

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 41

(Senator Colburn, *et al.*)

Judicial Proceedings

Judiciary

**Caroline County, Dorchester County, and Talbot County - Prospective Employees
and Volunteers - Criminal History Records Check**

This bill authorizes Caroline, Dorchester, and Talbot counties to request State and national criminal history records checks for a prospective county employee or volunteer. The records checks are confidential, may not be re-disseminated, and may only be used for a personnel-related purpose as authorized under the bill.

Specifically, the bill authorizes a designated county official in each jurisdiction to apply to the Criminal Justice Information System Central Repository for the records checks by forwarding two complete sets of the applicant's fingerprints to the Central Repository. The fees for each records check application are paid by the county. The governing body of each affected county is required to adopt guidelines if carrying out the authorized provisions.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None. The Central Repository can handle the bill's authorizations with existing budgeted resources.

Local Effect: Potential minimal increase in local expenditures in Caroline, Dorchester, and Talbot counties. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Similar statutory authority exists for Anne Arundel, Baltimore, Carroll, Howard, Montgomery, Prince George's, and Washington counties.

Local Fiscal Effect: The total cost for each criminal history records check and fingerprinting is \$54.50, which includes State and national background checks. Depending on whether each affected county implements the authorized criminal history records checks, county expenditures will increase accordingly.

Caroline County has already adopted internal policies requiring State criminal history background checks for all new hires in several county departments. However, the Federal Bureau of Investigation (FBI) will not perform national criminal history background checks without specific statutory authorization. Caroline County indicates that it will expand the use of State and national criminal history background checks to all departments under the bill. Assuming 30 new hires annually (mostly involving emergency services personnel), county expenditures may increase by approximately \$1,600 per year.

Dorchester County does not anticipate that the bill will have a material impact on local finances. The county did not indicate whether it would use the authority granted under the bill.

Talbot County indicates that it would not use the authority granted under the bill, but would continue to do human resources background checks via the use of a private firm now used for such services at a cost of \$20 to \$55, depending on the depth of the background check required.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Caroline, Dorchester, and Talbot counties; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - January 10, 2012
ncs/hlb Revised - Senate Third Reader/Updated Information - January
24, 2012 Revised - Enrolled Bill - May 15, 2012

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