

FISCAL NOTE

(Return original and 14 copies)

Bill/Resolution No.: _____ Amendment to: HB 1081 (Revised)

Requested by Legislative Council Date of Request: _____

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

The FBI requires that non-criminal justice record checks originating in North Dakota be processed by the North Dakota BCI. The BCI is required to screen the fingerprint cards prior to forwarding them to the FBI to make sure that the fingerprints are readable. If the prints are not readable, they must be returned by the BCI to the requesting agency. Any prints rejected by the FBI are returned by them to the BCI, which in turn returns them to the requestor. The FBI bills quarterly for the records checks they do, and all such billings are sent to the BCI. The BCI must separate charges for all of the various requesting agencies and send separate billings to them. Checks are sent to the BCI, which in turn forwards them to the FBI. It is also BCI's responsibility to maintain appropriate financial records to monitor payment of these bills. Even though state record checks may not be done, there are considerable BCI staff resources required to act in this liaison capacity between the FBI and local non-criminal justice agencies.

There is currently a backlog in entering fingerprint card data of 4-6 months. The number of non-criminal justice requests for criminal records checks has increased from 152 in 1987 to 6,280 in 1998. And in this period, there has been no increase in the size of the criminal records staff.

The ability to enter fingerprint card data, and the subsequent disposition data from prosecutors, in a timely manner, has a direct and crucial effect on the accuracy and completeness of the data that is released as criminal record information both in the state and through the FBI. If we have it sitting in a backlog, the FBI doesn't have it, therefore their records are not complete.

With the current staffing level, we cannot keep up with incoming information. Any additional work such as would be created by this bill will require additional staff resources and additional space to accommodate increased personnel. An identification technician position is included in the Governor's budget to address the backlog of fingerprint cards, but additional staff resources would be necessary if this bill is passed and involves BCI staff as described above.

The following is estimated to support an additional one-fourth position for the next biennium to process state criminal records checks requests and to provide liaison and billing services for national records checks:

Salary	\$ 16,896
Benefits	<u>6,518</u>
Total	\$23,414
Operating Expenses	<u>\$ 5,810</u>
Grand Total	\$ 29,224

Operating expenses include a share of computer equipment, training, and additional office space, in addition to a share of support services.

The performance of state criminal history record checks for private investigative and security service licenses or registration, in addition to the national FBI check, will utilize the one-fourth identification technician position requested above.

There will, however, as a result of the \$20 fee charged by the state, be revenues which are paid to the general fund. It is estimated that 400 records checks per year will be required.

Note: Other bills which have the effect of increasing the need for criminal record staff resources in the BCI include SB 2058 and SB 2171.

State fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:			\$16,000		\$16,000	
Expenditures:			\$29,224		\$30,393	

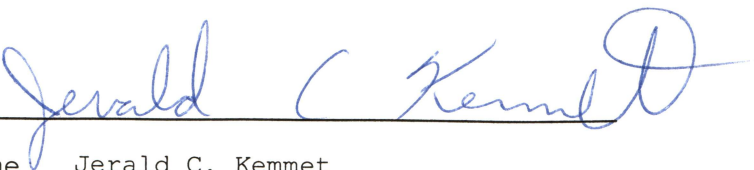
3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: none
- b. For the 1999-2001 biennium: \$29,224
- c. For the 2001-03 biennium: \$30,393

4. **County, City, and School District** fiscal effect in dollar amounts:

1995-97 Biennium			1997-99 Biennium			1999-2001 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

If additional space is needed
attach a supplemental sheet.

Signed 

Typed Name Jerald C. Kemmet

Date Prepared 1/27/99

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