

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4688-01  
Bill No.: SB 729  
Subject: Crimes and Punishment  
Type: Original  
Date: January 5, 2016

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Bill Summary: This proposal requires every individual who is 17 years or older and is arrested for a felony offense to provide a biological sample for DNA profiling.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue Fund	(\$867,264)	(\$880,612)	(\$881,375)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$867,264)</b>	<b>(\$880,612)</b>	<b>(\$881,375)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
General Revenue	1 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state their Crime Laboratory Division estimates that this proposal could potentially result in the collection of an additional 53,229 DNA samples each year, which is almost double the number of samples currently being processed annually. These calculations are based on the 2014 Missouri State Highway Patrol CJIS arrest statistics and the CLD 2014 arrestee offender sample intake. Current statutorily eligible arrestee samples received in 2013 were subtracted from the number of projected arrests from this proposal. This subtraction is believed to prevent duplication in sample count.

In 2009, the General Assembly passed HB 152 which expanded the DNA collection program to include persons arrested only for a felony under chapters 565, 566, and 569, RSMo. Currently, the Patrol is receiving approximately 50 percent of the predicted samples. Therefore, MHP assumes that to properly implement this proposal (under the assumption that 50 percent or 26,615 (53,229/2) of the samples will be submitted each year), the Patrol laboratory would need one additional FTE and additional funding for collection kits, reagents, and consumables. FTE needs and cost calculations are based on the unit's present processing capacity and operational costs.

1 Criminalist I (\$1,682.50 x 24)	\$40,380
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This FTE would assist in the receipt, acceptance, tracking and storage of all samples; data entry, maintain equipment and supplies; expungement process; sample preparation for analysis; provide training; and advise and support law enforcement agencies.

The cost estimate for offender DNA collection kits, consumables, and reagent for sample processing and analysis is \$804,305 (\$30.22 x \$26,615).

Officials from the **Office of Prosecution Services**, the **Office of the State Public Defender**, the **Department of Corrections**, and the **Office of the State Courts Administrator** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Attorney General's Office** assume that any potential costs arising from this proposal could be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>GENERAL REVENUE</b>			
<u>Costs - Missouri Highway Patrol</u>			
Personal Service (1 FTE)	(\$33,650)	(\$40,784)	(\$41,192)
Fringe Benefits	(\$29,309)	(\$35,523)	(\$35,878)
DNA Collection kits (26,615 x \$30.22)	<u>(\$804,305)</u>	<u>(\$804,305)</u>	<u>(\$804,305)</u>
<b>Total Costs - MHP</b>	<b><u>(\$867,264)</u></b>	<b><u>(\$880,612)</u></b>	<b><u>(\$881,375)</u></b>
FTE Change - MHP	1 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>(\$867,264)</u></b>	<b><u>(\$880,612)</u></b>	<b><u>(\$881,375)</u></b>
 Estimated Net FTE Change for the General Revenue Fund	 1 FTE	 1 FTE	 1 FTE
 <u>FISCAL IMPACT - Local Government</u>	 FY 2017 (10 Mo.)	 FY 2018	 FY 2019
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

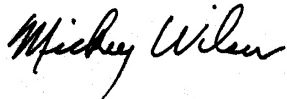
Under current law, every individual who is 17 years old or older and is arrested for burglary, sex-related felonies, and certain felonies committed against a person must provide a biological sample for DNA profiling analysis.

This proposal requires every individual who is 17 years old or older who is arrested for any felony offense to provide a biological sample for DNA profiling.

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

SOURCES OF INFORMATION

Department of Corrections  
Department of Public Safety  
    Missouri Highway Patrol  
Attorney General's Office  
Office of Prosecution Services  
Office of the State Public Defender  
Office of the State Courts Administrator



Mickey Wilson, CPA  
Director  
January 5, 2016

Ross Strobe  
Assistant Director  
January 5, 2016