

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3347-01
Bill No.: SB 587
Subject: Courts; Criminal Procedure
Type: Original
Date: January 17, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
DNA Profiling Analysis*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds*	\$0	\$0	\$0

***Offsetting Revenues and Costs in the DNA Profiling Analysis Fund of approximately \$700,000 per fiscal year.**

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government**	\$0	\$0	\$0

****Offsetting Revenues and Costs to Crime Laboratories of approximately \$700,000 per fiscal year.**

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Director’s Office** and the **State Treasurer’s Office** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would remove the August 28, 2006 expiration date for the \$30 and \$15 surcharges on certain criminal cases. In the first eleven months of 2005, \$643,614 was deposited into the DNA Profiling Analysis Fund. With the deletion of the expiration date, CTS would anticipate that approximately this amount would be deposited into the fund in any given year.

Oversight assumes funds deposited into the DNA Profiling Analysis Fund would be distributed by the Department of Public Safety to crime laboratories for the implementation of the DNA Profiling System.

ASSUMPTION (continued)

Oversight assumes this proposed legislation extends an existing provision by removing or changing the expiration date. Oversight assumes removing or changing the expiration date will extend any fiscal impact associated with the existing provision. Therefore, Oversight has reflected the fiscal impact in the fiscal note.

This proposal would increase Total State Revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
DNA PROFILING ANALYSIS FUND			
<u>Revenues</u> – State Treasurer’s Office			
Court fees	\$576,922	\$702,124	\$702,124
<u>Costs</u> – Department of Public Safety			
Distributions to crime laboratories	<u>(\$576,922)</u>	<u>(\$702,124)</u>	<u>(\$702,124)</u>
ESTIMATED NET EFFECT ON DNA PROFILING ANALYSIS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
POLITICAL SUBDIVISIONS			
<u>Revenues</u> – Crime Laboratories			
Distributions from DNA Profiling Analysis Fund	\$576,922	\$702,124	\$702,124
<u>Costs</u> – Crime Laboratories			
Implementation of DNA Profiling System	<u>(\$576,922)</u>	<u>(\$702,124)</u>	<u>(\$702,124)</u>
ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

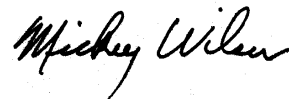
DESCRIPTION

The proposed legislation removes the August 28, 2006, expiration date for the \$30 surcharge on criminal cases in which the defendant pleads guilty to or is convicted of a felony and the \$15 surcharge for cases in which the defendant pleads guilty to or is convicted of a misdemeanor. This money is deposited into the DNA Profiling Analysis Fund and used only for the DNA profiling analysis of convicted offender samples.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This proposal would increase Total State Revenue.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Public Safety
– Director's Office
State Treasurer's Office



Mickey Wilson, CPA
Director
January 17, 2006