

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3197-01
Bill No.: HB 931
Subject: Department of Corrections; Crimes and Punishment; Law Enforcement Officers and Agencies; Science and Technology
Type: Original
Date: February 2, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	(\$3,378,716 to \$3,478,716)	(\$2,285,982 to \$2,385,982)	(\$2,353,211 to \$2,453,211)
Total Estimated Net Effect on General Revenue Fund	(\$3,378,716 to \$3,478,716)	(\$2,285,982 to \$2,385,982)	(\$2,353,211 to \$2,453,211)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services** and the **Office of State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Attorney General** assume any potential costs arising from this proposal can be absorbed within existing resources.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on prosecutors.

ASSUMPTION (continued)

Officials from the **Department of Corrections (DOC)** assume the proposed legislation revises the profiling system to require DNA samples from any felon and any juvenile adjudicated for a felony or sex offense. DOC's estimated fiscal impact is of an unknown amount but expected to be less than \$100,000. Current staff would be required to identify offenders who would need to be tested, notify and counsel with those offenders, schedule and ascertain availability of offenders for testing, and provide that staff be present at the time of the test. It is likely that overtime will be accrued. The actual DNA test costs would continue to be borne by the Department of Public Safety. Although monitoring and tracking costs are unknown, DOC estimates the costs would not exceed \$100,000 per year.

Officials from the **Department of Public Safety – Missouri State Highway Patrol (MHP)** assume the proposed legislation would increase current annual DNA analysis from approximately 2,200 to 36,000 (new offenders) samples. Upon implementation of the law, approximately 108,575 (backlog) adult individuals who are presently under the supervision of the Department of Corrections will qualify for collection and analysis. With equipment upgrades, the Profiling Unit of the MHP's Crime Lab would be able to analyze the annual incoming offender samples and a portion of the offender backlog. It is expected that the backlog samples would be analyzed over a period of three years. The DNA processing cost is based on the estimated number of offenders, which was provided by the Department of Corrections in 2003 and the Division of Youth Services in 2004, multiplied by the present cost of reagents and supplies. The equipment upgrade and additional employees are based on the estimated number of annual new offenders (not the initial backlog of 108,575) and the number of employees and the number and type of equipment needed to process these samples.

The Crime Lab would require the following additional FTE as a result of the proposed legislation:

3 Criminalists (each at \$28,044 per year) – duties would be to perform DNA sample preparation, analysis and review.

1 Laboratory Evidence Control Clerk (at \$18,732 per year) – duties would be to perform data entry, filing, and sample tracking and control.

3 Laboratory Evidence Technicians (each at \$22,320 per year) – duties would be to perform sample preparation, equipment maintenance and other laboratory support duties.

MHP estimates the total cost to be \$3,378,716 in FY 05; \$2,285,982 in FY 06; and \$2,353,211 in FY 07.

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ASSUMPTION (continued)

MHP assumes the proposed legislation would result in long-range costs due to the increase current annual DNA analysis from approximately 2,200 to 36,000 (new offenders) samples. Upon implementation of the law, approximately 108,575 (backlog) adult individuals who are presently under the supervision of the Department of Corrections will qualify for collection and analysis. MHP assumes, with equipment upgrades, the Profiling Unit of the Crime Lab would be able to analyze the annual incoming offender samples and a portion of the offender backlog. MHP assumes the backlog samples would be analyzed over a period of three years and after that, the 36,600 new samples would be processed annually. MHP estimates the long-range costs to be \$1,309,384 in FY 08 and beyond.

Oversight assumes local crime laboratories would have an increase in costs due to the increased number of samples to be tested. Oversight has reflected this increase in costs as Unknown.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
GENERAL REVENUE FUND			
<u>Costs – Department of Corrections</u>			
Monitoring/Tracking offenders for			
DNA Testing	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
<u>Costs – Missouri State Highway Patrol</u>			
Personal Service (7 FTE)	(\$145,058)	(\$178,421)	(\$182,882)
Fringe Benefits	(\$74,357)	(\$91,459)	(\$93,745)
Equipment and Expense	<u>(\$3,159,301)</u>	<u>(\$2,016,102)</u>	<u>(\$2,076,584)</u>
<u>Total Costs – MHP</u>	<u>(\$3,378,716)</u>	<u>(\$2,285,982)</u>	<u>(\$2,353,211)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$3,378,716 to \$3,478,716)</u>	<u>(\$2,285,982 to \$2,385,982)</u>	<u>(\$2,353,211 to \$2,453,211)</u>

FISCAL IMPACT - Local Government

FY 2005
(10 Mo.)

FY 2006

FY 2007

CRIME LABORATORIES

Costs – increased DNA samples for testing

(Unknown)

(Unknown)

(Unknown)

**ESTIMATED NET EFFECT ON
CRIME LABORATORIES**

(Unknown)

(Unknown)

(Unknown)

FISCAL IMPACT - Small Business

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

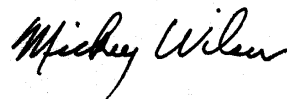
DESCRIPTION

The proposed legislation would revise the DNA profiling system to include samples from subjects of the investigation or prosecution of any felony offense or any sexual offense as well as from juvenile subjects of investigation or adjudication of any felony offense or any sexual offense.

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

Office of Attorney General
Office of State Courts Administrator
Department of Corrections
Department of Social Services
Department of Public Safety
– Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender



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Mickey Wilson, CPA
Director
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