



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 601 (Substitute S-3 as reported by the Committee of the Whole)
Sponsor: Senator Gerald Van Woerkom
Committee: Education

CONTENT

The bill would amend the Revised School Code to do all of the following:

- Require any applicant for school employment and individuals being assigned to work under contract in a school (rather than applicants for certain positions only) to undergo criminal background checks through the Department of State Police and the FBI.
- Prohibit a school district, intermediate school district (ISD), public school academy (PSA), or nonpublic school from employing a person who had been convicted of a "listed offense" (an offense requiring registration under the Sex Offenders Registration Act (SORA)).
- Prohibit a district or school from employing a person or allowing a person to work under contract in any of its schools if he or she had been convicted of any other felony, unless the superintendent or chief administrator approved.

The bill also would require a school district, ISD, PSA, or nonpublic school, within one year after the bill's effective date, to ensure that a criminal history background check was performed through the Department of State Police internet criminal history access tool (ICHAT) on each person employed by the district or school, unless an FBI criminal records check had been conducted on the person at the time he or she was initially employed.

The bill would take effect on October 15, 2005, and is tie-barred to Senate Bills 609, 610, and 612.

MCL 380.1230 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the State.

School districts would incur the additional costs associated with a criminal background check on all newly hired personnel, which requires a payment of \$54 to the State Police. This would be an additional cost because currently only teachers and administrators are required to have criminal background checks.

The bill also would require existing school employees to undergo a name criminal history check through the State Police ICHAT. The cost of a name check is \$10 for a for-profit business, and there is no charge for a nonprofit or governmental entity. It should be noted that the Governor has proposed, for FY 2005-06, that nonprofit and governmental agencies be charged \$3 for each criminal history name check.

Date Completed: 6-29-05

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