



## Fiscal Estimate Narratives

CTS 11/15/2021

|                                                                                                                                                |           |                     |         |               |          |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------------|---------|---------------|----------|
| LRB Number                                                                                                                                     | 21-0261/1 | Introduction Number | AB-0541 | Estimate Type | Original |
| <b>Description</b><br>expungement of deoxyribonucleic acid from crime laboratories if the person is not found guilty or adjudicated delinquent |           |                     |         |               |          |

### Assumptions Used in Arriving at Fiscal Estimate

Current law requires certain persons who have not been convicted of a crime to provide a biological sample to the Department of Justice (DOJ) for deoxyribonucleic acid (DNA) analysis, including a person who has been charged with or arrested for a violent crime or a juvenile who has been taken in custody on the basis of a violation that would be a violent crime if committed by an adult. Under current law, if final disposition is reached on all charges without a guilty or delinquent verdict, the person may request DOJ to purge all DNA records and information, and destroy all biological samples, pertaining to that person.

Under this bill, if a court reaches final disposition for all charges and allegations for which a person was required to provide a biological sample to DOJ for DNA analysis and the person is not found guilty or delinquent on any such charge or allegation, the court must inform DOJ. DOJ must then purge all DNA records and information, and destroy all biological samples, pertaining to that person.

Fiscal Effect – Costs/Savings: The Director of State Courts has determined that the implementation of this bill would have a fiscal impact for the courts that can be absorbed within the current operating budget, but would require at least 6-12 months to implement.

Implementing this legislation will require significant programming changes for Consolidated Court Automation Program (CCAP) to allow the courts to notify DOJ of the disposition status of all adult and juvenile cases where DNA has been collected. CCAP will have to make changes to the case management system, as well as work with DOJ to modify the DNA interface between CCAP and DOJ. In addition to these technical changes, Office of Court Operations will have to work with judges and clerks to educate them about the new requirements and how to appropriately manage the case in CCAP so the information is reported correctly. CCAP and Court Operations need at least 6-12 months to implement these changes.

Local fiscal effect – Judges and clerks will have to ensure that cases are managed properly and the appropriate information is entered into CCAP system, so all required DNA records and information is properly sent to DOJ. The fiscal impact on local units of government to implement this bill is indeterminate.

### Long-Range Fiscal Implications

The Court system does not anticipate a long-range fiscal impact resulting from the proposed bill.