

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**  
**Revised**

Senate Bill 114 (Chairman, Judicial Proceedings Committee)

(Departmental - Public Safety and Correctional Services)

Judicial Proceedings

Referred to Judiciary

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**Criminal History Records Checks - Child Care in Various Settings**

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This amended departmental bill alters procedures and corrects language in the statutes covering criminal history records checks for child care providers.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in ongoing general fund expenditures and a one-time \$95,000 Criminal Record Check Fund expenditure in FY 1997. Revenue loss to the Criminal Record Check Fund is offset by a reduction in fund expenditures.

**Local Effect:** Minimal increase in local expenditures. **This bill imposes a mandate on a local government unit.**

**Small Business Effect:** The Department of Public Safety and Correctional Services has determined that this bill has no impact on small business (attached). Fiscal Services concurs with this assessment as discussed below. (The attached assessment does not reflect amendments to the bill.)

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**Fiscal Analysis**

**State Effect:** The Department of Human Resources (DHR) would be required to verify the continuing presence of adult residents in foster homes and homes of relatives of children when the local department of social services has placed a child there. Although DHR requires these people to have criminal record checks, it does not keep track of them. The department estimates there are more than 9,000 individuals whose status would have to be updated. Tracking these people and their presence in foster homes would increase expenditures, but DHR is unable to estimate these costs. The Department of Fiscal Services

advises that additional costs could be reduced significantly if DHR and the Department of Public Safety and Correctional Services (DPSCS) link individual background checks to foster homes, eliminating all records connected with a particular foster home when it ceases to be a foster home.

Under one provision of the bill an employee may have a copy of a criminal history report sent to more than one employer. Currently, an employee must have a separate report produced for each employer at a cost to the employee or employer of \$42 each. By providing free copies to additional employers, the DPSCS will lose an estimated \$72,000 in Criminal Record Check Fund revenues annually. This loss of revenue would be offset by a reduction in expenditures for processing these duplicate criminal history checks. To ensure that additional employers are notified of changes in the history status, an additional one-time expenditure of \$95,000 in fiscal 1997 for computer reprogramming will be required. The department expects that it will be able to absorb this additional expenditure with existing Criminal Record Check Fund revenues.

**Local Effect:** Local government units that license, register, approve, or certify child care facilities or individuals would be required to periodically verify the good standing of child care facilities and employees who are licensed, registered, approved, or certified by local jurisdictions. Assuming that local jurisdictions already track revocations and expirations, local jurisdictions should be able to comply with existing resources.

**Small Business Effect:** The bill allows an individual who has had a criminal history records check processed by the department to have the report sent to additional employers within 180 days of the original report. The department has indicated that these additional reports would be sent free of charge. This could have positive effect on employers and employees who pay for background checks. It could also lead to greater movement between employers as an employee or employer would not be assessed the fees for fingerprinting and background checks if a statement had been completed within 180 days. Any such effect is expected to be minimal.

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**Information Source(s):** Department of Human Resources; Department of Public Safety and Correctional Services (Data Services Division); Maryland State Police

**Fiscal Note History:** First Reader - January 15, 1996  
ncs Revised - Senate Third Reader - March 13, 1996

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