

MWD

PREPARED BY: Sandy Sostad
DATE PREPARED: March 07, 2011
PHONE: 471-0054

LB 166

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES * | | | | |
|--|--------------|-------------|--------------|-------------|
| | FY 2011-12 | | FY 2012-13 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | | | | |
| CASH FUNDS | (See Below) | (See Below) | (See Below) | (See Below) |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | (See Below) | (See Below) | (See Below) | (See Below) |

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 166 allows a private preemployment screening service to do a required national criminal history record information check for employees of state-operated services and facilities providing developmental disabilities services. Currently, the record check is done by the Nebraska State Patrol which forwards fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The Department of Health and Human Services (HHS) is to adopt rules incorporating private preemployment screening services as part of the criminal history.

The bill will have no fiscal impact for HHS. The State Patrol indicates that \$38 is charged for a criminal history record check. The State Patrol retains \$20.75 of each fee and \$17.25 is forwarded to the FBI. The Patrol conducted 3,444 of these record checks in the last year.

The percentage of individuals opting for a record check by a private preemployment screening service is unknown. If the fee for a record check by these entities is less than the \$38 fee currently charged, then individuals may opt for a record check by a private preemployment screening service when individuals are using the service to gain employment.

The fiscal impact of the bill for the State Patrol will depend upon the number of persons using the criminal history record check allowed by the bill. The State Patrol will have decreased expenditures to process record checks and also decreased revenue from record check fees. The maximum decrease in expenditures and loss in annual revenue for the State Patrol could be \$71,500, if all criminal history record checks were done by private preemployment screening services.

DEPARTMENT OF ADMINISTRATIVE SERVICES

| | | | |
|-------------|---|---------|----------------|
| REVIEWED BY | Joe Wilcox | 2/17/11 | PHONE 471-2526 |
| COMMENTS | <p>DHHS – No basis to disagree with agency analysis.</p> <p>STATE PATROL – The State Patrol made no estimate of fiscal impact as the bill allows fingerprint record checks through either the State Patrol or a private screening service. There is no basis to determine how many additional requests the State Patrol would be asked to handle.</p> | | |

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LEGISLATIVE FISCAL

2011

LB⁽¹⁾ 0166

FISCAL NOTE

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Willard Bouwens

Date Prepared:(4) February 17, 2011

Phone: (5) 471-8072

W. Bouwens

| | FY 2011-2012 | | FY 2012-2013 | |
|--------------------|--------------|------------|--------------|------------|
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | \$0 | \$0 | \$0 | \$0 |

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

There is no fiscal impact to the Department of Health and Human Services.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:

| POSITION TITLE | NUMBER OF POSITIONS | | 2011-2012 EXPENDITURES | 2012-2013 EXPENDITURES |
|---------------------------|---------------------|-------|---------------------------|---------------------------|
| | 11-12 | 12-13 | | |
| Benefits..... | | | | |
| Operating..... | | | | |
| Travel..... | | | | |
| Capital Outlay..... | | | | |
| Aid..... | | | | |
| Capital Improvements..... | | | | |
| TOTAL..... | | | \$0 | \$0 |

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FISCAL NOTE LB166
nebraska state patrol

MAR 8 2011

LEGISLATIVE FISCAL

| | |
|----------------|--------------|
| Prepared By | little, john |
| Date Prepared | 3/7/2011 |
| Prepared Phone | 402-479-4945 |

Estimate Provided By State Agency or Political Subdivision

| | FY 2011-2012 | | FY 2012-2013 | |
|--------------------|--------------|---------|--------------|---------|
| | Expenditures | Revenue | Expenditures | Revenue |
| General Funds | | | | |
| Cash Funds | | | | |
| Federal Funds | | | | |
| Other Funds | | | | |
| Total Funds | | | | |

Explanation of Estimate:

LB166 requires that employees of state-operated services and facilities providing developmental disabilities services shall be subject to a criminal history record information check. Each employee subject to the criminal history record information check requirement may be required to file a complete set of his or her legible fingerprints with the department. The department shall transmit such fingerprints to either (a) the Nebraska State Patrol which shall transmit a copy of the applicant's fingerprints to the Identification Division of the Federal Bureau of Investigation for a national criminal history record information check or (b) a private preemployment screening service for a national criminal history record information check.

The Nebraska State Patrol charges a fee of \$38.00 for processing a fingerprint-based criminal history information check through the FBI. Of this fee, \$17.25 is submitted to the FBI and the remainder is retained by the Criminal Identification Division to cover the costs of processing the record check. The Nebraska State Patrol conducted 3,444 of these records checks in the past year.

Major Objects of Expenditure

| Position Title | Number of Positions | | FY 2011-2012 | FY 2012-2013 |
|----------------|---------------------|----------------------|--------------|--------------|
| | FY 2011-2012 | FY 2012-2013 | Expenditures | Expenditures |
| | | | | |
| | | | | |
| | | Benefits | | |
| | | Operating | | |
| | | Travel | | |
| | | Capital outlay | | |
| | | Aid | | |
| | | Capital improvements | | |
| | | Total | | |