

HCS SCS SB 423 -- DNA PROFILING SYSTEM

SPONSOR: Bartle (Lipke)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Crime Prevention and Public Safety by a vote of 13 to 0.

This substitute exempts traffic violations cases from the \$15 surcharge collected on misdemeanor cases and deposited into the DNA Profiling Analysis Fund. The substitute also makes several technical changes to the laws regarding the administration of the DNA profiling system. The substitute clarifies that for those offenders required to provide a DNA sample, the sample may be taken upon the inmate's entering or before being released from a reception and diagnostic center of the Department of Corrections, a county detention facility, or any private detention facility under contract with the state or a local governmental entity. When an offender is in the custody of a private facility, the sheriff's department of the county assigned to the offender is responsible for the collection of the DNA sample.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPONENTS: Supporters say that it was never the intention of the legislature in passing the DNA profiling bill to require a surcharge to be paid on traffic violations. The bill clarifies that ambiguity in the statute and an ambiguity about who must collect the DNA sample when the prisoner is housed in a contracted facility. This issue was not addressed in the original bill.

Testifying for the bill were Senator Bartle; State Highway Patrol; and Missouri Supreme Court.

OPPONENTS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst