

Revised

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB1249

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

2. Patron: Toscano

3. Committee: House Courts of Justice

4. Title: DNA analysis upon conviction of certain misdemeanors.

5. Summary: Requires DNA analysis of individuals convicted of misdemeanor assault and battery, assault and battery against a family or household member, petit larceny, and trespass. Current law requires the collection of blood, saliva, or tissue for DNA analysis from anyone convicted of a felony, any incarcerated person, and those convicted of certain misdemeanor offenses.

6. Budget Amendment Necessary: Yes. Item 407.

7. Fiscal Impact Estimates: Preliminary. See Items 7a, 7b, and 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2019	\$452,883	1	General Fund
2020	\$452,883	1	General Fund
2021	\$452,883	1	General Fund
2022	\$452,883	1	General Fund
2023	\$452,883	1	General Fund
2024	\$452,883	1	General Fund
2025	\$452,883	1	General Fund

7b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2019	\$271,125	General Fund
2020	\$271,125	General Fund
2021	\$271,125	General Fund
2022	\$271,125	General Fund
2023	\$271,125	General Fund
2024	\$271,125	General Fund
2025	\$271,125	General Fund

- 8. Fiscal Implications:** According to data received from the Virginia Criminal Sentencing Commission, the Department of Forensic Science (DFS) estimates there would be 12,093 additional samples to process annually as a result of the proposed legislation. It costs DFS \$31.00 in materials and supplies for each DNA sample submitted for analysis. The agency also estimates that they will need one additional technician to process this many additional samples. The annual salary and benefits costs for this position is estimated to be \$78,000. The total estimated cost to DFS as a result of this provision is approximately \$452,883 (supplies/materials and personnel costs).

Additionally, a \$53 fee is charged to each person convicted of a crime requiring a DNA sample, out of which \$38 of this amount is paid into the general fund of the State Treasury, and \$15 is to be paid to the locality where the sample was taken. Based on the Auditor of Public Accounts review of Commonwealth Court Collections issued in April 2013, the collection rate in District Courts is 59 percent. Assuming that the number of convictions and collection rates stay the same, the provisions of this legislation would result in approximately \$271,125 annually in additional revenue deposited into the general fund.

- 9. Specific Agency or Political Subdivisions Affected:** Department of Forensic Science, Courts, and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None