

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 668 (Senator Garagiola, *et al.*)
Education, Health, and Environmental Affairs

Education - Contractors with Criminal Convictions - Prohibitions on Contracts

This bill requires the State Board of Education to adopt regulations that prohibit a local board of education from contracting for school building repairs, maintenance, and improvements with a person who has been convicted of or who employs an individual who has been convicted of a violent crime or a child sexual offense if the repairs, maintenance, and improvements will take place during school hours. The regulations must also require a State and national criminal history records check to be conducted on each individual employed through a contract for school building repairs, maintenance, and improvements that will take place during school hours.

Fiscal Summary

State Effect: The State Board of Education could develop and adopt the regulations with existing personnel and resources.

Local Effect: Assuming contractors would pass the cost of criminal history records checks on to local school systems through higher bids, local school expenditures for school building repair, maintenance, and improvement contracts could increase minimally.

Small Business Effect: Minimal.

Analysis

Current Law: A public school may not hire an individual who has been convicted of a violent or sexual offense; however, the prohibition does not extend to an individual with whom a school system contracts.

Local Expenditures: A criminal history records check costs \$52 to process in Maryland. Assuming contractors will be responsible for running records checks on their employees, the cost will most likely be passed on to local school systems through higher bids for school construction and improvement contracts. It is assumed that maintenance and repair projects that take place in schools during regular school hours are small and involve fewer workers than large-scale construction and improvement projects that may take place during summer months or at schools that are closed for renovations. The added costs for local school systems, therefore, are not expected to be significant.

Additional Information

Prior Introductions: None.

Cross File: HB 531 (Delegate King, *et al.*) – Ways and Means.

Information Source(s): Maryland State Department of Education, Department of Public Safety and Correctional Services, Department of Legislative Services

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