

# FISCAL NOTE

Requested by Legislative Council

03/09/2001

Bill/Resolution No.:

Amendment to:            Reengrossed  
                                      HB 1208

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$0		\$0
<b>Expenditures</b>				\$100,846		\$92,071
<b>Appropriations</b>						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Second engrossment with Senate Amendments of HB 1208 requests that the governor shall apply for grant funds under the DNA Backlog Elimination Act of 2000. Upon receipt of the grant the funds may only be used for testing of samples. Funds would be paid directly by the federal government to a private laboratory. However, one additional staff person funded with general funds will be needed in the ND Crime Lab to provide training, coordinate the collection of samples, preparation of samples in accordance with FBI Quality Assurance Standards, review data to verify integrity, perform analysis, evaluate results of raw data, and upload data into Combined DNA Database System by a trained examiner. HB 1208 will also require a significant increase in the number of felons requiring DNA testing. Approximately 1500 felons will need DNA profiling the first biennium and an additional 1100 felons will need profiling in the 2003-2005 biennium.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The sentencing court shall assess the cost of the procedure against any person tested and any funds collected will be deposited into the general fund. It is uncertain at this time how much money might be collected.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The Department of Health's fiscal impact (\$89,350) includes expenditures to fund an additional 1.0 FTE to train personnel and coordinate collection of samples from convicted felons; prepare samples according to the FBI Quality Assurance Standards; review data to verify integrity; perform random re-analysis on percentage of samples; evaluate results of raw data; and upload data into the Combined DNA Database System (CODIS) by trained CODIS examiner. Also included in the expenditures are costs incurred by the nursing staff of the state penitentiary to collect samples for the offenders (\$5,708) or a .25 FTE and increased time needed by the parole officers (\$5,788).

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The money needed to carry out the mandates of this legislation were not included in the ND Department of Health's appropriations bill SB 2004 or any other agencies impacted by this bill, so the Department's involved will need increased authority and funding.

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**Agency:** Department of Health  
**Date** 03/13/2001  
**Prepared:**