



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 271 (as reported by the Committee of the Whole)

Sponsor: Senator Gerald Van Woerkom

Committee: Families and Human Services

CONTENT

The bill would amend the child care licensing Act, effective January 1, 2008, to:

- Require an applicant for an original or renewal license to operate a foster care home or a foster care group home to undergo a criminal history check, an FBI records check, and a Department of State Police ICHAT (internet criminal history access tool) check.
- Prohibit individuals convicted of a listed offense (under the Sex Offenders Registration Act) from receiving a license to operate a foster care home or a foster care group home.
- Require all current licensees of foster care homes or foster care group homes to undergo criminal background checks before their licenses could be renewed.
- Require all adult residents of a home to undergo an ICHAT check by January 1, 2009.
- Specify that a person applying to renew a license to operate a foster family home or foster family group home, who previously had undergone the required checks and had remained continuously licensed, would not be required to undergo another check.
- Require a licensee under the Act to report to the Department of Human Services (DHS) within three days after an employee or an adult residing in the home was arraigned for a felony or a misdemeanor described in the bill.
- Prescribe penalties for an individual who did not report an arraignment as required.

The bill also would require the State Police to maintain all fingerprints submitted under the Act in a database that would provide automatic notification if they matched prints from a subsequent arrest. Upon receiving notice of a match, the State Police would have to notify the DHS, which would have to contact the child care organization or foster care home with which the individual was associated.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. The DHS Office of Children and Adult Licensing (OCAL) could incur additional cost for an increased number of criminal history and background checks. There were 7,292 licensed Foster Family/Group Homes as of December 2006. The OCAL estimates that 600 additional homes are licensed per year. The actual number of people residing in the homes is not known, but OCAL estimates that approximately 11,000 checks would be required under the bill. The estimated cost of the checks is \$70 per person for an estimated cost of \$770,000.

There are no data to indicate how many offenders would be convicted of the proposed offenses. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$31,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 3-14-07

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