

# FISCAL NOTE

Requested by Legislative Council  
02/22/2001

Bill/Resolution No.:

Amendment to:           Engrossed  
                                  HB 1208

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

|                       | 1999-2001 Biennium |             | 2001-2003 Biennium |             | 2003-2005 Biennium |             |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                       | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| <b>Revenues</b>       |                    |             |                    | \$148,230   |                    | \$134,379   |
| <b>Expenditures</b>   |                    |             |                    | \$148,230   |                    | \$134,379   |
| <b>Appropriations</b> |                    |             |                    |             |                    |             |

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

| 1999-2001 Biennium |        |                  | 2001-2003 Biennium |        |                  | 2003-2005 Biennium |        |                  |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties           | Cities | School Districts | Counties           | Cities | School Districts | Counties           | Cities | School Districts |

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Upon certification by the Department of Correction that federal funds have been received and will be used to pay the cost of DNA testing ordered by the court. The court shall order any person convicted after July 31, 2001 for a felony violation in chapter 12.1-16, 12.1-17, 12.1-18, section 12.1-22-01 or chapter 12.1-27.2 or any person in custody of the department after July 31, 2001 convicted of one of these offenses shall be tested for DNA identification purposes and included in the law enforcement data base. It is estimated that approximately 497 offenders will need DNA profiling the first year of the biennium and approximately 252 additional offenders will need DNA profiling every year after the first year this legislation is effective.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The revenue included in this fiscal note is **pending certification of federal funds** from the Department of Correction.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**If federal funds are secured** by the Department of Correction then the Department of Health's fiscal impact

(\$142,496) includes expenditures to sample, analyze, review, and upload data on the offenders into the Combined DNA Database System (CODIS). This includes funding for an additional 1.0 FTE to handle and analyze the samples, supervisory and computer coordinator support. Additional laboratory supplies and equipment maintenance costs are also included. Also included in the expenditures for this biennium are costs incurred by nursing staff to collect samples from the offenders (\$3,272) or a .25 FTE and increased time needed by parole officers (\$2,462) for a total of 1.25 FTE's.

Another option to carryout the mandates of this legislation is to outsource sample analysis to an independent accredited DNA laboratory. This option, however, increases the total fiscal impact to \$172,747 because of increased costs associated with analyzing the DNA samples in a private laboratory.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Funds are not included in the Health Department's appropriation bill SB 2004.

|                      |                |                  |                      |
|----------------------|----------------|------------------|----------------------|
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|                      |                | <b>Prepared:</b> |                      |