

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0356-03
Bill No.: HCS for SB 204
Subject: Crimes and Punishment
Type: Original
Date: May 10, 2017

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

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
DNA Profiling Fund	(\$560,573)	(\$574,223)	(\$575,004)
Total Estimated Net Effect on <u>Other</u> State Funds	(\$560,573)	(\$574,223)	(\$575,004)

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
DNA Profiling Fund	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state the proposed legislation would require every individual who is 17 years or older and is arrested for a felony offense to provide a biological sample for DNA profiling.

The Crime Laboratory Division estimates that this proposal could potentially result in the collection of an additional 33,089 DNA samples, which is more than double the number of samples currently being processed annually. These calculations are based on the 2015 Missouri State Highway Patrol Criminal Justice Information Services (CJIS) arrest statistics and the Crime Laboratory Division (CLD) 2015 arrestee offender sample intake. Current statutorily eligible arrestee samples received in 2015 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. To properly implement this proposal under the assumption that 50 percent or 16,545 (33,089/2) 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 (\$1,716 x 24)	\$41,184
--------------------------------	----------

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 \$496,185 (\$29.99 x 16,545).

The MHP assumes the costs from this proposal would be from the state's DNA Profiling Fund.

In the original fiscal note for SB 204 (0356-01) the MHP assumed the cost should be reflected in the General Revenue Fund; however, MHP revised their estimate to the DNA Profiling Fund.

According to a report from the **Office of the State Treasurer**, the balance of the DNA Profiling Fund (0772) on April 30, 2017 was \$3,094,784.

ASSUMPTION (continued)

Officials from the **Department of Corrections**, the **Office of Prosecution Services**, and the **Department of Mental Health** each assume the proposal would not fiscally impact their respective agencies.

In response to a previous version of this proposal, officials from the **Boone County Sheriff's Department** assumed the proposal would not fiscally impact their agency.

In response to a previous version of this proposal, officials from the **Cole County Sheriff's Department** assumed minimal fiscal impact from the proposal.

In response to a previous version of this proposal, officials from the **Attorney General's Office** assumed that any potential costs arising from this proposal could be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
DNA PROFILING FUND			
<u>Costs - Missouri Highway Patrol</u>			
Personal Service (1 FTE)	(\$34,320)	(\$41,596)	(\$42,012)
Fringe Benefits	(\$30,068)	(\$36,442)	(\$36,807)
DNA Collection kits (16,545 x \$30)	<u>(\$496,185)</u>	<u>(\$496,185)</u>	<u>(\$496,185)</u>
Total Costs - MHP	<u>(\$560,573)</u>	<u>(\$574,223)</u>	<u>(\$575,004)</u>
FTE Change - MHP	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFECT TO THE DNA PROFILING FUND	<u>(\$560,573)</u>	<u>(\$574,223)</u>	<u>(\$575,004)</u>
Estimated Net FTE Change for the DNA Profiling Fund	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<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.

FISCAL DESCRIPTION

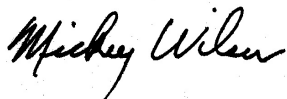
Under current law, every individual who is 17 years old or older and is arrested for burglary, sex-related felonies, and certain felonies committed against a person must provide a biological sample for DNA profiling analysis.

This act 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
Department of Mental Health
Cole County Sheriff's Department
Boone County Sheriff's Department



Mickey Wilson, CPA
Director
May 10, 2017

Ross Strope
Assistant Director
May 10, 2017