

1 **12 NCAC 09B .0103 is being proposed for amendment as follows:**

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3 **12 NCAC 09B .0103 FINGERPRINT CRIMINAL HISTORY RECORD CHECK**

4 (a) Each applicant for certification shall submit electronic fingerprints in the Statewide Automated Fingerprint
5 Identification System (SAFIS).

6 (b) The employing agency shall forward the applicant's fingerprints to the North Carolina State Bureau of
7 Investigation for a criminal history record check utilizing fingerprints against State and federal files.

8 (c) The employing agency will receive a report of the results of the criminal history record check utilizing fingerprints
9 against State and federal files. The employing agency shall retain the results of the criminal history record check
10 utilizing fingerprints in compliance with the North Carolina Department of Natural and Cultural Resources Retention
11 and Disposition Schedule established pursuant to G.S. 121-4 and G.S. 132-8.1. The employing agency shall include
12 the results of the fingerprint criminal history record check with the applications submitted to the Commission.

13 (d) Each applicant for certification and certified criminal justice officers shall also submit electronic fingerprints,
14 other identifying information required by the State and National Repositories of Criminal Histories, and any other
15 information required by the State Bureau of Investigation for their enrollment in the Federal Bureau of Investigation's
16 Next Generation Identification (NGI) System and Criminal Justice Record of Arrest and Prosecution Background
17 (RapBack) Service.

18 ~~(d)~~(e) Pursuant to 12 NCAC 09C .0303(a), an applicant for certification as a law enforcement officer may not perform
19 any action requiring certification by the Commission prior to the date on which the employing agency receives the
20 report of the results of the criminal history record check utilizing fingerprints.

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22 *History Note: Authority G.S. 17C-6; 17C-10;*
23 *Eff. January 1, 1981;*
24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
25 *2019;*
26 *Amended Eff. January 1, 2024; October 1, 2022.*
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