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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 440
136th General Assembly

Final Fiscal Note & Local Impact Statement

[Click here for H.B. 440's Bill Analysis](#)

Primary Sponsors: Reps. Deeter and Stewart

Local Impact Statement Procedure Required: No

Ryan Sherrock, Senior Economist

Highlights

- The bill revises the law governing the Ohio Board of Nursing and criminal records checks. There might be negligible costs if any rule changes are necessary, but these costs would be absorbed with existing resources.

Detailed Analysis

The bill revises the law governing the Ohio Board of Nursing and criminal records checks by (1) consolidating, in one statute, references to the types of individuals required to undergo Board-related checks and (2) specifically requiring an individual, when requesting a criminal records check for Board purposes, to submit one complete set of fingerprint impressions directly to the Superintendent of the Bureau of Criminal Identification and Investigation (BCI) (current law requires this but it is not explicitly stated). These provisions will not have any fiscal impacts.

Additionally, the bill establishes a specific duty on the BCI Superintendent to: request any information that the FBI has with respect to an individual when that individual seeks a Board-related criminal records check; and to report to the Board any information that the FBI provided to BCI about an individual subject to a criminal records check. The bill also exempts from Ohio's public records law Board of Nursing-related criminal records check results and any information provided by the FBI to BCI, along with any report containing FBI information. Finally, the bill eliminates the Board of Nursing's authority to make criminal records check results and reports containing those results available to the representative of an individual who is subject to a Board-related check, and clarifies that records check results, information provided by the FBI, and any reports containing records check results or FBI information are not to be made available to any person or government entity except for the individual who is the subject of the check and the Board of Nursing. If these provisions result in any administrative changes for BCI or the Board, any related costs should be negligible and would be absorbed with existing resources.