

# FISCAL NOTE

Requested by Legislative Council

01/17/2003

Bill/Resolution No.: SB 2223

**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.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$8,000			
Expenditures			\$12,808			
Appropriations			\$12,808			

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
				(\$8,000)			(\$8,000)	

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

This bill allows a state and federal criminal records check for those applicants designated by a county resolution or city ordinance to undergo such check. State statute assesses a \$20 fee for a state record check. The state receives no remuneration for processing federal records checks. The estimated cost in staff time and operating expenses for the Bureau of Criminal Investigation (BCI) to process records checks is approximately \$18.34 for state only, and \$30.52 for state and federal (the average for all records checks is estimated at \$20.12). The \$20 fee charged by the state goes to the General Fund, so any increases in workload caused by the requirement to conduct criminal record checks for specified groups or organizations are not necessarily covered by the Attorney General's appropriation for BCI staff. This bill, taken by itself, does not require an additional FTE, but this and other similar bills, taken as a whole, would require an additional FTE if enacted. Please refer to House Bill No. 1252, and Senate Bill No. 2253, which allow for criminal records checks on certain Information Technology Division (ITD) employee, and by the North Dakota Board of Medical Examiners respectively.

**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.*

The only city or county agency that is known to intend to request criminal records checks on applicants for employment, at the present time, is the Fargo Fire Department. Other counties and cities are anticipated to enact resolutions or ordinances, however, and a very conservative estimate is that it may result in approximately 400 such requests in the 2003-05 biennium, which would result in revenues of \$8,000 at the current fee of \$20 per record check. Subsequently, in the 2005-07 biennium because of the ever-increasing interest in conducting criminal records checks for specific occupations and activities, an estimate is not possible.

**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.*

It is estimated that, given personnel and operating cost for BCI personnel directly involved in conducting criminal records checks, the current cost of processing a state and federal record check is approximately \$30.52. There are five FTE positions directly involved in this activity. The cost of processing the criminal records checks anticipated by this bill, based on the estimate per record check, is \$12,208.

**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.*

No additional appropriation has been made to cover the costs anticipated by this bill.

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**Agency:** Office of Attorney General  
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