

SB 211-FN - AS INTRODUCED

2017 SESSION

17-0844

08/04

SENATE BILL ***211-FN***

AN ACT establishing a statewide law enforcement data network.

SPONSORS: Sen. D'Allesandro, Dist 20

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill establishes a statewide law enforcement data network.

This bill also establishes the law enforcement data network.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~.
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT establishing a statewide law enforcement data network.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Chapter; Statewide Law Enforcement Data Network. Amend RSA by inserting after
2 chapter 106-K the following new chapter:

3 CHAPTER 106-L

4 STATEWIDE LAW ENFORCEMENT DATA NETWORK

5 106-L:1 Purpose and Intent. It is the purpose of this chapter to establish an efficient law
6 enforcement data network for all law enforcement agencies in New Hampshire. It is the intent of
7 the legislature that the network be established and maintained in a condition sufficient for the
8 needs of law enforcement.

9 106-L:2 Statewide Law Enforcement Data Network.

10 I. The division of state police within the department of safety shall maintain the statewide
11 law enforcement data network for the use of law enforcement agencies, or its successor.

12 II. The use of the network shall be used exclusively for the informational needs of
13 governmental criminal justice agencies.

14 106-L:3 Participation by other Law Enforcement Agencies. The division may authorize other
15 law enforcement agencies or criminal justice agencies to participate in the data network upon such
16 terms and conditions as are necessary to protect the security of the network.

17 106-L:4 Fees from Users. The division is authorized to charge service fees to users in order to
18 reimburse the division for expenditures made on behalf of the other users.

19 106-L:5 Law Enforcement Data Network Fund. There is established in the office of the state
20 treasurer a nonlapsing fund to be known as the law enforcement data network fund to be
21 administered by the commissioner of the department of safety, which shall be kept distinct and
22 separate from all other funds. All moneys in the law enforcement data network fund shall be
23 continually appropriated to the commissioner of the department of safety pay the expenses of
24 financing the acquisition, installation, enhancement, and maintenance equipment for the operation
25 of the network, including additions, extensions, and improvements thereto. All fees collected
26 pursuant to this chapter shall be credited to the law enforcement data network fund.

27 106-L:6 Audit. The division may audit state and local law enforcement and criminal justice
28 agencies to ensure compliance with federal and state laws, as well as policies of the division which
29 pertain to the law enforcement data network.

30 106-L:7 Termination of Service. The division shall terminate service to the law enforcement
31 data network if it determines there is a risk or violation of the security or privacy restriction

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1 imposed by state or federal statutes or delinquency in payment of assessed fees.

2 106-L:8 Release or Disclosure Unauthorized. A person is guilty of a class A misdemeanor if the
3 person:

4 I. Knowingly accesses information or willfully obtains information from the law
5 enforcement data network for an unauthorized purpose; or

6 II. Knowingly releases or discloses information from the law enforcement data network to
7 another person who lacks authority to receive the information.

8 2 New Subparagraph; Law Enforcement Data Network Fund. Amend RSA 6:12, I(a) by
9 inserting after subparagraph (333) the following new subparagraph:

10 (334) Moneys deposited in the law enforcement data network fund established in
11 RSA 106-L:5

12 3 Effective Date.

13 I. RSA 106-L:4 and RSA 106-L:5 as inserted by section 1 of this act shall take effect
14 January 1, 2019.

15 II. The remainder of this act shall take effect January 1, 2018.

**SB 211-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a statewide law enforcement data network.

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Turnpike and Law Enforcement Data Network Fund			

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill establishes a statewide law enforcement data network, maintained by the Department of Safety, Division of State Police, and provides an option for other law enforcement agencies to utilize the data network for a service fee which will be deposited into the Law Enforcement Data Network Fund to pay for expenses related to the operation of the data network. The Department of Safety states a fee structure has yet to be developed; therefore, State revenues, county expenditures, and local expenditures would result in an indeterminable increase to the extent law enforcement agencies use the network. The Department currently funds expenses related to the data network through the Division of State Police. Service fees would replace this funding and the Department anticipates no impact on State expenditures.

AGENCIES CONTACTED:

Department of Safety