

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 976 (Delegate Dembrow)
Judiciary

Criminal Background Investigations - Adoption

This bill enables the Department of Human Resources (DHR) to waive the requirement that individuals submit to fingerprinting as part of the criminal background investigation in adoption cases. The bill requires that the federal and State criminal background investigation be completed within seven days after the individual submits the application.

Fiscal Summary

State Effect: General fund expenditures could increase by \$27,900 in FY 1997. Future year expenditures reflect annualization and a constant number of criminal background checks. Revenues would not be affected.

(\$ in dollars)	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001
GF Revenues	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
GF Expenditures	27,900	29,200	30,300	31,400	34,200
Net Effect	(\$27,900)	(\$29,200)	(\$30,300)	(\$31,400)	(\$34,200)

Note: () - decrease; GF - general funds; FF - federal funds; SF - special funds

Local Effect: None.

Fiscal Analysis

State Expenditures: A criminal background check is currently required by DHR as part of its preplacement investigations for individuals seeking to adopt children. This bill enables DHR to waive the requirement that individuals submit fingerprints as part of this investigation.

The Data Services Division of the Department of Public Safety and Correctional Services (DPSCS) advises that the Federal Bureau of Investigation (FBI) will not process applications for national criminal history record checks without the subject's legible fingerprints. Further, the State cannot require the FBI to process the application within seven days. Currently, it takes at least eight weeks for the FBI to process a criminal background check.

In addition, DPSCS advises that processing criminal background checks without fingerprinting is unreliable, due to potential use of aliases and the frequency of common surnames. Further, the department's computer system is programmed to conduct background checks with fingerprints only. Therefore, one additional fingerprint specialist would be needed to perform manual criminal background checks.

General fund expenditures could increase by an estimated \$27,900 in fiscal 1997, which reflects the bill's October 1, 1996 effective date. This estimate reflects the cost of hiring a Fingerprint Specialist to conduct manual name checks against criminal justice records. It includes salaries of \$14,346, fringe benefits, one-time start-up costs, and ongoing operating expenses. This estimate is based on approximately 1,250 background checks for individuals seeking to adopt children.

Salaries and Fringe Benefits	\$20,573
Operating Expenses	<u>7,330</u>
Total FY 1997 State Expenditures	\$27,903

Future year expenditures reflect (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 2% annual increases in ongoing operating expenses.

Information Source(s): Department of Public Safety and Correctional Services (Data Services Division), Department of Human Resources, Department of Fiscal Services

Fiscal Note History: First Reader - February 19, 1996

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