

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION
Revision 1

April 11, 2011

TO: Honorable Sid Miller, Chair, House Committee on Homeland Security & Public Safety

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

IN RE: HB1536 by Eiland (Relating to the creation of DNA records for the DNA database system.),
As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for HB1536, As Introduced: an impact of \$0 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>State Highway Fund</i> 6
2012	(\$31,402,709)
2013	(\$23,897,628)
2014	(\$23,957,628)
2015	(\$23,912,511)
2016	(\$23,897,628)

Fiscal Year	Change in Number of State Employees from FY 2011
2012	102.4
2013	102.4
2014	102.4
2015	102.4
2016	102.4

Fiscal Analysis

The bill would amend the Government Code to expand the list of applicable defendants required to provide a DNA sample from the current requirement of certain felony offenses, to all offenses classified as Class B Misdemeanors or higher and offenders receiving deferred adjudication for certain crimes. The bill would take effect September 1, 2011.

Methodology

In fiscal year 2010, the Department of Public Safety (DPS) processed 68,370 DNA samples. In fiscal year 2010, there were 671,633 adult arrests for Class B Misdemeanor offenses or higher. The bill would require DPS to process approximately 600,000 additional DNA samples per year. DPS indicates their current staff has the ability to process approximately 100,000 DNA samples per year, so the bill would increase the workload related to DNA sample processing six-fold. This would require additional FTEs and a one-time purchase of additional equipment necessary to process the additional DNA samples.

Assuming an approximate six-fold increase in workload related to processing DNA samples, DPS would require a total of 102.4 additional FTEs with associated costs, including 51 Combined DNA Index System (CODIS) analysts, 21 Crime Laboratory Specialist Is, 2 Forensic Scientist IVs, 5 Program Specialist Is, 1 Administrative Assistant I, 11 Fingerprint Technician IIs, and 11.4 Accountant Vs. The bill would also require a one-time purchase of additional equipment used to process the DNA samples, estimated at \$6,951,820. Additionally, the processing of each DNA sample costs \$26.96 for consumable supplies such as disposable items and chemicals. This will require an additional \$16,176,000 ($\$26.96 \times 600,000 = \$16,176,000$) each year.

Technology

DPS would require a one-time purchase of additional equipment used to process DNA samples, estimated at \$6,951,000.

Local Government Impact

The bill would require local law enforcement to obtain specimens from certain defendants to create a DNA record.

Texas Association of Counties (TAC) reported that several local law enforcement entities reported the provisions of the bill would not result in a significant fiscal impact. However, larger counties would likely see more costs associated with collecting and delivering the DNA sample to the state given the large increase in the number of individuals from whom samples would be required.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, ESi, GG, KKR