

FISCAL NOTE

Requested by Legislative Council
01/19/2005

Bill/Resolution No.: SB 2248

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	(\$350,856)	\$0	(\$373,440)	\$0
Expenditures	\$0	\$0	\$7,500	\$0	\$7,500	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill changes the fee structure for criminal history record checks processed by the Bureau of Criminal Investigation (BCI) by changing the fees for a state criminal history record check and instituting a separate fee for processing fingerprint cards necessary for federal criminal history record checks. Under the current proposal, entities conducting both a state and federal criminal history record check would continue to pay a total of \$30, the amount that is currently charged for those services. However, a reduced fee of \$15 would be assessed when only a state record check is conducted. All fees charged by the state go to the general fund.

This bill also proposes to allow 5 additional entities (items 12-60-24 (2) (i, j, k, l and m)) to conduct fingerprint based federal criminal history record checks amounting to an estimated 250 additional record checks for the 2005-2007 biennium. The same estimated number was used for the 2007-2009 biennium. Revenue increases for this activity would amount to \$7,500 per biennium.

Because the bill proposes to decrease the fee for the majority of the state criminal history record checks conducted by BCI, we believe there may be an increased number of record checks requested. We do not have a way to estimate this possible impact and, therefore, could not factor it into the fiscal analysis.

The number of state criminal history record checks has been increasing each year. Conservative estimates were calculated for the number of record checks per biennium based on the increases each year for calendar years 2001 through 2004. These estimates were factored into the fiscal analysis.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Increased revenue is estimated totaling \$7,500 per biennium based on a total of 250 additional state and federal criminal history record checks conducted for 5 new entities.

The vast majority of the record checks conducted are North Dakota criminal history record checks only. The fee for a state only record check is reduced from \$30 to \$15 dollars. This results in decreased general fund revenue of an estimated \$14,619 per month (or a total of \$350,856) for 2005-2007 and \$15,560 per month (or a total of \$373,440) for 2007-2009.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Estimated costs for processing a total of 250 additional state and federal criminal history record checks for 5 new entities is \$30 per check or a total of \$7,500 per biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The workload of 250 additional state and federal criminal history record checks can be absorbed by existing staff. No additional appropriation is necessary.

Name: Judy Volk/Kathy Roll
Phone Number: 701-328-5500

Agency: Office of Attorney General/BCI
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