

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB2065

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Bell, Robert B.

3. Committee: Passed Both Houses

4. Title: DNA samples taken at arrest and upon conviction

5. Summary: This bill expands the scope of DNA (deoxyribonucleic acid) collection to provide that every person *convicted* of a violation of (i) § 18.2-67.4 (sexual battery), (ii) § 18.2-67.4:2 (sexual abuse of a child under 15), (iii) subsection C of § 18.2-67.5 (attempt to commit sexual battery), (iv) § 18.2-130 (peeping), or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue) shall have a sample of his blood, saliva, or tissue taken for DNA analysis. The bill also provides that the Department of Forensic Science may include the identification characteristics of an individual's DNA profile in the DNA data bank when ordered by a circuit court pursuant to a lawful plea agreement.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See Item #8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2011	-	-	-
2012	\$25,000	-	General Fund
2013	\$25,000	-	General Fund
2014	\$25,000	-	General Fund
2015	\$25,000	-	General Fund
2016	\$25,000	-	General Fund
2017	\$25,000	-	General Fund

8. Fiscal Implications: The enrolled bill adds some categories of misdemeanor convictions that would require samples, eliminated others, and struck any additional arrestee sampling. However, the anticipated impact is expected to be comparable to the original estimate of approximately 625 additional samples collected annually as a result of the legislation. The cost of the collection kit, supplies for processing the sample, and staff time are approximately \$40 per sample. This will result in additional costs of approximately \$25,000 annually which can be absorbed within existing resources.

9. Specific Agency or Political Subdivisions Affected: Department of Forensic Science, state and local police departments, and sheriffs' offices.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/21/11

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Cc: Secretary of Public Safety