

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 20, 2011**

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

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

**IN RE: SB1636** by Davis (Relating to the collection, analysis, and preservation of sexual assault or DNA evidence.), **Committee Report 2nd House, Substituted**

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

The bill would amend the Government Code and the Code of Criminal Procedure to provide guidelines regarding the collection and analysis of certain evidence. The bill would require the analysis of certain evidence with certain time frames and permit certain crime laboratories to contract with private crime laboratories to perform the analysis of evidence. The bill would require the Department of Public Safety (DPS) to perform comparisons of biological evidence in certain databases. Subject to the availability of crime laboratory storage space, the bill would require law enforcement agencies to submit to DPS or a public accredited crime laboratory all sexual assault evidence from active criminal cases from September 1, 1996 forward that has not been analyzed or submitted for laboratory analysis. The bill would require DPS, to the extent funding is available, to analyze or contract for the analysis of all applicable sexual assault evidence submitted to DPS by September 1, 2014. The bill would permit DPS to solicit and receive gifts, grants, donations, or funds from the federal government to implement the requirements contained in the bill, but would prohibit DPS from using legislative appropriations to discharge any additional duties imposed on DPS by the bill. The bill would take effect September 1, 2011.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, ESi