

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 13, 2013

TO: Honorable Joseph Pickett, Chair, House Committee On Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1038 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 HB1038, As Introduced: a negative impact of (\$22,842,614) through the biennium ending August 31, 2015.

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
2014	(\$2,195,677)
2015	(\$20,646,937)
2016	(\$18,662,217)
2017	(\$21,656,897)
2018	(\$21,369,020)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
2014	(\$2,195,677)
2015	(\$20,646,937)
2016	(\$18,662,217)
2017	(\$21,656,897)
2018	(\$21,369,020)

Fiscal Year	Change in Number of State Employees from FY 2011
2014	18.9
2015	57.4
2016	79.9
2017	79.9
2018	79.0

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 individuals arrested for offenses classified as Class B Misdemeanors or higher. The bill would take effect September 1, 2013.

Methodology

The Department of Public Safety assumes that the provisions of the bill would add 460,000 additional DNA samples each year. In fiscal year 2011 DPS processed 68,528 DNA samples. The bill would increase the workload related to DNA sample processing by 670 percent. The agency states this increase would require additional FTEs, certain consumables related to DNA testing, and a one-time purchase of additional equipment necessary to process the additional DNA samples.

It is assumed DPS would by fiscal year 2016 require a total of 79.9 additional FTEs with associated costs, including 46 Combined DNA Index System (CODIS) analysts, 18 Crime Laboratory Specialists, 4 Program Specialists, 1 Administrative Assistant I, 2 Managers, and 8.9 support FTEs.

The bill would also require a one-time purchase of additional equipment used to process the DNA samples, estimated at \$7,276,820.

Additionally, the processing of DNA samples requires consumable supplies such as disposable items and chemicals. The agency estimates these supplies will cost \$8,502,315 in fiscal year 2015, \$11,764,995 in fiscal year 2016, \$15,004,995 in fiscal year 2017 and \$14,788,995 in fiscal year 2018.

Technology

DPS would require a one-time purchase of additional equipment used to process DNA samples, estimated at \$7,276,820.

Local Government Impact

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

While the local impact cannot be determined, it is assumed 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, 696 Department of Criminal Justice

LBB Staff: UP, ESi, AI, JAW, KKR, GG