

**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.)

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Prepared By: The Professional Staff of the Committee on Fiscal Policy

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BILL: SB 628

INTRODUCER: Senator Richter

SUBJECT: Fees for Records

DATE: January 26, 2016

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Crosier</u>	<u>Hendon</u>	<u>CF</u>	<b>Favorable</b>
2.	<u>Sanders</u>	<u>Sadberry</u>	<u>ACJ</u>	<b>Recommend: Favorable</b>
3.	<u>Jones</u>	<u>Hrdlicka</u>	<u>FP</u>	<b>Favorable</b>

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**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).

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

**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 (agency). The agency's providers, vendors, employers, and Consumer Directed Care Plus participants and representatives were charged screening fees for state criminal records checks of \$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, and 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.<sup>1</sup>

The bill is effective July 1, 2016.

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<sup>1</sup> Section 943.053(3)(b), F.S.

**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:

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

## C. Government Sector Impact:

The fee paid to the FDLE 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.<sup>2</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 943.053 of the Florida Statutes.

This bill reenacts the following sections of the Florida Statutes: 110.1127, 435.04, 496.4101, and 943.0542.

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<sup>2</sup> Florida Department of Law Enforcement, *2016 Legislative Bill Analysis SB 628*, (November 25, 2015), (on file with the Senate Committee on Fiscal Policy).

**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.

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

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