

FISCAL NOTE
Requested by Legislative Council
03/28/2007

Amendment to: SB 2260

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.*

| | 2005-2007 Biennium | | 2007-2009 Biennium | | 2009-2011 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | \$33,240 | \$59,400 | \$378,120 | \$691,400 | \$378,120 | \$691,400 |
| Expenditures | \$52,598 | \$59,400 | \$459,877 | \$691,400 | \$468,849 | \$691,400 |
| Appropriations | \$52,598 | \$59,400 | \$459,877 | \$691,400 | \$468,849 | \$691,400 |

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

| 2005-2007 Biennium | | | 2007-2009 Biennium | | | 2009-2011 Biennium | | |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties | Cities | School Districts | Counties | Cities | School Districts | Counties | Cities | School Districts |
| | | | | | | | | |

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill allows various entities the ability to request criminal background checks for certain individuals.

The amendments remove the appropriation which was added to the Attorney General's appropriation bill. Background checks for students entering certain higher education programs are removed.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill will significantly increase the number of criminal background checks the Office of Attorney General processes. It is estimated to increase by about 16,000 the number of criminal background checks conducted by this office. Current staffing is unable to handle any additional criminal background checks based on current workload.

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.*

Each criminal background check costs \$30 per person excluding the fingerprint fee charged by local law enforcement. The background fees are deposited in the general fund. Although the background check revenues do not cover the 2005-07 biennium costs, both the 2007-09 and 2009-11 biennium revenues are anticipated to exceed the costs associated with those biennia.

In addition, other fund revenues for FBI fees passed through to the FBI are included to allow entities requesting background checks to make one payment, rather than two, for the total cost of the background check. Currently, entities make two payments, one for the state's background check charge and one for the FBI's fee.

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.*

We estimate an additional five identification technician FTE's will be needed to handle the increased workload of this bill. The impact also reflects anticipated operating costs associated with these positions. We anticipate hiring 2 of the 5 FTE's in late fiscal year 2007.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and*

appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.

The appropriation was not included in the Executive Recommendation.

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| Name: | Kathy Roll | Agency: | Office of Attorney General |
| Phone Number: | 328-3622 | Date Prepared: | 03/29/2007 |