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FISCAL IMPACT REPORT

SPONSOR Harden DATE TYPED 02/18/05 HB _____

SHORT TITLE CYFD Employee Criminal and Background Checks SB 91/aSF#1

ANALYST Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children Youth and Families Department (CYFD)

SUMMARY

Synopsis of SFI Amendment #1

Senate Floor Amendment #1 to SB 91 deletes the authority to conduct background investigations, but continues to authorize CYFD to obtain nationwide criminal history records for employment purposes.

Synopsis of Original Bill

Senate Bill 91 provides CYFD with the authority to conduct national-level criminal background checks (CRCs) on all CYFD current and prospective employees who have direct contact with children and families.

Significant Issues

State-level criminal record checks currently done on CYFD employees cannot provide comprehensive criminal background and history. CYFD currently has legislative authority to conduct national-level criminal background checks on juvenile facility employees, childcare workers, and foster and adoptive parents. CYFD does not have authority to conduct national-level background checks on other employees and agents of CYFD who have direct contact with children and families creating a potential for liability.

FISCAL IMPLICATIONS

The bill does not contain an appropriation. CYFD would absorb the cost of the criminal records checks in base budget.

ADMINISTRATIVE IMPLICATIONS

CYFD human resources staff has an established process for managing criminal records checks on employees.

OTHER SUBSTANTIVE ISSUES

FBI regulations require legislative authority to conduct national-level criminal background checks.

BD/njw:lg