

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE DRS65164-LL-84 (3/12)

Short Title: Volunteer Fire Dept. Crim. Background Checks. (Public)

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Sponsors: Senator Shubert.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL LAW ENFORCEMENT AGENCIES TO ACCESS THE CRIMINAL INFORMATION NETWORK TO RUN CRIMINAL BACKGROUND CHECKS ON PROSPECTIVE MEMBERS OF VOLUNTEER FIRE DEPARTMENTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 4 of Chapter 114 of the General Statutes is amended by adding a new section to read:

**"§ 114-19.12. Criminal record checks of applicants to volunteer fire departments.**

(a) Authority. – The Department of Justice and the Federal Bureau of Investigation may provide to any local law enforcement agency a criminal record check of any individual who applies for a position with a volunteer fire department in that unit of local government and a criminal record check of all persons 18 years of age or older who live in the applying household. The North Carolina criminal record check may also be done by a certified DCI operator within the local law enforcement agency.

(b) Procedure. – A criminal record check shall be conducted by using an individual's fingerprints and all identification information required by the Department of Justice to identify that individual. A criminal record check shall be provided only if: (i) the individual whose record is checked consents to the record check, and (ii) every individual who is 18 years of age or older who lives in the household also consents to the record check. Refusal to give consent is considered withdrawal of the application. The information shall be kept confidential by the local law enforcement agency that receives the information. If the confidential information is disclosed under this section, the Department may refuse to provide further criminal record checks to that local law enforcement agency."

**SECTION 2.** This act is effective when it becomes law.