

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 2407

PRINTER'S NO. 3670

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

May 24, 2012

PRIME SPONSOR

Representative Hackett

HISTORY OF BILL

Referred to AGING AND OLDER ADULT SERVICES, May 24, 2012

Reported as amended, June 6, 2012

First consideration, June 6, 2012

Re-committed to RULES, June 6, 2012

Re-reported as committed, June 12, 2012

Second consideration, June 12, 2012

Re-committed to APPROPRIATIONS, June 12, 2012

Re-reported as committed, June 13, 2012

Third consideration and final passage, June 13, 2012 (198-0)

(Remarks see House Journal Page), June 13, 2012

In the Senate

Referred to AGING AND YOUTH, June 15, 2012

Reported as committed, Sept. 25, 2012

First consideration, Sept. 25, 2012

Re-referred to APPROPRIATIONS, Oct. 1, 2012

Re-reported as committed, Oct. 15, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 2407 amends the Older Adults Protective Services Act to expand the current fingerprint method used by the Department of Aging for background checks for job applicants for all long-term care facilities.

As in current law, if the applicant has been a resident of Pennsylvania for more than two years, he or she will have to submit a State Police background check along with the application; and if the applicant has been a resident of Pennsylvania for less than two years, the applicant will have to submit a federal criminal history background check.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

The bill requires the applicant to submit a full set of fingerprints in a manner prescribed by the Department of Aging, which will then be submitted to the FBI for a national criminal history background.

The bill exempts Federal criminal history records from having the record of all notations of arrests, indictments or other information relating to the initiation of criminal proceedings extracted if the request was made pursuant to Section 502 of this bill.

The bill repeals language relating to fees paid by applicant to PA State Police for criminal background checks from the Older Adults Protective Services Act. This repeal does not affect the State Police's ability to charge a fee. Section 195.3 of 37 PA Code sets up a uniform schedule of fees and requires individuals and noncriminal justice agencies requesting criminal history record information to pay a non-refundable fee not to exceed \$10.

This act takes effect immediately.

FISCAL IMPACT:

House Bill 2407 will have no adverse fiscal impact to the Commonwealth. The bill will allow for the electronic transmission of the applicants fingerprints to the Federal Bureau of Investigation and the electronic transmission of the criminal history back to the Department of Aging rather than a paper copy being sent to the PA State Police for redaction.

In addition, the bill's repeal of the fee does not affect the State Police's ability to charge a fee. Section 195.3 of 37 PA Code will continue to allow the State Police to collect the fee; therefore, there will be no loss of revenue to the State Police.