

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 16, 2007**

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

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

**IN RE: HB3295** by Driver (Relating to the DNA samples taken from certain offenders.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code regarding the requirement for a defendant to provide a DNA sample. The bill would require that an individual who fails or refuses to provide a DNA sample should not be held past the individual's statutory release date. The Texas Department of Criminal Justice, however, may use legal administrative action such as the loss of good conduct time to apply to an individual who refuses to provide a DNA sample. The bill would also require the Texas Youth Commission to notify the director that a juvenile who is held in a facility operated by or under contract with the Texas Youth Commission as a felon should be released from custody not earlier than the 120th day before the individual's release. The bill specifies that an offense is committed if a persons knowingly discloses information to an unauthorized person in a DNA record or information related to a DNA analysis of a sample collected. The bill would take effect immediately if it is passed by two-thirds votes of all members of each house. Otherwise, the bill would take effect on September 1, 2007.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety, 694 Youth Commission, 696 Department of Criminal Justice

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