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Senate Bill 934 (Substitute S-1 as reported)  
Sponsor: Senator Joel D. Gougeon  
Committee: Judiciary

## **CONTENT**

The bill would amend the Aeronautics Code to require that a flight school request from the Department of State Police criminal records division a criminal history check, and a criminal records check through the Federal Bureau of Investigation (FBI), on any applicant for training at the flight school. The school would have to require the applicant to submit his or her fingerprints for the criminal checks. The Department could charge a fee for the criminal check. The bill is tie-barred to Senate Bill 1006.

Within 30 days after receiving a request from a flight school, the Department would have to conduct the criminal history check, initiate the criminal records check, and provide a report of the results to the flight school.

A flight school could enroll an applicant as a conditional student, without first receiving the report, if the applicant signed a statement identifying all crimes for which he or she had been convicted. If the statement included a felony conviction or incarceration, probation, or parole for a felony conviction within the preceding seven years, the enrollment contract would be void. If the report were not the same as the applicant's statement, the flight school would have to void the applicant's enrollment contract, the enrollment would be terminated, and the school would not be liable for the termination or any money paid toward enrollment.

A flight school could use the information received from the Department to evaluate an applicant's qualifications for enrollment or compare the information to that in a conditional student's statement of criminal convictions, or if an applicant had agreed to provide the report to a representative of another flight school. A violation of this disclosure provision would be a misdemeanor punishable by up to 90 days' imprisonment and/or a fine of up to \$500.

MCL 259.85 et al.

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

State Police. The bill would have a minimal fiscal impact on the Department of State Police. The Department routinely provides criminal history background checks at a cost of \$15 and fingerprint records checks at the State level for \$30 and through the FBI for \$24 under circumstances provided by State law.

Corrections. The bill would have an indeterminate impact on local government. There are no data to indicate how many people could be convicted of disclosing information from a flight school applicant's criminal history record. An offender would receive a misdemeanor conviction and could be fined up to \$10,000. Public libraries would benefit as they receive all penal fine revenue.

Transportation. The Michigan State Aeronautics Commission is responsible for licensing flight schools. The bill would not affect the activities of the Commission and therefore would not have a fiscal impact on the Michigan Department of Transportation.

Date Completed: 2-1-02

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