

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 637

PRINTER NO. 1392

AMOUNT

No Fiscal Impact

FUND

Professional Licensure Augmentation
Account

DATE INTRODUCED

May 13, 2019

PRIME SPONSOR

Senator DiSanto

DESCRIPTION

Senate Bill 637 amends Title 18 (Crimes and Offenses) to state that conviction of a crime will not automatically prevent the issuance of a license, certificate, registration or permit.

Senate Bill 637 requires a board or commission under the Department of State's Bureau of Professional and Occupational Affairs when determining eligibility for licensure, certification, registration or permission to only consider an applicant's conviction of a crime and if the conviction directly relates to the duties, functions and responsibilities for that license, registration, certificate or permit's profession or occupation. The legislation clarifies that conviction of a crime does not automatically preclude issuance of a license, certificate, registration or permit.

The legislation requires that a board or commission start issuing preliminary decisions in 18 months or upon promulgation of final regulations, whichever occurs sooner. The final regulations must include the petition fee as well as an explanation of convictions directly related to the duties, functions and responsibilities of the profession or occupation for that board or commission.

This act shall take effect in 90 days.

FISCAL IMPACT

Senate Bill 637 will have no fiscal impact on Commonwealth funds. Potential costs associated with increased administrative duties would be passed on to the board or commission licensees in the form of a fee increase.

Senate Bill 637 outlines a process in which an individual with a criminal history record may petition the respective board or commission for a preliminary decision on whether their criminal history would disqualify them from receiving a license, certification, registration or permit. The filing fee for this petition may not exceed \$45. On or after January 1, 2022, boards or commissions may establish reasonable filing fees by regulations, which may not exceed what is sufficient to reimburse the administrative costs of the preliminary review. The filing fee may be waived if an individual can demonstrate that they cannot afford to pay it.