

Department of Planning and Budget 2002 Fiscal Impact Statement

1. Bill Number SB71

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Reynolds**3. Committee** Passed Both Houses**4. Title** Department of Criminal Justice Services; private security, penalty.

5. Summary/Purpose: This legislation proposes to require each applicant for initial registration, licensure, or certification as a compliance agent, private security service training school, or instructor or unarmed security officer to submit this fingerprint for the conduct of a criminal records check. The bill also requires an unarmed security officer applying for renewal between January 1, 2003 and December 31, 2004 to submit this fingerprint for the purpose of a criminal records check. The bill also authorizes the Department to suspend a registration, license, or certification based on the conviction of certain misdemeanors or any felony and provides that making a false statement on the fingerprint card shall be a Class 5 felony. In addition, the bill establishes compulsory minimum standards for armored car personnel and exempts from the requirement for licensure, registration, or certification persons engaged in the business of a consumer reporting agency as defined by the Federal Fair Credit Reporting Act.

6. Fiscal Impact Estimates are final: See item #8.**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02			
2002-03	80,000	2.5	NGF
2003-04	160,000	2.5	NGF

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02			
2002-03	63,500		NGF
2003-04	127,000		NGF

7. Budget amendment necessary: Yes. Item 433.

8. Fiscal implications: The fiscal impact of this legislation is uncertain. The Department of Criminal Justice Services (DCJS) advises that the inclusion of unarmed security officers will increase the number of fingerprint cards coming into the agency by approximately 9,000 each year. The agency also advises that it only receives approximately \$4 of the \$41 fee charged to process these fingerprints as the remaining \$37 goes to the general fund via the Virginia Department of State Police (DSP). DCJS advises that its processing cost exceeds the \$4 they collect.

Revised

The Department of State Police advises that it estimates approximately 8,500 new fingerprint cards would need to be processed to meet this new requirement.

Related to the proposed Class 5 felony penalty for willful violation of this proposed provision, there is no expected bed impact on the state's adult or juvenile correctional systems from the proposed legislation.

The General Assembly did not provide any funding or positions for this bill. The Private Security Services Section of DCJS is presently not generating sufficient revenue to fully cover its operating expenses. This proposed legislation could exacerbate this problem, as expenditures are expected to be higher than the revenue generated by this action.

9. Specific agency or political subdivisions affected : Department of Criminal Justice Services, the Department of State Police.

10. Technical amendment necessary : No.

11. Other comments: This legislation is identical to HB511.

Date: 03/18/02/MEM

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cc: Secretary of Public Safety