

*Colorado Legislative Council Staff*

**STATE  
REVISED FISCAL IMPACT**

(replaces fiscal impact dated April 25, 2001)

<b>Drafting Number:</b> LLS 01-0524	<b>Date:</b> April 26, 2001
<b>Prime Sponsor(s):</b> Sen. Linkhart Rep. Alexander	<b>Bill Status:</b> House Appropriations
	<b>Fiscal Analyst:</b> Janis Baron (303-866-3523)

**TITLE:** CONCERNING CRIMINAL BACKGROUND CHECKS.

Fiscal Impact Summary	FY 2001/2002	FY 2002/2003
<b>State Revenues</b>		
Cash Funds - Fees	\$ 315,000	\$ 315,000
Cash Funds Exempt - Pass Through to FBI	74,250	74,250
<b>State Expenditures</b>		
General Fund	\$ 19,132	\$ 17,992
Cash Funds - Fees	248,988	244,417
Cash Funds Exempt - Pass Through to FBI	74,250	74,250
Federal Funds — Child Care Development Fund	76,526	71,966
<b>FTE Position Change</b>	4.0 FTE	4.0 FTE
<b>TABOR Refund from General Fund*</b>	\$ 0	\$ 330,750
<b>Effective Date:</b> July 1, 2001 — but only if SB 01-77 is enacted.		
<b>Appropriation Summary for FY 2001/2002:</b>		
Department of Human Services	\$ <u>95,658</u> Total and 2.5 FTE 19,132 GF 76,526 FF - Child Care Development Funds	
Department of Public Safety	\$ <u>323,238</u> Total and 1.5 FTE 248,988 CF - Fees 74,250 CFE - Pass Through to FBI	
<b>Local Government Impact:</b> None		

\* *The six-tier sales tax refund mechanism is increased by 105 percent of the increase in any cash fund revenue, as per the provisions of HB 99-1001.*

**Summary of Legislation**

The reengrossed bill includes the following provisions:

- declares that it is critical that the Judicial Department continue working with other law enforcement entities to complete the Colorado Integrated Criminal Justice Information System (CICJIS) in a timely manner, and consider the integration of municipal records, including county court records of the City and County of Denver;

- requires the use of uniform identifiers in information sent to the Colorado Bureau of Investigation (CBI) in order to facilitate the matching of criminal records in the bureau's databases and in the ICON system and provides that such uniform identifiers may be any existing on or after the effective date of this act;
- requires the forwarding of information both to and from the CBI within specified time frames;
- repeals the pilot program, established by SB 99-152, used to study the effectiveness of such a dual check;
- requires the state department to check the ICON system at the state Judicial Department for information leading to identifying convictions of certain offenses for individuals applying or reapplying for child care licenses;
- based on such information, directs the state department to investigate whether a person should be prohibited from providing child care pursuant to state law;
- **as amended**, strikes language stating that costs for performing such criminal background checks on all facilities providing less than 24-hour care shall be reimbursed from federal moneys in the Child Care Development Fund;
- **as amended**, requires the DHS to perform criminal background checks on all facilities, including those offering 24-hour care;
- **as amended**, requires that the criminal history background check include a fingerprint-based check; and
- **as amended**, requires that persons residing in the state less than two years shall be required to have an FBI fingerprint check.

## **State Revenues**

**Department of Public Safety (DPS).** The bill will generate \$389,250 in new revenue in the DPS in both FY 2001-02 and FY 2002-03. It is estimated that 22,500 fingerprint checks will be conducted annually for persons seeking child care licenses (22,500 x \$14.00 = \$315,000). It is estimated that of the total, 3,375 will require an FBI fingerprint check (3,375 x \$22.00 = \$74,250).

## **State Expenditures**

**Department of Human Services.** The total fiscal impact of the bill is assessed at \$95,658 in FY 2001-02 and \$89,958 in FY 2002-03. The DHS will require 2.5 FTE in both fiscal years. The bill requires the DHS to perform dual background checks through the CBI and the ICON system for information leading to identifying convictions of certain offenses for individuals applying or reapplying for child care licenses. It is assumed that the CICJIS will not be finalized and implemented during the two-year period covered by the fiscal note. Thus, the DHS will implement this requirement as performed in the pilot program, with each check requiring approximately 11 minutes.

**Department of Public Safety.** The DPS will require \$323,238 and 1.5 FTE in FY 2001-02 to comply with the bill's fingerprint-based criminal background check requirements. Costs for FY 2002-03 are estimated at \$318,667 and 1.5 FTE. In order to process 22,500 additional fingerprint cards annually, the department will require 1.0 FTE Fingerprint Examiner I and 0.5 FTE Data

Specialist. Personal services, operating expenses, and capital outlay costs are estimated at \$54,253 in FY 2001-02 and \$49,682 in FY 2002-03. The department will also require \$86,175 in both fiscal years for the Colorado Crime Information Center (CCIC) computers. Maintenance allocation is estimated at \$61,020 and lease/maintenance costs for a full function work station are estimated at \$47,540. Additionally, the department will collect and pass through \$74,250 to the FBI annually for fingerprint checks (3,375 x \$22 = \$74,250).

### **State Appropriations**

The fiscal note indicates that the Department of Human Services should receive an appropriation for \$95,658 and 2.5 FTE in FY 2001-02. Of the total amount, \$19,132 is General Fund and \$76,526 is federal funds. The source of the federal funds is moneys in the Child Care Development Fund. The General Assembly has appropriation authority over these moneys.

The Department of Public Safety should receive an appropriation for \$323,238 and 1.5 FTE. Of the total amount, \$248,988 is cash funds from fees and \$74,250 is cash funds exempt collected on behalf of and passed through to the FBI.

### **Departments Contacted**

Human Services      Judicial      Public Safety