

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 30, 2005

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB651 by Harris (Relating to the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The University of North Texas Health Science Center at Fort Worth's (UNTHSC) DNA Identity Laboratory offers services necessary to process and analyze all unidentified remains samples and any samples associated with "high risk" missing persons cases throughout the state. The UNTHSC DNA Identity Laboratory is one of three facilities in the country capable of uploading DNA data into the Federal Bureau of Investigation's (FBI) Combined DNA Index System (CODIS). The identification of these skeletal remains provides law enforcement with the critical first step to capturing the perpetrator of a violent crime.

A federal requirement for a lab to participate in the FBI's CODIS system is that the lab be considered a law enforcement entity. The FBI has indicated that UNTHSC's DNA Identity Laboratory cannot link up with CODIS in cases involving murder, sexual assault, or burglary because it is established under the Education Code. The bill moves the existing statutory language establishing UNTHSC to the Code of Criminal Procedure so that UNTHSC can directly upload forensic cases into the FBI's CODIS system. The bill also requires a justice of the peace or medical examiner to retain a sample from unidentified remains prior to burial or cremation and forward the sample to the Texas Missing Persons DNA Database (TMPDD).

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 763 University of North Texas Health Science Center at Fort Worth

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