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FISCAL IMPACT REPORT

ORIGINAL DATE 02/21/11
 SPONSOR Herrell LAST UPDATED 03/13/11 HB 527/aHJC
 SHORT TITLE Criminal History Record Check Updates SB _____
 ANALYST Segura

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	None		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)

Department of Health (DOH)

SUMMARY

Synopsis of HJC Amendment

House Judiciary Committee amended House Bill 527 on March 12, 2011. The amendments do not change the original intent of the bill. The amendment adds to language on page 1, line 21 and 23, "dispositions."

Synopsis of Original Bill

House Bill 527 relates to criminal history records, authorizing the DPS to provide updates to criminal history record checks. Requiring that an update be provided only to an agency authorized by law to receive information on a particular record.

FISCAL IMPLICATIONS

House Bill 527 contains no appropriation.

According to DOH, the Division of Health Improvement (DHI) administers the Caregivers Criminal History Screening Program (CCHSP) that processes caregiver applications including fingerprint cards. DOH/DHI CCHSP receives and processes approximately 35,000 fingerprint applications per year. The cards are scanned to DPS for the applicant's criminal history record. In 2010, the DOH/DHI/CCHSP was awarded a two-year grant from the CMS to fund the start up program enhancement for the future federal requirement for the wrap back system. The grant is a collaborative effort between the DPS and DOH.

SIGNIFICANT ISSUES

DOH indicates that HB 527 would not allocate funds to DOH. However, passage of the bill would allow DOH/DHI/CCHPS to accept the grant with expectations of fulfillment of the requirements. The grant award is for \$1,500,000 in federal funding with a \$500,000 program match over a two year period beginning December 2010.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The agencies would not be able to update changes in criminal history records and notify authorized agencies through a subscription service. In addition, DPS and DOH would not be able to accomplish the requirements of the federal grant, therefore, would not be able to accept the grant.

QUESTIONS

- Where will the \$500,000 program match materialize, will it come from both DPS and DOH?
- What fiscal year will the match be earmarked?

RMS/svb:mew