Fiscal Note & Local Impact Statement

122 nd General Assembly of Ohio

BILL:	**Am. Sub. H.B. 526**	DATE:	**May 13, 1998**
STATUS:	**As Passed by the Senate**	SPONSOR:	**Rep. Clancey**

LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**

CONTENTS: **Expand circumstances under which a DNA specimen must be taken from a convicted offender and makes technical changes in relation to the Release Authority within the Department of Youth Services**

State Fiscal Highlights

STATE FUND	FY 1998	FY 1999	FUTURE YEARS
General Revenue Fund			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	No fiscal effect*	Up to a $45,000 increase	Up to a $45,000 increase

* LBO assumes the fiscal effects of this bill will not be felt until FY 1999.

- Based on estimates provided by the Department of Rehabilitation and Correction (DRC), LBO estimates that the bill could affect approximately 900 inmates entering the adult and juvenile corrections systems, thereby generating up to a $45,000 increase in state expenditures.

- Since DRC and the Department of Youth Services (DYS) are already equipped to collect and submit DNA specimens, the majority of additional expenditures would be incurred by the Bureau of Criminal Identification and Investigation (BCII).

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1998	FY 1999	FUTURE YEARS
Counties			
Revenues	Minimal increase	Minimal increase	Minimal increase
Expenditures	- 0 -	- 0 -	- 0 -

- Since the number of individuals convicted of an offense originating from a violation that initially included one of the underlying charges and sanctioned locally are expected to be small, the bill should result in no more than a minimal increase in local expenditures related to the taking of DNA specimens.

Detailed Fiscal Analysis

Provisions of the bill

The bill expands the offenses for which a DNA specimen shall be taken to include a conviction or plea of guilty to a violation arising from the same facts and circumstances as did a charge of aggravated murder, murder, kidnapping, or aggravated burglary that was previously dismissed or amended. Existing law mandates that a DNA specimen be taken from any offender convicted of one or more of the following offenses: murder, aggravated murder, kidnapping, rape, sexual battery, corruption of a minor, gross sexual imposition, or aggravated burglary. As under existing law, the specimen must be collected by DRC, DYS, or the administrator of the local jail or detention facility and forwarded to BCII, using the materials and procedures provided.

Provisions of the bill also make technical and clarifying changes to H.B. 1 of the 122nd General Assembly that created a Release Authority within DYS. According to a representative of DYS, since these changes are technical in nature and primarily clarify current practices, these provisions of the bill are not expected to generate an appreciable fiscal impact in terms either state of local costs.

Effects of the bill

Impact on the State System

Since the state is currently engaged in gathering and processing DNA specimens from certain offenders, the bill should generate up to a $45,000 increase in state expenditures related to the collection and processing of additional samples. According to 1995 estimates provided by the FBI and the Miami-Dade Police Department Crime Lab, per unit cost (not including labor) of collecting and processing a DNA sample were $28.50 and $41.60 respectively. These estimates are in line with the estimate of between $50 and $75 (including labor) provided to LBO by BCII. Since the samples in question are gathered through the drawing of blood and blood is the most cost effective substance to analyze, a per unit cost of $50 is assumed.

According to estimates provided by DRC, 789 additional incoming inmates would meet the conditions identified in the bill. Applying the above assumption of $50 cost per unit to DRC intake affected by the bill, it could result in up to a $39,450 increase in state expenditures for DNA collection in the adult corrections system. While an estimate of the proportion of DYS intake affected by the bill is not readily available, LBO has constructed a scenario based on the proportion of DRC intake impacted. Specifically, by applying the percentage of DRC intake of 3.8 percent to total DYS intake of 2,823 LBO estimates that approximately 110 additional youths would be tested as a result of the bill. Assuming a per unit cost to the state of $50, the bill would thus generate up to a $5,500 increase in expenditures to test the affected incoming DYS population.

Impact on the Local System

Since the number of individuals convicted of an offense originating from a violation that initially included one of the underlying charges and sanctioned locally are expected to be small, the bill should result in a minimal increase in local personnel expenditures related to the taking of DNA specimens. According to a representative of the County Commissioner's Association of

Ohio, the majority of county jails and detention facilities have qualified health care personnel either on-duty or under contract and as a result should incur minimal additional burden in carrying out the provisions of the bill.

❑ *LBO staff: Jeff Newman, Budget/Policy Analyst*
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