

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Criminal and Civil Justice

BILL: SB 628

INTRODUCER: Senator Richter

SUBJECT: Fees for Records

DATE: January 21, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Crosier	Hendon	CF	Favorable
2.	Sanders	Sadberry	ACJ	Favorable
3.			FP	

I. Summary:

SB 628 adds the Agency for Persons with Disabilities to the list of specified state entities and vendors that pay a reduced fee per record for state and national criminal history information for each name submitted to the Florida Department of Law Enforcement (FDLE).¹

The bill has an effective date of July 1, 2016, and has a minimal fiscal impact.

II. Present Situation:

Until May 25, 2015, the Department of Children and Families (DCF) performed background screening services for the Agency for Persons with Disabilities (APD or the agency). The agency's providers, vendors, employers, Consumer Directed Care Plus participants and representatives screening fees for state criminal records checks was \$8.00.

Beginning in May 2015, the agency migrated to the state Provider Background Screening Clearinghouse which required the agency's screenings to be processed separately from the DCF's screenings. Consequently, the agency's providers, vendors, employers, Consumer Directed Care Plus participants and representatives were charged \$24.00 per screening submitted.

III. Effect of Proposed Changes:

The bill will add the Agency for Persons with Disabilities to the list of other state agencies that offer vendors and providers reduced cost for background screenings from \$24.00 per screening submitted to \$8.00 per screening submitted.²

¹ Section 943.053(3)(b), F.S.

² *Id.* The fee per record for criminal history information provided pursuant to this subsection and s. 943.0542 is \$24 per name submitted, except that the fee for the guardian ad litem program and vendors of the Department of Children and Families, the

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under SB 628 the cost of a background screening will decrease from \$24.00 to \$8.00 per name submitted for the agency's providers, vendors, employers, Consumer Directed Care Plus participants and representatives

C. Government Sector Impact:

The fee paid to the Florida Department of Law Enforcement will decrease from \$24.00 per name submitted to \$8.00 per name submitted for state and national criminal history records checks. The FDLE indicates a projected annual revenue loss of \$115,200 to the Operating Trust Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 943.053 of the Florida Statutes.

Department of Juvenile Justice, and the Department of Elderly Affairs shall be \$8 for each name submitted; the fee for a state criminal history provided for application processing as required by law to be performed by the Department of Agriculture and Consumer Services shall be \$15 for each name submitted; and the fee for requests under s. 943.0542, which implements the National Child Protection Act, shall be \$18 for each volunteer name submitted. The state offices of the Public Defender shall not be assessed a fee for Florida criminal history information or wanted person information.

This bill reenacts the following sections of the Florida Statutes for the purpose of incorporating the amendment made by this act to sections 943.053, F.S., 110.1127, 435.04, 496.4101 and 943.0542.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
