

February 2, 2022

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 582-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2508 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2508 is respectfully submitted to your committee.

HB 2508 would require an applicant, employee, or volunteer who is subject to a criminal history record check to provide the requesting entity written consent to obtain fingerprints to conduct the check and participate in the Rap Back Program. The entity would be required to notify the person that the fingerprints would be retained by the Kansas Bureau of Investigation (KBI) and the Federal Bureau of Investigation and when the fingerprints would be enrolled in the Program.

Fingerprints and records relating to the fingerprint based criminal history record check would be searched against known criminal fingerprints and latent fingerprints. The bill describes when a criminal history and other record checks would be performed.

Fingerprints and records relating to fingerprints acquired by the KBI would only be available to authorized entities. An authorized entity enrolled in the Rap Back Program would immediately notify the KBI when it is no longer entitled to receive criminal history record information relating to a particular person enrolled in the Program. The KBI would cancel the enrollment and updates to criminal history records would no longer be provided. Employees of the KBI would not disclose any records to any person who is not authorized to receive the information.

The KBI states that HB 2508 would not have a fiscal effect because it currently conducts such record checks at the state level but not at the federal level. The federal level process would not be implemented until the new Automated Biometrics Information System is fully implemented in FY 2024 and there is no charge for federal Rap Back participation.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Paul Weisgerber, KBI