

## Department of Planning and Budget

### 2007 Fiscal Impact Statement

**1. Bill Number** HB3034

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input checked="" type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Bell

**3. Committee** Senate Courts of Justice

**4. Title** DNA analysis and data bank; penalty.

**5. Summary/Purpose:** Provides that the Department of Forensic Science shall periodically review the DNA data bank it maintains and report the identity of any person required to submit a blood, saliva, or tissue sample for DNA analysis pursuant to Article 1.1 (§ 19.2-310.2 et seq.) of Chapter 18 of Title 19.2 for whom no sample or analysis can be located to the Virginia Parole Board, the Virginia Department of Corrections, all probation and parole districts and programs, the sentencing court, and state and local law-enforcement agencies. If, at the time of the report, the person is on probation, parole, or any other form of post release supervision, the entity overseeing that supervision shall request that the person submit the required sample. If the person fails to accede to the request within a reasonable time, his post release supervision shall be revoked or terminated. If, at the time of the report, the person is not subject to any post release supervision, the local law-enforcement agency for the locality in which the person resides shall request that the person submit the required sample. If the person fails to accede to the request within a reasonable time, he is guilty of a Class 3 misdemeanor. The bill also provides that the fee for taking a DNA sample may be charged only one time regardless of the number of samples taken. The bill also provides that the DNA sample of a person who is convicted of a felony but who will not be incarcerated shall be taken before he is released from the custody of the sentencing court.

**6. No Fiscal Impact.**

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** The Departments of Corrections, Juvenile Justice and Forensic Sciences and the State Compensation Board do not expect a fiscal impact due to the proposed legislation.

**9. Specific agency or political subdivisions affected:** Departments of Corrections, Juvenile Justice and Forensic Science, the State Compensation Board and local and regional jails.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 02/16/07 / jgc

**Document:** G:\2007\EFIS\mdm\_ric\HB3034H1.DOC

cc: Secretary of Public Safety