

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 55

PRINTER'S NO. 752

AMOUNT

No adverse fiscal impact

FUND

General

DATE INTRODUCED

Jan. 20, 2009

PRIME SPONSOR

Senator Piccola

HISTORY OF BILL

Referred to EDUCATION, Jan 20, 2009
Reported as amended, March 24, 2009
First consideration, March 24, 2009
Re-referred to APPROPRIATIONS, March 30, 2009
Re-reported as committed, June 15, 2009

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 55 amends the Public School Code to expand the list of convicted offenses that prohibit a person from being employed in a public or private school, intermediate unit or area vo-tech school. The bill also removes provisions providing that "an offense" or "certain offences" had to occur in the five years immediately preceding the date of the criminal background check to preclude employment. The offenses that are added are as follows: 1) Luring a child into a motor vehicle or structure; 2) Sexual intercourse with an animal; 3) Incest; 4) Concealing death of a child; 5) Endangering welfare of children; 6) Dealing in infant children; 7) A felony relating to promoting prostitution; 8) Selling and disseminating obscene and other sexual materials and performances to minors; 9) Corruption of minors; 10) Sexual abuse of children; 11) Unlawful contact with a minor; 12) Sexual exploitation of children: and, 13) Institutional sexual assault.

The bill precludes employment for ten years from the expiration of the sentence for any person that has been convicted of a felony of the first, second or third degree that is not already enumerate in the law.

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It precludes employment for five years from the expiration of the sentence for any person convicted of a misdemeanor of the first degree. It also precludes employment for three years from the expiration of the sentence for any person convicted more than once for driving under the influence of alcohol or a controlled substance and the offense is graded as a misdemeanor of the first degree.

Additionally, the bill removes provisions that exempted employees under 21 years of age, temporary employees and employees in job training programs from criminal background checks. The bill allows school administrators to require an employee submit a current report of criminal history when it is believed that the employee has a conviction for a criminal offense.

The law is scheduled to become effective in 90 days.

FISCAL IMPACT:

The enactment of Senate Bill 55 will have no adverse fiscal impact on Commonwealth funds. Minor administrative costs related to background checks incurred by the Department of Education and school entities implementing provision contained in Senate Bill 55 can be accomplished within their existing operating budgets.