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BILL ANALYSIS

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Senate Bill 137 (as reported without amendment)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

CONTENT

The bill would amend the Forensic Polygraph Examiners Act to revise the requirement that an applicant for a license as a forensic polygraph examiner furnish fingerprints to the State board of forensic polygraph examiners; and authorize the Department of State Police to forward the fingerprints to the FBI.

Currently, upon application and payment of the required license fee, an applicant must furnish the board with "completed fingerprint cards in duplicate" and other identifying information or certification as to their authenticity that the board requires. Under the bill, an applicant would have to furnish the board with a single completed fingerprint card, along with other identifying information or certification that the board required, and arrange for "the conduct of a criminal history check that fails to demonstrate ineligibility" under the Act. (A person who has been under sentence for a felony within five years before his or her application is ineligible for a license.)

The bill would require the board to submit the applicant's fingerprints along with the appropriate State and Federal fees to the Department of State Police for a criminal history check. The Department then could forward the fingerprints to the Federal Bureau of Investigation for a criminal history check. The applicant would have to pay the fee when submitting the fingerprints to the board. Information obtained from the criminal history check would be limited to an official determination of the applicant's character and fitness for licensing purposes.

MCL 338.1710

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The Department of State Police currently requires an applicant's fingerprints for criminal background checks. The applicant pays a \$54 fee of which \$24 is forwarded to the Federal government and \$30 is allocated to the State Police. The bill would codify current practice.

The Federal government is requiring statutory authorization in order for the FBI to continue processing criminal background checks.

Date Completed: 2-2-05

Fiscal Analyst: Bill Bowerman