


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 12-0624
Prime Sponsor(s): Rep. DelGrosso
 Sen. Steadman

Date: July 2, 2012
Bill Status: Signed into Law
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING CRIMINAL BACKGROUND CHECKS FOR NEIGHBORHOOD YOUTH ORGANIZATIONS SEEKING TO OBTAIN A LICENSE.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue Cash Funds Colorado Bureau of Investigation Identification Unit Cash Fund	Minimal decrease. Less than \$5,000 per year.	
State Expenditures Cash Funds Colorado Bureau of Investigation Identification Unit Cash Fund	Minimal decrease. Less than \$5,000 per year.	
FTE Position Change		
Effective Date: The bill was signed into law by the Governor and took effect April 23, 2012.		
Appropriation Summary for FY 2012-2013: None required.		
Local Government Impact: None.		

Summary of Legislation

Under current law, neighborhood youth organizations (NYOs) seeking licensure from the Department of Human Services (DHS) are required to conduct a fingerprint-based criminal history records check (background check) on all employees and volunteers through both the Colorado Bureau of Investigation (CBI) and Federal Bureau of Investigation (FBI). Instead, this bill allows NYOs to instead conduct one of the following on their employees and volunteers that work with youth:

- a CBI background check;
- a FBI background check if the person has lived in Colorado less than two years;
- a comparison search using the ICON system, the state's judicial records system; or
- a background check by a private entity.

Persons found to have been convicted on felony child abuse or a felony offense involving unlawful sexual behavior cannot be hired by a NYO. Background checks must be done for employees every two years.

Background

The licensing category of NYOs was created by HB10-1044 and the background check requirements were the same as described above for the current bill. HB11-1145 changed the background check requirements for all child care centers, including NYOs, to require both a CBI and FBI background check for covered employees and volunteers. This bill returns the NYO background check requirement to the original options created by HB10-1044.

State Revenue and Expenditures

Under the bill, *revenue and expenditures in the Department of Public Safety (DPS) will both decrease by a minimal amount (less than \$5,000)*. Funds are from the Colorado Bureau of Investigation Identification Unit Cash Fund.

The bill will minimally reduce the number of people required to seek CBI and FBI background checks. There are currently 12 NYOs seeking licensure, but none are currently licensed. It is assumed that most NYOs will chose to use a private entity to conduct background checks and thus, the bill will reduce the potential pool of employees and volunteers at NYOs that will seek background checks through the FBI and CBI. A combined FBI/CBI background costs \$39.50, of which \$22.25 is used by the DPS and \$17.25 is passed through to the FBI.

Given the small number of potential background checks for NYOs, neither HB10-1044 nor HB 11-1145 included an appropriation to the DPS to cover the costs of background checks for NYO employees and volunteers. Therefore, no adjustment in appropriation is required at this time.

Departments Contacted

Human Services Judicial Public Safety