

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB485

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Garrett

3. **Committee:** Education

4. **Title:** School boards; employee criminal history records checks and applications; penalty for noncompliance.

5. **Summary:** Clarifies that certain school board employees who are (i) employed in an in-person or remote capacity or some combination thereof or (ii) fully licensed, provisionally licensed, or unlicensed are subject to the requirements in existing law to undergo a criminal history records check and a search of the registry of founded complaints of child abuse and neglect and to disclose certain criminal history information at the employment application stage and upon arrest. The bill provides that in the event that any school board fails or refuses to perform its duty to require any employee to undergo a criminal history records check as set forth in relevant law, each individual member of such board is guilty of a Class 3 misdemeanor and his position on such school board shall be deemed vacant.

6. **Budget Amendment Necessary:** Yes, Item

7. **Fiscal Impact Estimates:** Preliminary, see Item 8.

8. **Fiscal Implications:** This bill establishes a new Class 3 misdemeanor. A Class 3 misdemeanor is punishable by a fine of up to \$500. These offenses carry no jail time. All revenue collected from such fines is deposited into the Literary Fund. However, it is not possible to estimate either the number of convictions that may result or the amount of each fine that may be assessed under this legislation. Therefore, the impact of this bill cannot be determined.

Any impact to local school divisions is indeterminate.

9. **Specific Agency or Political Subdivisions Affected:** Local school divisions

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None