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BILL ANALYSIS

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House Bill 4668 (Substitute H-2 as passed by the House)
Sponsor: Representative Richard LeBlanc
House Committee: Appropriations
Senate Committee: Appropriations

Date Completed: 9-24-07

CONTENT

House Bill 4468 (H-2) would amend the fingerprinting laws to extend until October 1, 2010, the authority of the Department of State Police to charge a \$30 fee for processing fingerprints and completing a criminal record check. Under current law, the fee is scheduled to revert to \$15 on October 1, 2007.

The bill also would put into statute the authority of the Department to assess a fee of \$10 for processing and completing a name-based criminal record check, with a sunset date on this authority of October 1, 2010. Under the bill, this fee would not be charged in the case of a government agency or nonprofit charitable agency performing employment or volunteer employment named-based background checks through the Internet Criminal History Access Tool (ICHAT). This fee is currently being charged via allowed cost-of-service charges under the Freedom of Information Act (FOIA).

MCL 28.273

FISCAL IMPACT

House Bill 4468 (H-2) would permit the Department of State Police to continue to collect the current \$30 fingerprint processing fee into FY 2007-08. The Governor's recommendation and the Senate-passed State Police budget bill (SB 238) depend upon expected collections of approximately \$3.3 million to fund the State's fingerprint processing service.

The bill also would codify the name-based criminal record check fee of \$10, currently administered through the FOIA process. The revenue from this fee has averaged \$3.5 million annually over the past four years. The Department has suggested that this fee would be more appropriately and efficiently administered via a specific statutory provision than the through current mechanism of FOIA.

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