LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 392** HLS 11RS 471
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: May 19, 2011 9:54 AM
Author: HAZEL
Dept./Agy.: Public Safety
Subject: Background Checks
Analyst: Matthew LaBruyere

CRIMINAL/RECORDS EG INCREASE SD EX See Note

Provides with respect to criminal background checks for persons seeking employment

Present law provides that an employer or his representative shall be entitled to obtain conviction records of an applicant seeking employment from the LA. Bureau of Criminal Identification and Information if the applicant has signed a consent form authorizing the employer to obtain such conviction records. Proposed legislation provides that the La. Bureau of Identification and Information shall forward fingerprints obtained for background checks to the FBI for a national criminal history check. Proposed legislation further authorizes CASA to obtain criminal history information from the La. Bureau of Criminal Identification and Information for persons being considered for involvement with CASA. Present law provides that the conviction of certain offenses prohibits the hiring of individuals for a position of supervisory or disciplinary authority over children. Proposed legislation retains present law and adds convictions of first, second, and third degree feticide, aggravated incest, crime against nature by solicitation, and video voyeurism to this list.

EXPENDITURES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**5 -YEAR TOTAL**
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

REVENUES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**5 -YEAR TOTAL**
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	$0	$0	$0	$0	$0	**$0**
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

EXPENDITURE EXPLANATION

The proposed legislation may result in an increase in statutory dedicated expenditures as a result of the La. Bureau of Criminal Identification and Information paying the FBI for criminal history checks involving fingerprints. The CASA program may also increase expenditures as a result of paying for the criminal history checks of potential volunteers.

The La. Bureau of Criminal Identification and Information currently receives conviction records. In addition, the La. Bureau of Criminal Identification and Information currently sends fingerprints of applicants to the FBI for national criminal history checks. The department pays the FBI $17.25 for each criminal history check involving fingerprints, however the department charges a fee of $19.25 to cover the expenses.

The proposed legislation also allows the Court Appointed Special Advocates (CASA) program to obtain information from the La. Bureau of Criminal Identification and Information. The CASA program has previously obtained criminal history information from the FBI through the La. Bureau of Criminal Identification and Information. This legislation will allow CASA to obtain background checks on volunteer applicants. Volunteers cannot serve until a comprehensive background check has been conducted. The CASA program will pay for the criminal history information through either SGF or SGR.

REVENUE EXPLANATION

The proposed legislation may result in an increase in statutory dedicated revenue. The department currently charges a fee of $19.25 to send fingerprints to the FBI for national criminal history checks. Of the fee, $17.25 is sent to the FBI and $2.00 is kept by the department for handling costs. The money received to perform the background check is deposited in the Criminal ID Fund.

Senate Dual Referral Rules House

☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}
☐ 6.8(F)1 >= $500,000 Annual Fiscal Cost {S}
☐ 6.8(F)2 >= $100,000 Annual SGF Cost {H&S}
☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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