

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 683

PRINTER NO. 672

AMOUNT

FUND

FY 2015-2016: No Additional Fiscal Impact
FY 2016-2017: \$586,500

General Fund

DATE INTRODUCED

PRIME SPONSOR

March 31, 2015

Senator Pileggi

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 683 (PN 672) amends Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes in the area of mandatory sampling of DNA and purging of DNA records from the state DNA database. Specifically, this legislation does the following:

- Expands the list of eligible criminal offenses for which DNA testing is required;
- Expands DNA testing to certain arrested individuals;
- Codifies accreditation requirements for forensic DNA testing laboratories;
- Authorizes "modified DNA searches";
- Provides for expungement of DNA records and identifiable information of exonerated individuals;
- Ensures the privacy and proper use of DNA records;
- Requires the submission of a DNA testing annual report from the Pennsylvania State Police Commissioner to the Governor's Office and the majority and minority chairmen of the Senate and House Judiciary Committees.
- Requires the State Police to create and provide an expungement procedure informational pamphlet to any person whose DNA sample, record, or profile has been taken or created under the legislation.

The legislation provides for the following phase-in schedule for DNA sampling:

- Effective immediately upon enactment of this legislation, a DNA sample shall be collected from any individual who is convicted of criminal homicide or a felony sex offense, including those who are currently incarcerated;
- Beginning in one year after the effective date, a DNA sample shall be collected from any person upon arrest for criminal homicide;
- Beginning in two years after the effective date, a DNA sample shall be collected from any person upon arrest for a felony sex offense; and
- Beginning in three years after the effective date, a DNA sample shall be collected from any person arrested for any "other specified offense," as defined in the act.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

All states require DNA collection for felony convictions and Twenty-eight (28) states have enacted DNA arrestee testing laws.

This act shall take effect in 60 days.

FISCAL IMPACT:

According to a fiscal analysis obtained from the Pennsylvania State Police, the first year following enactment of this legislation would result in approximately 500 additional DNA samples being collected and processed. It's estimated that this would not result in any additional fiscal impact to the State Police that would not be capable of being absorbed within their current fiscal resources.

The second phase of enactment of this legislation would take effect in FY 2016-2017. This would result in approximately 5,000 additional DNA samples being collected and processed. The State Police estimates the costs of implementing this phase to be \$586,500 for personnel, supplies and equipment.

Any costs incurred by the Pennsylvania State Police for the implementation of this legislation may be offset up to 100% if the Commonwealth applies to the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice for a federal grant under the Katie Sepich Enhanced DNA Collection Act (DNA Arrestee Collection Process Implementation Grants Program) and is awarded such funds.