

Department of Planning and Budget 2003 Fiscal Impact Statement

1. Bill Number SB1012

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Howell

3. Committee Courts of Justice

4. Title Department of Human Resource Management; criminal background checks

5. Summary/Purpose: This bill requires the Department of Human Resource Management to develop a state-wide policy for designating sensitive positions within state agencies. Such sensitive positions shall include positions generally described as directly responsible for the health, safety, and welfare of the general populace or protection of critical infrastructures. All applicants or candidates for employment in a position that has been designated as sensitive shall be required to submit to a criminal background investigation.

6. Fiscal Impact Estimates are: See Item 8 below.

7. Budget amendment necessary: No

8. Fiscal implications: Currently, some agencies conduct Central Criminal Records Exchange (CCRE) checks, which include an FBI check, at least for finalists for certain positions. Some conduct lesser background reviews. Agencies that currently require these investigations utilize the services of agencies such as the Department of Corrections or the Department of State Police to facilitate the background checks. Agencies pay between \$37 and \$40 per background check.

As previously mentioned, current practice for many of those positions requiring a background check is limited to candidates who are finalists for those positions. This bill would require all candidates to undergo the background check, which will increase costs to agencies hiring such positions and potentially increase the workload of the Department of State Police and/or the Department of Corrections (and other agencies that may be authorized to facilitate such reviews).

Further, this bill requires the Department of Human Resource Management (DHRM) to “develop a state-wide personnel policy for designating positions within each state agency as sensitive.” While the bill does restrict such positions to individuals “directly responsible for the health, safety and welfare of the general populace or protection of critical infrastructures,” it will expand the number of positions that require background investigations beyond the current amount and require all candidates (as opposed to finalists only) to undergo this check.

The fiscal impact of this bill is indeterminate in that the number of positions that will be designated sensitive is unknown, as is the number of possible applicants for positions designated as sensitive. In the event that an agency is seeking candidates for one of these positions, the cost of the background check for 50 candidates could be as much as \$2,000. If an agency has a number of these positions, which could be likely in the case of certain Public Safety agencies, the cost of hiring new employees may increase by a considerable amount. DHRM may also incur some costs developing the new statewide personnel policy.

9. Specific agency or political subdivisions affected: Potentially all Executive Branch agencies, in particular, agencies of the Public Safety Secretariat.

10. Technical amendment necessary: No

11. Other comments: None

Date: 1/17/2003/JDH

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cc: Secretary of Administration
Secretary of Public Safety