



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

HB 19-1186

# FINAL FISCAL NOTE

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<b>Drafting Number:</b>	LLS 19-0852	<b>Date:</b>	July 17, 2019
<b>Prime Sponsors:</b>	Rep. McLachlan; Exum Sen. Bridges; Cooke	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** SCHOOL EMPLOYMENT BACKGROUND CHECK CLARIFICATION

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**Summary of Fiscal Impact:** **No fiscal impact.** The bill expands options for pre-service teachers and other school employees to obtain fingerprints that can be used in a criminal history background check.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** The fiscal note reflects the enacted bill.

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## Summary of Legislation

Under current law, applicants for employment in school districts are required to submit a copy of their fingerprints in order to have a fingerprint-based criminal history background check conducted by law enforcement prior to an offer of employment. Criminal history checks are also conducted for individuals seeking teacher licensure from the state, for pre-service teachers gaining experience in public schools, and in some circumstances, for current school employees. These background check requirements occur in several different sections of state law.

This bill harmonizes each section of statute related to a fingerprint-based criminal history background check for education professionals to allow individuals uniform options for obtaining the fingerprints. In all instances, this bill allows for fingerprints to be obtained by:

- a qualified law enforcement agency;
- an authorized employee (and must be notarized); or
- any third-party vendor approved by the Colorado Bureau of Investigations (CBI).

At the request of a school, a law enforcement agency that has fingerprinting equipment meeting the Federal Bureau of Investigation's image quality standards must take the fingerprints of an applicant or employee, if an approved third-party vendor is not operating within 20 miles of the school within the law enforcement agency's jurisdiction.

## Assessment of No Fiscal Impact

The bill will not change the total number of fingerprints submitted to the CBI to conduct criminal history background checks for education professionals; therefore, no change in state, local government, or school district revenue, expenditures, or workload is anticipated. For this reason, the bill is assessed as having no fiscal impact.

**Effective Date**

The bill was signed into law by the Governor and took effect on April 10, 2019.

**State and Local Government Contacts**

Counties	Education	Municipalities
Personnel	Public Safety	