



**Fiscal Estimate Narratives**  
**OSER 12/1/2009**

LRB Number <b>09-3615/1</b>	Introduction Number <b>SB-395</b>	Estimate Type <b>Original</b>
<b>Description</b> Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority		

**Assumptions Used in Arriving at Fiscal Estimate**

This bill (SB 395) provides that candidates for full-time law enforcement or tribal law enforcement positions must submit to psychological evaluations before appointment to these positions on or after January 1, 2010. It also requires hiring agencies to review the psychological evaluations before making appointments, and that the evaluations are confidential and not subject to public inspection or copying under the open records law.

The bill further requires that the Law Enforcement Standards Board (LESB) promulgate rules for the content of said psychological evaluations. Further, the bill requires the LESB to submit to the legislature by April 1, 2011 a report that; 1) evaluates the effect of the new requirement; 2) makes a recommendation as to whether the same evaluations be required for part-time or limited term officers, and; 3) whether the same evaluations should be required for officers appointed to special weapons and tactic units.

Finally, the provisions in this bill make the new requirement for psychological examinations a prohibited subject of bargaining under the State Employment Labor Relations Act.

It is known that some law enforcement agencies already conduct psychological screenings of candidates for these positions, and that others do not. The bill specifies that the psychological evaluations be conducted by licensed psychologists. In that the bill directs the LESB to develop by rule the content of these evaluations, the resulting content of the proposed psychological examinations is therefore not yet known.

Therefore, the fiscal estimate as it relates to any new or increased costs to the Office of State Employment Relations through its involvement in the testing and hiring of candidates for the state's law enforcement positions are indeterminate.

**Long-Range Fiscal Implications**

Indeterminate.