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SENATE BILL NO. 1195

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 4, 2001)

(Patron Prior to Substitute—Senator Forbes)

A BILL to amend and reenact §§ 16.1-223 and 19.2-387 of the Code of Virginia, relating to juvenile court records.

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-223 and 19.2-387 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-223. Receipt, etc., of data; forms for reports; confidentiality.

A. The Virginia Juvenile Justice Information System shall receive, classify and file data ~~required to~~ be reported to it ~~by~~ pursuant to § 16.1-224. The Director is authorized to prepare and furnish to all court service personnel automated data processing equipment, which shall be used for making the data submissions.

B. Data stored in the Virginia Juvenile Justice Information System shall be confidential, *and information from such data that may be used to identify a juvenile may be released only in accordance with §16.1-300. The information from such data which may be used to identify a juvenile shall be released only to the judge, prosecuting attorney and probation officers assigned to serve a court having the child currently before it in any proceeding in accordance with standards adopted by the Department of Juvenile Justice.*

The data submissions may be made available to the Central Criminal Records Exchange or any other automated data processing system, unless the data is identifiable with a particular juvenile. The ~~Department~~ State Board of Juvenile Justice shall promulgate regulations governing the security and confidentiality of the data submission.

§ 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~~ Juvenile Justice 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 offices, and acquire such equipment as shall be necessary to carry out the purposes of this chapter and is also authorized to enter into agreements with other state agencies for services to be performed for it by employees of such other agencies.

SENATE SUBSTITUTE

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