



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

SENATE BILL NO. 775

PRINTERS NO. 2491

PRIME SPONSOR: Pileggi

### COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	See "Fiscal Impact" below.	

**SUMMARY:** Senate Bill 775 amends Title 44, Law and Justice, of the Pennsylvania Consolidated Statutes, concerning mandatory sampling of DNA and purging of DNA records from the state DNA data base. It would take effect in 270 days.

**ANALYSIS:** This legislation makes several changes concerning the State DNA Database.

It expands the list of offenses for which a DNA sample must be collected from individuals after conviction of the offense to include all offenses for which a person must register as a sex offender, as well as criminal homicide, simple assault, unlawful restraint, criminal trespass, concealing the death of a child, and dealing in infant children.

It provides for the expungement of DNA records from the database for exonerated individuals and for samples mistakenly included in the State DNA Database. A request must be made to the State Police, and the State Police must determine whether removal is warranted within 60 days of receipt of the request. Thereafter, the State Police shall have 30 days to affect the removal and notify the requestor. If removal is denied, the requestor may seek expungement through the courts.

It makes changes to ensure the PA State Police DNA Data Base is compatible with Federal Bureau of Investigation policies and procedures and provides for DNA database exchange.

It enacts technical changes in the guidelines for DNA analysis, and requires the State Police Commissioner to submit an annual report containing information regarding the collection and testing of DNA samples within the State DNA Database.

**FISCAL IMPACT:** The requirement that the Pennsylvania State Police (PSP) begin collecting DNA samples from those convicted of criminal homicide, all offenses for which a person must register as a sex offender, and other enumerated offenses will add to the DNA database caseload. The PSP estimates that the additional cost of these cases could be handled within the department's budget without additional funding.

Finally, it should be noted that the number of expungement requests for the removal of records mistakenly included in the State DNA Database submitted to the PSP under current law is not significant. However, the number of these requests could rise with the passage of this legislation as the number of samples to be placed in the database increases, and the PSP must meet the timeframes defined above. The State Police cannot determine what the possible number of these requests might be, but if these requests rise to a substantial level, costs related to the removal of DNA record from the database could have a fiscal impact as well.

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*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*