

Department of Planning and Budget 2019 Fiscal Impact Statement

1. **Bill Number:** HB2279ER

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

2. **Patron:** Morefield

3. **Committee:** Passed both houses

4. **Title:** Department of Forensic Science purchases of forensic laboratory services.

5. **Summary:** Requires that the Department of Forensic Science (DFS) make and enter into contracts or agreements for forensic laboratory services with any laboratory located in the Commonwealth that is operated by an institution of higher education located in the Commonwealth or a corporate entity that is wholly owned by an institution of higher education located in the Commonwealth. These institutions must offer a program leading to a Doctor of Pharmacy degree, and be accredited by the Accreditation Council for Pharmacy Education and the Southern Association of Colleges and Schools. DFS may request, and the Director of the Division of Purchases and Supplies of the Department of General Services (DGS) may grant, an exemption to these provisions in the following cases: (i) such a laboratory does not meet the reasonable requirements of DFS; (ii) such a laboratory cannot provide the forensic laboratory services required by DFS; (iii) forensic laboratory services identical to those provided by such a laboratory can be obtained elsewhere at a cost that is at least 10 percent less, as evidenced by a verified request for pricing; or (iv) in cases in which DFS has issued a Request for Proposals, a proposal submitted by another laboratory has received a ranking that is at least 10 percent higher than the ranking of any laboratory described in this section. The bill requires the Director of the Division of Purchases and Supply to submit a written justification for the exception to the Directors of DFS and DGS. The bill also adds that, for the purposes of Code sections relating to admission of certificates of analysis into evidence, or certificates of analysis as evidence of chain of custody, any laboratory that has entered into a contract with DFS for the provision of forensic laboratory services shall be deemed authorized by DFS to conduct such analyses or examinations.

6. **Budget Amendment Necessary:** Indeterminate.

7. **Fiscal Impact Estimates:** Final. See Item 8 below.

8. **Fiscal Implications:** The provisions of the bill provide that the Department of Forensic Science (DFS) “may” make and enter into contracts or agreements for forensic laboratory services with any laboratory located in the Commonwealth that is operated by an institution of higher education located in the Commonwealth or a corporate entity that is wholly owned by an institution of higher education located in the Commonwealth. As a result, it is not clear how many institutions of higher education would enter into an agreement or contract with

DFS. Additionally, it is not clear how many schools have the capability to provide these services in the future. Therefore, the fiscal impact on DFS is indeterminate at this time.

Any potential impact on the Department of General Services (DGS) is unknown at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Forensic Science, Department of General Services, Institutions of higher education.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to SB1274ER.