

FISCAL NOTE

Requested by Legislative Council
01/20/2003

REVISION

Bill/Resolution No.: HB 1252

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			\$5,500	\$8,393	\$500	\$763
Expenditures			\$8,393	\$8,393	\$763	\$763
Appropriations				\$8,393		\$763

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

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

The Attorney General's office has estimated that ITD will be charged \$30.52 for each criminal record check. For the 2003-2005 biennium, ITD will conduct this procedure on all existing employees and on all new employees (approximately 275). For the 2005-2007 biennium, this procedure will be done on the new employees only (estimated 25). These amounts are reflected in the Other Funds above.

The Attorney General will charge ITD for this service and their portion is reflected in the General Fund above. They have included the following narrative: State statute assesses a \$20 fee for a state record check. The state receives no remuneration for processing federal records checks, but the estimated cost in staff time and operating expenses for the BCI to process records checks is approximately \$18.34 for state only, and \$30.52 for the 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. Attention is directed to SB 2223 and SB 2253, which allow for criminal records checks on city and county employees, 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.*

ITD will recover this cost in the rates we charge agencies for our services - Other Funds.

Attorney General: Revenues at the \$20 fee would amount to \$5,500 in 2003-05 and be deposited in the General Fund.

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.

See narrative for ITD.

Attorney General: It is estimated that, given personnel and operating costs 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 positions directly involved in this activity. The cost of processing the criminal records checks anticipated by this bill, based on the estimate per record, is \$8,393. The following biennium, ITD would only be requesting approximately 25 records checks on new hires.

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.*

See narrative for ITD.

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

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