investigations relating to criminal activity or suspected criminal activity, except to the extent that § 9-196.11 may be applicable;

11. Maintained by the Department of Corrections which deal with investigations and intelligence gathering by persons acting under the provisions of § 53.1-16; and

12. Maintained by the Department of the State Internal Auditor or internal audit departments of state agencies or institutions which deal with communications and investigations relating to the State Employee Fraud, Waste and Abuse Hotline.

§ 19.2-387. Exchange to operate as a division of Department of State Police; authority of Superintendent of State Police.

A. The Central Criminal Records Exchange shall operate as a separate division within the Department of State Police and shall be the sole criminal record-keeping agency of the Commonwealth, except for (i) the Department of Corrections pursuant to Chapter 10 (§ 16.1-222 et seq.) of Title 16.1, (ii) the Department of Motor Vehicles, (iii) for purposes of the DNA data bank, the Bureau of Forensic Science, and (iv) for the purpose of making parole determinations pursuant to subdivisions 1, 2, 3 and 5 of § 53.1-136, the Virginia Parole Board.

B. The Superintendent of State Police is hereby authorized to employ such personnel, establish such

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HB2340

59 offices, and acquire such equipment as shall be necessary to carry out the purposes of this chapter and is
60 also authorized to enter into agreements with other state agencies for services to be performed for it by
61 employees of such other agencies.
62 **2. That Chapter 10 (§§ 16.1-222 through 16.1-225) of Title 16.1 of the Code of Virginia is repealed.**
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