



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2009 Biennium

<b>Bill #</b>	HB0263	<b>Title:</b>	Require DNA sample when charged with felony
<b>Primary Sponsor:</b>	Heinert, Ralph	<b>Status:</b>	As Introduced

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns              |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts           | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<b>Expenditures:</b>				
General Fund	\$435,733	\$178,804	\$183,274	\$187,856
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance</b>	<u>(\$435,733)</u>	<u>(\$178,804)</u>	<u>(\$183,274)</u>	<u>(\$187,856)</u>

### Description of Fiscal Impact:

Currently Montana Laws provides for DNA biological samples to be collected when a person is convicted of a felony. This bill would require that anyone charged with a felony provide a DNA sample at the time of the justice court's preliminary examination. In calendar year 2006, the Forensic Science Division Laboratory received 2,256 convicted offender samples. In Montana for calendar year 2006 there were 4,838 felony arrests or 2,582 additional samples from what the FSD laboratory received.

### FISCAL ANALYSIS

#### Assumptions:

#### Department of Justice:

1. The Forensic Science Division Laboratory will receive an additional 2,582 DNA biological samples per year.
2. A one time purchase of instrumentation includes \$243,080 (Beckman Coulter Biomek 3000 Automated workstation, BSD Robotics 600-Duet Semi-Automatic Puncher, Computer for the Puncher, Centrifuge/Rotor for DNA IQ plates, ABI 9700 Thermocycler, ABI Prism 7500 and ABI 3130 Genescanner).

3. Personal services expense will include an additional 2.00 FTE (Scientist). These scientists can conducted the analysis of the extra 2,582 DNA samples each year. (\$129,820 in FY 2008 & \$133,312 in FY 2009).
4. Operating expenses will include: chemical reagents needed to process the 2,582 samples includes 6 kits @ \$5,000 per kit = \$30,000 in both FY 2008 & FY 2009. \$11,791 will be needed for instrument validation in FY 2008. Buckle Swab kits in the amount of \$15,492 will be needed in both FY 2008 & FY 2009. New employee office package for 2.00 FTE - \$2,750 FY 2008. Two new PC's for 2.00 FTE \$2,800 (\$1,400 x 2 = \$2,800) for FY 2008. An inflation factor of 2.5% has been applied to FY 2010 and FY 2011.

	<u><b>FY 2008 Difference</b></u>	<u><b>FY 2009 Difference</b></u>	<u><b>FY 2010 Difference</b></u>	<u><b>FY 2011 Difference</b></u>
<b><u>Fiscal Impact:</u></b>				
FTE	2.00	2.00	2.00	2.00
<b><u>Expenditures:</u></b>				
Personal Services	\$129,820	\$133,312	\$136,645	\$140,061
Operating Expenses	\$62,833	\$45,492	\$46,629	\$47,795
Equipment	\$243,080	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<u><u>\$435,733</u></u>	<u><u>\$178,804</u></u>	<u><u>\$183,274</u></u>	<u><u>\$187,856</u></u>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$435,733	\$178,804	\$183,274	\$187,856
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	(\$435,733)	(\$178,804)	(\$183,274)	(\$187,856)

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*Sponsor's Initials*

\_\_\_\_\_  
*Date*

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*Budget Director's Initials*

\_\_\_\_\_  
*Date*