

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB2746H1

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

2. Patron: Head

3. Committee: Militia, Police and Public Safety

4. Title: Central Criminal Records Exchange; background checks through Live Scan device.

5. Summary: Provides that the Department of State Police shall accept requests for background checks through the use of a Live Scan device certified by the Federal Bureau of Investigation by any agency or organization located within the Commonwealth that (i) is authorized to receive criminal history record information according to the Code of Virginia, and (ii) utilizes a fingerprint background check as a condition of licensure, certification, employment, or volunteer service. The bill requires that any such agency or organization that transmits requests to the Department pursuant to this section shall be responsible for all costs associated with capturing, formatting, encrypting, and transmitting all required information in a manner prescribed by the Department. The Department shall only provide the criminal history record information to the extent authorized by state or federal law, rules, and regulations, and the Department may deny any such agency or organization access to criminal history record information if the Department finds that the agency or organization has failed to comply with such law, rules, or regulations. The bill requires agencies or organizations to enter into an agreement with the Department for the purposes of carrying out this section, and reads that they may be required to submit other information or forms as prescribed by the Department.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See below.

8. Fiscal Implications: The Department of State Police (VSP) performs both legally required and elective background checks on individuals seeking employment in various fields. According to VSP, there is no anticipated fiscal impact on its operations as a result of this proposed legislation.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, State Agencies, Local law enforcement agencies

10. Technical Amendment Necessary: No.

11. Other Comments: None.