



DEPARTMENT OF AUDITS AND ACCOUNTS

270 Washington St., S.W., Suite 1-156
Atlanta, Georgia 30334-8400

Greg S. Griffin
STATE AUDITOR
(404) 656-2174

August 4, 2017

Honorable Andrew Welch
State Representative
220 State Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 623 (LC 29 7546)

Dear Representative Welch:

This bill would require the Georgia Crime Information Center (GCIC), which is a division of the Georgia Bureau of Investigation (GBI), to retain fingerprints obtained for determining employment, placement, registration, a permit, or a license for an agency or entity participating in the federal program that allows continuous review of the individual's criminal history. GCIC must secure and maintain these fingerprints separately from those used for identifying criminals and submit these fingerprints to the Federal Bureau of Investigation (FBI) for future searches. The bill requires GCIC to remove fingerprints when notified that an individual is no longer employed or licensed by the participating agency or entity, and when an agency or entity no longer participates in the program. It also authorizes an annual fee for non-state entities to participate in the fingerprint program.

The bill would result in additional GBI costs and limited savings for state and local governmental entities. However, while the bill lists entities that may require fingerprints of employees or license applicants, many would not be impacted by the bill because they: 1) Do not currently require periodic, national fingerprint-based criminal history checks; 2) Require that the license holders (not the agency) pay associated fees; or 3) Require their employees to pay the costs of the background check associated with their own professional license. For example, the Department of Behavioral Health and Developmental Disabilities conducts only state background checks on employees. The Department of Community Health requires that healthcare facilities seeking licensure pay for fingerprint-based criminal history record checks for their employees.

Projected Costs for the Georgia Bureau of Investigation

The bill would result in additional costs for information system programming changes and additional staffing. As shown in Exhibit 1, for programming changes necessary to receive and

route information to meet FBI requirements and to increase IT storage space, GBI would incur one-time IT vendor costs of approximately \$245,000 and ongoing annual costs of approximately \$3,200. GBI would also incur costs to train and audit participating agencies as required under the Federal Bureau of Investigation’s CJIS Security Policy requirements. Costs for two trainers and an analyst are estimated at \$272,037 in the first year. Approximately \$47,500 is for one-time costs (primarily two vehicles), and \$224,574 is for recurring salaries/benefits and personnel-related operating costs.

Exhibit 1. Projected Costs for Retaining Fingerprints, FY 2019

	One-Time Costs	Annual Costs	TOTAL
IT Vendor Costs	\$245,000	\$3,186	\$248,186
Personnel & Related Costs	\$47,463	\$224,574	\$272,037
TOTAL	\$292,463	\$227,760	\$520,223

Potential Cost Savings

The bill could result in cost savings for the state agencies that require follow-up national fingerprint checks performed by the FBI. Agencies that subscribe to the new system would eliminate the need for follow-up background checks and the associated fees. However, because current employees’ fingerprints have not been retained, each would have to be fingerprinted (and the fees paid) at least once after implementation of the new method. There would be no cost savings for follow-up checks that are limited to state criminal history because GBI does not charge state agencies for these checks.

While GBI data indicates that several agencies paid for national fingerprint checks during FY 2016, GBI does not track whether the transactions were for initial or follow-up background checks. We identified four agencies—the Department of Human Services (DHS), the Department of Early Care and Learning (DECAL), the Technical College System of Georgia (TCSG) [child care workers only], and the University System of Georgia (USG) [child care workers only]—that require and pay for follow-up national fingerprint checks. The FBI fee for these checks is \$12, but DECAL and TCSG pay an additional \$8.50 per check to the vendor that scans and transmits the fingerprints.¹

- DHS – DHS only requires fingerprint checks for existing employees when they are promoted or transferred. Officials state that the agency averages approximately 1,700 fingerprint checks per year, but they are unsure of the number that are re-checks (vs. new employees). If one-half of the checks are for existing employees, the savings would be \$10,200. However, as noted above, employees would have to be scanned once under the new system before the program would lead to cost avoidance.
- DECAL – DECAL requires that existing employees have a fingerprint check every five years. Given that the agency has approximately 465 employees and that not all employees remain for five years, potential savings would likely be relatively low. If the bill eliminated the need for 60 follow-up checks in a single year, agency savings would be \$1,230.
- TCSG – TCSG requires follow-up background checks for 88 childcare workers only. Because childcare positions generally have high turnover, it is likely that a relatively small

¹ DHS has its own Live Scan devices for fingerprinting.

portion of these workers would receive a follow-up check. If the bill eliminated the need for 20 follow-up checks in a single year, agency savings would be \$410.

- USG – Some institutions within the University System of Georgia require and pay for follow-up national fingerprint checks for individuals that work directly with children through various school-affiliated programs (e.g., summer camps, childcare centers). Institutions reported conducting approximately 17,151 national fingerprint checks annually, though the number of initial checks and follow-up checks is not known. Many of the checks are for students, who due to relatively short tenures are less likely to need a follow-up check. If the bill reduces the number of national background checks performed by one-fourth, the savings would be \$87,900.

While these are not state agencies, we did identify local government entities that may be affected by the bill. This bill could provide cost savings for both school systems and fire departments.

- School Systems – Newly hired teachers are subject to an initial fingerprint-based criminal background check, but follow-up checks are non-fingerprint (O.C.G.A. § 20-2-211.1). According to the Georgia Association of School Personnel Administrators, school systems pay local law enforcement officials for follow-up checks. Our review of a small sample of local law enforcement agencies found published fees ranging from \$5 to \$20, though rates could be different for school systems. If the school systems use the new system, the follow-up checks and fees would be unnecessary. While we could not determine the number of school district employees subject to the follow-up background checks in a given year, the Georgia Professional Standards Commission stated that approximately 25,500 renewal certificates are issued annually. This number does not include other school district employees that are not required to maintain a certificate but may be subject to periodic background checks.
- Fire Departments – Firefighters seeking state certification are subject to an initial local, state and national fingerprint-based background check (O.C.G.A. § 25-4-8 (a)(4)). According to the Firefighters Standards and Training Council, fire departments conduct follow-up background checks when investigating personnel issues. Some fire departments pay for initial and follow-up background checks, while others require firefighters to pay these costs. We could not determine the number of firefighters subject to follow-up background checks in a given year; however, the Firefighters Standards and Training Council reported that there are approximately 33,000 state certified firefighters in the state annually.

Potential Revenue

The bill could generate revenue if non-state entities elect to participate in the program. The bill authorizes GCIC to charge non-state entities an annual subscriber fee up to \$100 to participate in the program. GBI currently provides criminal history record information to various non-state entities, including school systems and fire departments. Currently there are 181 school systems and 462 fire departments in the state, including 166 volunteer fire departments. We cannot predict how many non-state entities would enroll in this program; however, if all school systems and fire departments pay the subscriber fee to participate in the program, annual revenue would be \$64,300.

Sincerely,

A handwritten signature in blue ink that reads "Greg S. Griffin". The signature is fluid and cursive, with a horizontal line extending from the end.

Greg S. Griffin
State Auditor

A handwritten signature in blue ink that reads "Teresa A. MacCartney". The signature is cursive and includes a large initial "T".

Teresa A. MacCartney, Director
Office of Planning and Budget

GSG/TAM/jb