

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 5, 2019

TO: Honorable Poncho Nevárez, Chair, House Committee on Homeland Security & Public Safety

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB8 by Neave (Relating to the statute of limitations for certain sexual offenses and the collection, analysis, and preservation of evidence of sexual assault and other sex offenses.), **As Introduced**

The fiscal implications of the bill cannot be determined at this time, but are likely to have a significant negative impact to the General Revenue Fund.

The bill requires a publicly accredited crime lab to complete analysis of the evidence of a sexual assault, or other sex offense, within 90 days of receipt of the evidence if sufficient resources and personnel are available. The bill expands the definition of "active criminal case" to "sexual assault and other sex offenses". It also requires a completed database comparison of DNA profiles within 30 days of analysis, and requires the Department of Public Safety (DPS) to apply for applicable available federal grant funds for this purpose.

Due to the expanded definition of "active criminal case" to include "other sex offenses", DPS cannot determine the number of unknown samples affected. The agency assumes the costs are likely to be significant.

The bill requires the contents of certain sexual assault exam kits to be retained for 50 years, or until the statute of limitations expires, whichever period is longer. It is assumed that the provisions of the bill relating to the statute of limitations for certain sexual offenses and the required report could be absorbed using existing resources.

Local Government Impact

According to Cameron County, the bill would have a fiscal impact of between \$225,000 and \$285,000. The cost would include: hiring additional staff, operational costs, and updated equipment and data systems.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
Department of Public Safety

LBB Staff: WP, LBO, AI, SMi, AF, DA