

§ 143B-1209.10. Criminal history background investigations; fees.

(a) When the State Bureau of Investigation determines that any person is entitled by law to receive information, including criminal records, from the Bureau, for any purpose other than the administration of criminal justice, the Bureau shall charge the recipient of such information a reasonable fee for retrieving such information. The fee authorized by this section shall not exceed the actual cost of storing, maintaining, locating, editing, researching and retrieving the information, and shall be budgeted for the support of the Bureau.

(b) As used in this section, "administration of criminal justice" means the performance of any of the following activities: the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of persons suspected of, accused of or convicted of a criminal offense. The term also includes screening for suitability for employment, appointment or retention of a person as a law enforcement or criminal justice officer or for suitability for appointment of a person who must be appointed or confirmed by the General Assembly, the Senate, or the House of Representatives.

(c) In providing criminal history record checks, the Bureau shall process requests in the following priority order:

- (1) Administration of criminal justice record checks,
- (2) Mandatory noncriminal justice criminal history record checks,
- (3) Voluntary noncriminal justice criminal history record checks.

(d) Nothing in this section shall be construed as enlarging any right to receive any record of the Bureau. Such rights are and shall be controlled by G.S. 143B-906, 143B-1208.5, 120-19.4A, and other applicable statutes. (1979, c. 816; 1981, c. 832, s. 1; 1987, c. 867, s. 1; 1995 (Reg. Sess., 1996), c. 606, s. 4; 2002-126, s. 29A.12(a); 2003-214, s. 1(2); 2014-100, s. 17.1(m), (o), (zz); 2015-267, s. 1(b); recodified from N.C. Gen. Stat. 143B-930 by 2023-134, s. 19F.4(i), (j).)