

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3818

02/26/2020

Authored by Lesch

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division

1.1 A bill for an act

1.2 relating to crime; enacting the Uniform Criminal Records Accuracy Act proposed

1.3 for adoption by the National Conference of Commissioners on Uniform State

1.4 Laws; proposing coding for new law as Minnesota Statutes, chapter 609C.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 ARTICLE 1

1.7 GENERAL PROVISIONS

1.8 Section 1. [609C.01] SHORT TITLE.

1.9 Sections 609C.01 to 609C.72 may be cited as the "Uniform Criminal Records Accuracy

1.10 Act."

1.11 Sec. 2. [609C.02] DEFINITIONS.

1.12 (a) For the purposes of sections 609C.01 to 609C.72, the terms defined in this section

1.13 have the meanings given.

1.14 (b) "Accurate criminal history record information" means criminal history record

1.15 information that correctly reflects all reportable events relating to a subject.

1.16 (c) "Administration of criminal justice" means detection, apprehension, detention, pretrial

1.17 release, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation

1.18 of a subject. The term includes criminal identification activities and collection, storage,

1.19 maintenance, submission, and dissemination of criminal history record information.

(d) "Biometric information" means fingerprints and other unique biological or physical characteristics of an individual which a contributing justice agency is required or permitted by law other than sections 609C.01 to 609C.72.

(e) "Central repository" means the Bureau of Criminal Apprehension.

(f) "Contributing justice agency" means a court, political subdivision or agent of a political subdivision, governing entity of the state, or any governmental agency designated by the [responsible agency or individual], which is authorized to engage in the administration of criminal justice. The term does not include the central repository.

(g) "criminal history record information" means information, consisting of a description of a subject and notation of a reportable event, collected, received, stored, maintained, submitted, or disseminated by a contributing justice agency or the central repository. The term includes biometric information. The term does not include noncriminal history record information.

(h) "Dissemination" or "disseminate" means oral, written, or electronic transmission, or other disclosure of criminal history record information to a person other than the central repository.

(i) "Noncriminal history record information" means information collected:

(1) as a result of an inquiry about an activity, habit, practice, possession, association, or financial status of an individual; and

(2) to anticipate, prevent, monitor, or investigate criminal activity.

(j) "Person" means an individual, estate, business, nonprofit entity, public corporation, government or governmental subdivision, agency, instrumentality, or other legal entity.

(k) "Reportable event" means any of the following relating to a felony or misdemeanor, other than a petty misdemeanor, traffic violation, or offense under chapters 260B and 260C:

(1) arrest resulting in a booking into a detention facility or collection of biometric information;

(2) disposition after an arrest described in clause (1) without initiation of a criminal proceeding;

(3) initiation of a criminal proceeding;

(4) disposition of a criminal proceeding, including diversion, dismissal, indefinite postponement, acquittal, guilty plea, conviction, sentencing, and modification, reversal, and revocation of the disposition;

(5) commitment to or release from a place of detention or custodial supervision;

(6) commencement or conclusion of noncustodial supervision;

(7) completion of a sentence;

(8) expungement, sealing, or setting aside of criminal history record information;

(9) grant of clemency, including pardon or commutation, or restoration of rights; and

(10) finding of [legal incapacity] by a court at any stage of a criminal proceeding.

(l) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes a federally recognized Indian tribe.

(m) "Subject" means an individual about whom criminal history record information is collected, stored, maintained, submitted, or disseminated as required or permitted by sections 609C.01 to 609C.72, or law other than sections 609C.01 to 609C.72.

Sec. 3. [609C.03] PUBLIC RECORDS.

Except as otherwise provided by law other than sections 609C.01 to 609C.72 or court rule or order the court docket, court file, and information contained in a docket or file are public records.

Sec. 4. [609C.04] DISSEMINATION LOG.

(a) A dissemination log required by section 609C.14 or 609C.23 must include each criminal history record information request and dissemination to a person identifiable by the contributing justice agency or central repository.

(b) A dissemination log required by section 609C.14 or 609C.23 must be separate from noncriminal history record information and criminal history record information. The log must include at least:

(1) the name of the subject about whom criminal history record information is requested;

(2) the name of the person making the request and its associated address;

(3) the name of the individual making the dissemination;

(4) the date of the request;

(5) the date of the dissemination; and

4.1 (6) a statement whether the information was disseminated for a purpose other than the
4.2 administration of criminal justice.

4.3 (c) A dissemination log required by section 609C.14 or 609C.23 is available to the public
4.4 only as provided by law other than sections 609C.01 to 609C.72.

4.5 (d) An entry in a dissemination log required by section 609C.14 or 609C.23 must be
4.6 maintained as long as the associated criminal history record information is maintained.

4.7 **Sec. 5. [609C.05] ESTABLISHMENT OF PROCEDURES.**

4.8 The rulemaking requirements of chapter 14 do not apply to establishment of procedures
4.9 under sections 609C.01 to 609C.72.

4.10 **ARTICLE 2**

4.11 **CONTRIBUTING JUSTICE AGENCY**

4.12 **Section 1. [609C.10] COLLECTION AND SUBMISSION OF INFORMATION TO**
4.13 **CENTRAL REPOSITORY.**

4.14 A contributing justice agency that has custody of, or control, authority, or jurisdiction
4.15 over, an individual for a reportable event shall collect, store, and maintain criminal history
4.16 record information on the event. Not later than five days after the agency collects the
4.17 information, the agency shall submit the information to the central repository in compliance
4.18 with procedures established by the central repository.

4.19 **Sec. 2. [609C.11] COLLECTION AND SUBMISSION OF BIOMETRIC**
4.20 **INFORMATION.**

4.21 (a) A contributing justice agency that has custody of, or control, authority, or jurisdiction
4.22 over, an individual as a result of the individual's involvement in a reportable event shall
4.23 determine whether biometric information about the individual has been collected and
4.24 submitted to the central repository for the event. If the contributing justice agency is a court,
4.25 the contributing justice agency representing this state before the court shall make the
4.26 determination and report the results of its determination to the court.

4.27 (b) If a contributing justice agency determines under paragraph (a) that biometric
4.28 information has not been collected and submitted to the central repository, the agency, using
4.29 any procedure available to it under law other than sections 609C.01 to 609C.72, shall collect
4.30 the missing biometric information. Not later than five days after collection, the agency shall

5.1 submit the information to the central repository in compliance with procedures established
5.2 by the central repository.

5.3 **Sec. 3. [609C.12] ACCURACY AND CORRECTION OF INFORMATION.**

5.4 (a) A contributing justice agency shall collect, store, maintain, submit, and disseminate
5.5 accurate criminal history record information in compliance with procedures established by
5.6 the central repository.

5.7 (b) Not later than 14 days after a contributing justice agency discovers that it possesses
5.8 inaccurate criminal history record information, the agency shall:

5.9 (1) correct its records;

5.10 (2) notify the central repository of the inaccuracy and correction; and

5.11 (3) if another contributing justice agency received the information under section 609C.13,
5.12 paragraph (b), within one year before the discovery, notify the agency of the inaccuracy
5.13 and correction.

5.14 **Sec. 4. [609C.13] DISSEMINATION OF criminal history record INFORMATION.**

5.15 (a) A contributing justice agency may disseminate criminal history record information
5.16 only as required or permitted by sections 609C.01 to 609C.72 or by other law.

5.17 (b) A contributing justice agency may disseminate criminal history record information
5.18 to another contributing justice agency on request of the other agency in connection with the
5.19 duties of the requesting agency.

5.20 **Sec. 5. [609C.14] DISSEMINATION LOG OF CONTRIBUTING JUSTICE**
5.21 **AGENCY.**

5.22 A contributing justice agency shall create, store, and maintain a dissemination log
5.23 complying with section 609C.04. Not later than 14 days after the agency disseminates
5.24 criminal history record information, the agency shall enter the information required by
5.25 section 609C.04 in the dissemination log.

ARTICLE 3**CENTRAL REPOSITORY****Section 1. [609C.20] DUTY OF CENTRAL REPOSITORY.**

(a) The central repository shall receive, store, maintain, and disseminate criminal history record information reported to the central repository under sections 609C.01 to 609C.72.

(b) The central repository may disseminate criminal history record information only as required or permitted by sections 609C.01 to 609C.72 or law other than sections 609C.01 to 609C.72.

(c) The central repository shall receive, store, maintain, and disseminate accurate criminal history record information in compliance with procedures established by the Bureau of Criminal Apprehension under section 609C.61.

(d) The central repository shall establish procedures to resolve data conflicts and discover missing data for accurate criminal history record information.

Sec. 2. [609C.21] DISSEMINATION OF INFORMATION TO SUBJECT.

(a) Not later than 14 days after the central repository receives a request from a subject for the subject's criminal history record information, the central repository shall search its records and:

(1) if the search discloses criminal history record information about the subject, disseminate the information to the subject; or

(2) if the search does not disclose criminal history record information about the subject, notify the subject of the fact.

(b) Criminal history record information disseminated under this section must include a conspicuous notice that it is provided for review by the subject and may not be relied on or considered current for use by another person.

Sec. 3. [609C.22] DISSEMINATION OF INFORMATION TO PERSON AUTHORIZED BY SUBJECT.

(a) A subject may authorize another person to receive the subject's criminal history record information from the central repository.

(b) Before the central repository disseminates criminal history record information under paragraph (a), the central repository shall determine whether the information contains:

7.1 (1) a disposition after an arrest without initiation of a criminal proceeding; or
7.2 (2) a disposition of a criminal proceeding, including diversion, dismissal, indefinite
7.3 postponement, acquittal, guilty plea, conviction, and sentencing, and modification, reversal,
7.4 and revocation of the disposition, for every arrest or initiation of a criminal proceeding.

7.5 (c) If the central repository determines under paragraph (b) that the information does
7.6 not contain a disposition, the central repository shall attempt to determine the disposition
7.7 and, if the central repository determines the disposition, include that disposition in:

7.8 (1) the relevant records maintained by the central repository; and

7.9 (2) the information to be disseminated.

7.10 (d) After complying with paragraph (c), and before the central repository disseminates
7.11 information under this section, the central repository shall remove from the information to
7.12 be disseminated any notation of an arrest or initiation of criminal proceedings if:

7.13 (1) 18 months have elapsed since the later of the date of the arrest or initiation of criminal
7.14 proceedings;

7.15 (2) a disposition has not been identified with respect to the arrest;

7.16 (3) a warrant is not outstanding with respect to the arrest; and

7.17 (4) a proceeding is not pending with respect to the arrest which may result in a conviction.

7.18 (e) Paragraph (d) does not apply if law other than sections 609C.01 to 609C.72 requires
7.19 that the person receive all criminal history record information about the subject.

7.20 (f) Not later than five days after the central repository disseminates information under
7.21 this section, the central repository shall send the same information to the subject, based on
7.22 the contact information provided by the person requesting the information.

7.23 **Sec. 4. [609C.23] DISSEMINATION LOG OF CENTRAL REPOSITORY.**

7.24 The central repository shall create, store, and maintain a dissemination log complying
7.25 with section 609C.04. Not later than 14 days after the central repository disseminates criminal
7.26 history record information, the central repository shall enter the information required by
7.27 section 609C.04 in the dissemination log.

8.1 Sec. 5. **[609C.24] CORRECTION OF INACCURATE INFORMATION.**

8.2 Not later than 14 days after the central repository determines that it possesses inaccurate
8.3 criminal history record information, the central repository shall follow the procedures in
8.4 section 609C.32, clauses (1) to (4).

8.5 Sec. 6. **[609C.25] ESTABLISHMENT OF PROCEDURES.**

8.6 The central repository shall establish procedures:

8.7 (1) necessary to carry out its powers and duties under sections 609C.01 to 609C.72;

8.8 (2) for the manner and form in which a contributing justice agency collects, stores,
8.9 maintains, submits, and disseminates criminal history record information, including biometric
8.10 information;

8.11 (3) to ensure that all criminal history record information for the same subject is linked;
8.12 and

8.13 (4) for reporting, exchanging, and seeking correction of criminal history record
8.14 information under sections 609C.01 to 609C.72, including forms.

8.15 Sec. 7. **[609C.26] DISSEMINATION OF INFORMATION FOR STATISTICAL OR**
8.16 **RESEARCH PURPOSES.**

8.17 Consistent with the laws of this state other than sections 609C.01 to 609C.72 and the
8.18 United States, the central repository may:

8.19 (1) subject to clause (2), disseminate criminal history record information, including
8.20 personally identifiable information, for a statistical or research purpose; and

8.21 (2) limit the use and subsequent dissemination of information disseminated under this
8.22 section and the procedures established by the central repository.

8.23 Sec. 8. **[609C.27] PUBLIC INFORMATION.**

8.24 (a) The central repository shall inform the public of the existence and accessibility of
8.25 criminal history record information collected, stored, maintained, and disseminated by
8.26 contributing justice agencies and the central repository.

8.27 (b) The central repository shall inform the public, at least annually, concerning the:

8.28 (1) extent and general nature of criminal history record information collected, stored,
8.29 maintained, and disseminated in this state;

(2) number of corrections to criminal history record information made by the central repository;

(3) results of audits under section 609C.51 and the status of any correction of deficiencies identified; and

(4) requirements and forms for a subject to access, review, and seek correction of criminal history record information received, stored, or maintained by the central repository, including the right to appeal an adverse determination.

Sec. 9. [609C.28] TRAINING.

(a) The central repository regularly shall provide training to contributing justice agencies concerning submitting information on a reportable event and the importance of the information to subjects, the public, and the criminal justice system.

(b) The central repository periodically shall identify and provide remedial training to any contributing justice agency that does not meet the requirements of sections 609C.01 to 609C.72.

ARTICLE 4

CORRECTION OF CRIMINAL HISTORY RECORD INFORMATION

Section 1. [609C.30] REQUEST TO CORRECT.

A subject may seek correction of criminal history record information by sending the contributing justice agency storing the information or the central repository a request for correction, specifying the information alleged to be inaccurate and providing the allegedly correct information. A contributing justice agency that receives the request shall inform the subject that only the central repository can act on the subject's request and that the contributing justice agency will forward the request to the central repository. Not later than five days after receiving the request, the contributing justice agency shall forward to the central repository the request and any criminal history record information relating to the subject.

Sec. 2. [609C.31] REVIEW OF REQUEST.

(a) Not later than 40 days after receipt of a request under section 609C.30, the central repository shall review and approve or deny the request. The director of the central repository may extend the time to review and act on the request for up to 21 days if the director certifies

10.1 that there is good cause for an extension and notifies the subject. The extension may not be
10.2 renewed unless the subject agrees.

10.3 (b) If the central repository does not act within the period provided in paragraph (a), the
10.4 request is deemed denied.

10.5 (c) Chapter 14 governs review of action or nonaction by the central repository concerning
10.6 a request under section 609C.30. Notwithstanding chapter 14, if the request is deemed
10.7 denied under paragraph (b), the central repository has the burden of proof in a subsequent
10.8 review.

10.9 **Sec. 3. [609C.32] CORRECTION OF RECORD.**

10.10 If the central repository approves a request under section 609C.30, not later than 14 days
10.11 after the decision under section 609C.31 becomes final and not subject to appeal, the central
10.12 repository shall:

10.13 (1) correct its records;

10.14 (2) disseminate notice of the inaccuracy and correction to the subject and each person
10.15 to whom the central repository disseminated inaccurate information for a purpose of
10.16 administration of criminal justice within one year before the date of approval of the
10.17 correction;

10.18 (3) notify the contributing justice agency that provided the inaccurate information of
10.19 the inaccuracy and correction; and

10.20 (4) on request of the subject:

10.21 (i) disseminate notice of the inaccuracy and correction to each person the subject identifies
10.22 as having received the inaccurate information under section 609C.22; and

10.23 (ii) provide the subject at no cost one certified copy of the accurate information.

10.24 **ARTICLE 5**

10.25 **MISTAKEN IDENTITY PREVENTION REGISTRY**

10.26 **Section 1. [609C.40] CREATION AND MAINTENANCE OF REGISTRY.**

10.27 The central repository shall create and maintain a mistaken identity prevention registry:

10.28 (1) consisting of information voluntarily provided by:

10.29 (i) a victim of mistaken identity; or

11.1 (ii) an individual whose name or other identifying characteristic is similar to that of
11.2 another individual who is the subject of criminal history record information; and

11.3 (2) designed to prevent:

11.4 (i) creation of inaccurate criminal history record information;

11.5 (ii) inaccurate modification of criminal history record information;

11.6 (iii) mistaken arrest; and

11.7 (iv) confusion of an individual with another individual when criminal history record
11.8 information is searched.

11.9 **Sec. 2. [609C.41] REQUIREMENTS FOR REGISTRY.**

11.10 (a) The central repository shall establish procedures for entry of information concerning
11.11 an individual in the mistaken identity prevention registry. The procedures must require:

11.12 (1) submission by the individual of a request to be entered in the registry; and

11.13 (2) collection of biometric information from the individual.

11.14 (b) Using the procedures under paragraph (a), the central repository shall determine
11.15 whether the individual has a name or other identifying characteristic similar to that of another
11.16 individual who is the subject of criminal history record information. If the central repository
11.17 determines the individual does have such a name or characteristic, the central repository
11.18 shall enter the information concerning the individual in the mistaken identity protection
11.19 registry. If the central repository determines the individual does not have such a name or
11.20 characteristic, the individual may seek relief under sections 14.57 to 14.68.

11.21 **Sec. 3. [609C.42] CERTIFICATION.**

11.22 Not later than 14 days after entering information concerning an individual in the mistaken
11.23 identity prevention registry under section 609C.41, the central repository shall provide the
11.24 individual a certification that the individual is not a specified individual with a similar name
11.25 or identifying characteristic who is the subject of criminal history record information. The
11.26 certification is prima facie evidence of the facts certified. A person may rely on the accuracy
11.27 of the information in the certification.

11.28 **Sec. 4. [609C.43] DISSEMINATION OF REGISTRY INFORMATION.**

11.29 (a) The central repository may not use or disseminate information from the mistaken
11.30 identity prevention registry except as provided in sections 609C.41 to 609C.46.

12.1 (b) The central repository shall disseminate information from the mistaken identity
12.2 prevention registry to a contributing justice agency if the central repository has reason to
12.3 believe that identifying information on a reportable event may be inaccurate or incorrectly
12.4 associated with an individual.

12.5 (c) The central repository may disseminate information from the mistaken identity
12.6 prevention registry to a national mistaken identity prevention registry if the national registry
12.7 is created and maintained by a federal law enforcement agency with a purpose and protections
12.8 similar to the registry created in sections 609C.40 to 609C.46.

12.9 **Sec. 5. [609C.44] VERIFICATION OF IDENTITY.**

12.10 If a contributing justice agency seeks to establish the identity of an individual and the
12.11 individual presents a certification issued under section 609C.42, the agency shall accept the
12.12 certification of the individual's identity unless the agency has a reasonable basis to doubt
12.13 the individual's identity or the authenticity of the certification, in which case the agency
12.14 shall contact the central repository to verify the authenticity of the certification, using
12.15 procedures established by the central repository.

12.16 **Sec. 6. [609C.45] LIMITATION ON USE OF REGISTRY INFORMATION.**

12.17 (a) A contributing justice agency and the central repository may access or use information
12.18 from the mistaken identity prevention registry only to:

12.19 (1) identify accurately an individual about whom the agency has requested or received
12.20 registry information; or

12.21 (2) investigate, prosecute, or adjudicate an individual for an offense relating to
12.22 participating in, using, or operating the registry.

12.23 (b) If information in the mistaken identity prevention registry is accessed or used for a
12.24 purpose other than permitted under paragraph (a):

12.25 (1) the information and any information acquired as a result of the improper access or
12.26 use is not admissible in any criminal or civil action; and

12.27 (2) the central repository shall notify the individual whose information was accessed or
12.28 used improperly, not later than five days after it discovers the access or use.

12.29 **Sec. 7. [609C.46] REMOVAL OF INFORMATION FROM REGISTRY.**

12.30 (a) The central repository shall establish procedures regarding a request to remove
12.31 information from the mistaken identity prevention registry.

13.1 (b) Not later than 14 days after receiving a request complying with procedures established
13.2 under paragraph (a) from an individual for removal of information the individual voluntarily
13.3 submitted under section 609C.41, paragraph (a), the central repository shall remove the
13.4 information from the mistaken identity prevention registry.

13.5 **ARTICLE 6**

13.6 **SYSTEMS SECURITY AND AUDIT**

13.7 **Section 1. [609C.50] SECURITY REQUIREMENTS.**

13.8 To promote the confidentiality and security of criminal history record information
13.9 collected, received, stored, maintained, submitted, and disseminated under sections 609C.01
13.10 to 609C.72, the central repository shall establish procedures to:

13.11 (1) protect information from loss or damage;

13.12 (2) allow only an authorized person access to the information;

13.13 (3) select, supervise, and train individuals authorized to access the information;

13.14 (4) if computerized data processing is used, meet the technical guidance for the security
13.15 of systems established by the [responsible agency or individual]; and

13.16 (5) maintain an index of each data breach.

13.17 **Sec. 2. [609C.51] AUDIT.**

13.18 (a) The state auditor shall cause an audit to be conducted annually of a sample of
13.19 contributing justice agencies and at least once every three years of the central repository.

13.20 (b) If the state auditor certifies that an audit required by an entity of the United States
13.21 satisfies the requirements of this section, an additional audit is not required of the central
13.22 repository or contributing justice agency subject to the audit.

13.23 (c) An audit under this section must:

13.24 (1) assess operational practices of the central repository for consistency, efficiency, and
13.25 security;

13.26 (2) assess the integrity of each computerized system and database and each physical
13.27 location where criminal history record information is stored;

13.28 (3) assess any data breach in the central repository and response to the breach; and

13.29 (4) review a representative sample of criminal history record information stored by a
13.30 contributing justice agency or the central repository and determine the number of missing

14.1 reportable events and amount and nature of missing biometric information in the sample,
14.2 in part by examining public records of the courts of this state.

14.3 (d) A contributing justice agency and the central repository shall give the state auditor
14.4 access to the records, reports, listings, and information required to conduct an audit under
14.5 this section. An officer, employee, or contractor of this state or a political subdivision of
14.6 this state with relevant information shall cooperate with the state auditor and provide
14.7 information requested for an audit.

14.8 (e) The state auditor shall prepare and make available a public report containing the
14.9 results of audits under this section and a list of any deficiencies and recommendations for
14.10 correction of deficiencies.

14.11 **ARTICLE 7**

14.12 **ENFORCEMENT AND IMPLEMENTATION**

14.13 Section 1. **[609C.60] REMEDIES.**

14.14 (a) The Bureau of Criminal Apprehension, the central repository, or a subject, in addition
14.15 to other remedies provided by sections 609C.01 to 609C.72 and law other than sections
14.16 609C.01 to 609C.72, may commence an action to compel compliance with or enjoin a
14.17 violation of sections 609C.01 to 609C.72. The court may award to a subject who prevails
14.18 in the action reasonable fees and expenses of attorneys and court costs.

14.19 (b) A subject has a cause of action for an intentional or reckless violation of sections
14.20 609C.01 to 609C.72 or procedures established under sections 609C.01 to 609C.72. This
14.21 paragraph does not affect other remedies as provided by sections 609C.01 to 609C.72 or
14.22 law other than sections 609C.01 to 609C.72. If the court finds by a preponderance of the
14.23 evidence that the subject was injured by an intentional or reckless violation, the court shall
14.24 award:

14.25 (1) the greater of:

14.26 (i) actual damages; or

14.27 (ii) \$500 for each violation up to \$2,000 in the action; and

14.28 (2) reasonable fees and expenses of attorneys and court costs.

15.1 Sec. 2. **[609C.61] DUTIES AND AUTHORITY OF [RESPONSIBLE AGENCY OR**
15.2 **INDIVIDUAL].**

15.3 (a) The Bureau of Criminal Apprehension shall establish procedures to implement
15.4 sections 609C.01 to 609C.72. The procedures must include provisions that:

15.5 (1) govern the accuracy, dissemination, and review of, and individual access to, criminal
15.6 history record information;

15.7 (2) electronic data, including biometric information, must be stored in a manner that
15.8 complies with the procedures established under section 609C.50;

15.9 (3) establish technical guidance for the security of systems described in clauses (1) and
15.10 (2); and

15.11 (4) set a reasonable maximum fee for the cost of disseminating criminal history record
15.12 information and provide a subject free access to the subject's information at least once each
15.13 calendar year.

15.14 (b) The bureau may designate any governmental agency, other than the central repository
15.15 or a court, as a contributing justice agency.

15.16 (c) The bureau may investigate any matter relating to the administration and enforcement
15.17 of sections 609C.01 to 609C.72.

15.18 **ARTICLE 8**

15.19 **MISCELLANEOUS PROVISIONS**

15.20 Section 1. **[609C.70] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

15.21 In applying and construing this uniform act, consideration must be given to the need to
15.22 promote uniformity of the law with respect to its subject matter among states that enact it.

15.23 Sec. 2. **[609C.71] TRANSITIONAL PROVISION.**

15.24 Sections 609C.12, 609C.24, 609C.30, 609C.31, and 609C.32 apply to criminal history
15.25 record information that is in existence before, on, or after August 1, 2019, regardless of the
15.26 date the information was created or when the reportable event occurred.

15.27 Sec. 3. **[609C.72] SEVERABILITY.**

15.28 If any provision of sections 609C.01 to 609C.72 or its application to any person or
15.29 circumstance is held invalid, the invalidity does not affect other provisions or applications

16.1 of sections 609C.01 to 609C.72 that can be given effect without the invalid provision or
16.2 application, and to this end the provisions of sections 609C.01 to 609C.72 are severable.

16.3 Sec. 4. **REPEALS; CONFORMING AMENDMENTS.**

16.4 (a)

16.5 (b)

16.6 (c)

16.7 Sec. 5. **EFFECTIVE DATE.**

16.8 This act is effective August 1, 2019.