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FISCAL IMPACT REPORT

SPONSOR King DATE TYPED 02/02/04 HB 402

SHORT TITLE Sexual Offense Evidence Testing SB _____

ANALYST Valenzuela

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$450.0			Recurring	General fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act of \$225 thousand in Section 5, Special Appropriations

SOURCES OF INFORMATION

- “Department of Public Safety Budget Recommendation,” Report of the Legislative Finance Committee to the 46th Legislature, January 2004, pp. 646 – 658.

Responses Received From

Department of Health
Department of Public Safety

SUMMARY

Synopsis of Bill

House Bill 402 appropriates \$450 thousand from the general fund to Department of Public Safety for the purpose of eliminating the DNA backlog for criminal sexual offenses.

Significant Issues

Currently, the DPS crime laboratory has a significant backlog of sexual offense casework. The appropriation would provide funding so that the evidence could be processed at a privately funded laboratory on a contractual basis. This will expedite both criminal investigations by law enforcement and legal proceedings by the judicial system.

In the past, testing this evidence, without having a suspect’s ‘standard’ sample with which to compare the results, was not productive. But with today’s capability to utilize FBI’s Combined DNA Index System (CODIS), the potential exists to identify assailants and to link serial crimes

in 'no-suspect' cases where biological evidence exists. Without forensic analysis, many of these criminal investigations will remain unsolved, and perpetrators may be free to commit more crime.

FISCAL IMPLICATIONS

The appropriation of \$450 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY05 shall revert to the general fund.

The Legislature appropriated \$400 thousand from the general fund to the DPS crime laboratory for this purpose. DPS used \$360 thousand of this funding to contract with two private laboratories to eliminate the backlog.

MFV/dm