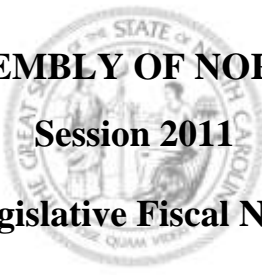


**GENERAL ASSEMBLY OF NORTH CAROLINA**



**Session 2011**

**Legislative Fiscal Note**

**BILL NUMBER:** House Bill 340 (Third Edition)

**SHORT TITLE:** Utilities Commission/Criminal Records Check.

**SPONSOR(S):** Representatives Steen and Hager

| <b>FISCAL IMPACT</b>  |  |                          |                                  |                          |                          |
|---|--|--------------------------|----------------------------------|--------------------------|--------------------------|
|   | <b>Yes (X)</b>                           | <b>No ( )</b>            | <b>No Estimate Available ( )</b> |                          |                          |
|   | <b><u>FY 2011-12</u></b>                 | <b><u>FY 2012-13</u></b> | <b><u>FY 2013-14</u></b>         | <b><u>FY 2014-15</u></b> | <b><u>FY 2015-16</u></b> |
| <b>REVENUES</b>   | <i>*See Assumptions and Methodology*</i> |                          |                                  |                          |                          |
| <b>EXPENDITURES</b>   | <b>No significant fiscal impact</b>      |                          |                                  |                          |                          |
| <b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b> Department of Justice |  |                          |                                  |                          |                          |
| <b>EFFECTIVE DATE:</b> When it becomes law                                      |  |                          |                                  |                          |                          |

**BILL SUMMARY:**

House Bill 340 provides definitions for the following terms as used in the proposed statute: (1) applicant, (2) certificate, (3) criminal history, and (4) current holder. The act also amends G.S. 62-273.1(b) to direct the Utilities Commission to conduct a criminal history record check of applicants and current holders of certificate to transport household goods. The act requires an applicant for or current holder of certificate to furnish the Commission with a complete set of the applicant's fingerprints. The proposed legislation recodifies the provision allowing the Department of Justice to provide the criminal history of any applicant for or current holder of a certificate to transport household goods to the Commission, with fingerprints forwarded to the State Bureau of Investigation (SBI) and the Federal Bureau of Investigation (FBI) in new G.S. 114-19.31.

The proposed legislation is effective when the act becomes law and applies to all current holders and applicants for a certificate to transport household goods on or after that date.

*SOURCE: BILL DIGEST H.B. 340 (03/14/0201)*

**ASSUMPTIONS AND METHODOLOGY:**

**Department of Justice**

*Revenue*

The Department of Justice (DOJ) reports that a fee of \$38 is charged to perform each criminal background check. Of this fee, \$22 is forward to the Federal Bureau of Investigation (FBI) for a check of federal databases, and the remaining \$16 is retained by DOJ. Of this \$16, \$14 goes to a check of North Carolina databases and \$2 is used for the processing cost associated with the request.

*Expenditures*

The proposed changes in the bill may increase the workload and number of background checks the SBI may have to review and process. However, the bill makes no changes to 114-19.2 (c) which allows DOJ to charge a reasonable fee to recover their costs. Because this fee mechanism remains intact, the Department does not project that the proposed legislation will have a material fiscal impact on the SBI or DOJ.

**SOURCES OF DATA:** Department of Justice

**TECHNICAL CONSIDERATIONS:** None

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**APPROVED BY:**

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**DATE:** May 31, 2011



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