



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	H. 4772	Introduced on January 14, 2020
Author:	Lowe	
Subject:	Fingerprint Criminal Record Checks	
Requestor:	House Medical, Military, Public, and Municipal Affairs	
RFA Analyst(s):	Griffith and Gardner	
Impact Date:	January 30, 2020	Updated for Additional Agency Response

Fiscal Impact Summary

This bill adds both a state and national criminal records check to the list of requirements that the Department of Labor, Licensing and Regulation (LLR) can enforce for the licensure of physical therapists and physical therapy assistants. The bill will have no expenditure impact on LLR or the South Carolina Law Enforcement Division (SLED) as the duties required under the bill will be managed within the normal course of agency business.

This bill may increase General Fund revenue by approximately \$172,500 due to fees collected by SLED for state criminal records checks.

This fiscal impact statement has been updated to include responses from LLR and SLED.

Explanation of Fiscal Impact

Updated for Additional Agency Response on January 30, 2020
Introduced on January 14, 2020

State Expenditure

This bill adds both a state and national criminal records check to the list of requirements that LLR may require for the licensure of physical therapists and physical therapy assistants. This section of the fiscal impact statement has been updated to include responses from LLR and SLED.

Department of Labor, Licensing and Regulation. This bill adds that LLR may require physical therapists and physical therapy assistants to have a background check performed and submitted, at the expense of the applicant, with their applications for licensure. These operations can be conducted with existing staff and resources. Therefore, there will be no expenditure impact to LLR.

State Law Enforcement Division. This bill will have no expenditure impact on SLED as the agency already collects and processes fingerprint background checks and can manage the duties required under this bill within the normal course of agency business.

State Revenue

This bill may increase the number of state criminal records checks that SLED is required to perform. The total cost for a criminal records check is \$51.75, of which \$25 is retained by SLED. The vendor, Identogo, receives \$13.50, and the remainder of the fee, \$13.25, is remitted

to the Federal Bureau of Investigation. Pursuant to Section 23-3-115(A), revenue generated by state criminal records checks performed by SLED up to an amount of \$4,461,000 must be deposited in the General Fund. Any revenue over that amount is retained by SLED.

In FY 2018-19, LLR licensees approximately 4,500 physical therapists and 2,400 physical therapy assistants. If state background checks were performed on all 6,900 persons, revenue would increase by approximately \$172,500.

SLED reports that during FY 2018-19, the division generated \$1,230,638 in state fingerprint background check fees as well as an additional \$72,078 in background check fees for regulatory applicants. In total, during FY 2018-19, SLED generated approximately \$1,300,000 from state criminal records checks. With the addition of revenue from state background checks for physical therapists and physical therapy assistants, the total will be less than the \$4,461,000 cap on revenue deposited to the General Fund. Based upon these figures, the increase in revenue of \$172,500 will be deposited to the General Fund, and there is no increase in Other Funds of SLED.

This section of the fiscal impact statement has been updated to include a response from SLED.

Local Expenditure

N/A

Local Revenue

N/A

Prefiled on December 11, 2019

State Expenditure

This bill adds both a state and national criminal records check to the list of requirements that LLR can enforce for the licensure of physical therapists and physical therapy assistants. The fiscal impact of the bill is pending, contingent upon responses from LLR and SLED.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director