

SENATE No. 1284

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act limiting the retention of fingerprints.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

William N. Brownsberger

Second Suffolk and Middlesex

SENATE No. 1284

By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 1284) of William N. Brownsberger for legislation to limit the retention of fingerprints. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1235 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act limiting the retention of fingerprints.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Subsection (e) of section 167A of chapter 6 of the General Laws, as appearing in the
2 2014 Official Edition, is hereby amended by inserting, in line 81, after the words “Fair Credit
3 Reporting Acts” the following words :-

4 “; provided further, that fingerprints originally obtained by a state agency for purposes of
5 a background check required by Chapter 459 of the Acts of 2012, as amended by Chapter 77 of
6 the Acts of 2013, or by Chapter 234 of the Acts of 2014, shall be expunged from all state records
7 after the person has ended his or her employment or service necessitating said background check;
8 and provided further, that applicants subject to a background check required by Chapter 459 of
9 the Acts of 2012, as amended by Chapter 77 of the Acts of 2013, or by Chapter 234, shall be
10 given information explaining for what and by whom their fingerprints will be retained; and

11 provided further that the department of criminal justice information services establish an optional
12 process for any employee, whose background check has indicated no criminal record, to have
13 their fingerprint cards and results expunged from the national crime information databases and
14 from the state identification section of the state police; provided further that such employee
15 electing to have his fingerprint cards and results expunged shall be subject to a fingerprint-based
16 check no less than every 3 years to maintain employment."