

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: SB1071

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

2. Patron: Norment

3. Committee: Judiciary

4. Title: Post-conviction testing of DNA.

5. Summary: Provides that private laboratories that are accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community and approved by the Director of the Federal Bureau of Investigation (FBI) in accordance with the provisions of the federal DNA Identification Act may complete post-conviction testing of DNA evidence if such testing is not performed by the Department of Forensic Science (DFS). The bill also permits post-conviction DNA testing to be performed by a laboratory that is mutually selected by the Commonwealth and the applicant or one selected by the court that ordered the testing if the Commonwealth and the applicant are unable to agree on a laboratory to perform the testing. The bill also removes a requirement that the testing must not have been available at the time of conviction.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See below.

8. Fiscal Implications: This bill would allow other laboratories, besides the Department of Forensic Science (DFS), to perform post-conviction DNA testing, so long as such laboratories meet certain accreditation requirements. According to DFS, there is no anticipated fiscal impact on agency operations as a result of the provisions of this proposed legislation.

9. Specific Agency or Political Subdivisions Affected: Department of Forensic Science.

10. Technical Amendment Necessary: No.

11. Other Comments: None.