

## **Department of Planning and Budget 2018 Fiscal Impact Statement**

**1. Bill Number:** HB294

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

**2. Patron:** Collins

**3. Committee:** Courts of Justice

**4. Title:** DNA sample taken upon conviction; fee.

**5. Summary:** Current law provides that the fee for taking a sample of a person's blood, saliva, or tissue for DNA analysis after being convicted of a felony or certain misdemeanors be charged to an offender only once regardless of the number of samples taken. The proposed legislation removes this limitation, allowing for the fee to be assessed for each sample taken.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** When offenders are convicted in criminal cases, the Commonwealth is entitled to charge offenders for certain costs associated with the litigation process. One of the allowable fees is the cost of DNA sampling, the results of which are entered into a DNA database that is maintained by the Department of Forensic Science. The fee charged for the DNA sample is \$53, \$15 of which is deposited into the general fund of the locality where the sample was taken and \$38 of which is deposited into the general fund of the state treasury. Current law allows this fee to be assessed only once for each conviction, regardless of the number of DNA samples taken from the offender. The proposed legislation removes this limitation, allowing the fee to be assessed for each DNA sample taken. This change could result in additional fees collected when multiple DNA samples are taken from convicted offenders. However, it is not possible to estimate either the number of convictions that might be affected or the number of DNA samples that might be taken at this time. Therefore, the impact of this bill cannot be determined.

According to the Department of Forensic Science, this bill has no fiscal impact on agency operations.

**9. Specific Agency or Political Subdivisions Affected:** None

**10. Technical Amendment Necessary:** None

**11. Other Comments:** None