



## Fiscal Estimate Narratives

DHS 4/2/2010

LRB Number	09-4556/1	Introduction Number	AB-0893	Estimate Type	Original
<b>Description</b> Submission of biological specimens for deoxyribonucleic acid analysis					

### Assumptions Used in Arriving at Fiscal Estimate

This bill relates to the submission of biological specimens for deoxyribonucleic acid (DNA) analysis to the Department of Justice. Individuals required to provide a sample are those persons sentenced, or in prison, for any sexual assault, for any felony, and several specified misdemeanors. In addition, persons committed as sexually violent persons, persons found not guilty by reason of mental disease or defect for certain sexual assaults, and juveniles adjudicated delinquent for certain sexual assaults or, at the discretion of the court, certain other offenses are required to provide a DNA sample. A person who intentionally fails to comply with a requirement to provide a DNA sample is guilty of a misdemeanor.

This bill specifies that a requirement to provide a DNA sample does not expire when a person completes serving probation, a sentence, or a delinquency disposition or is released from commitment.

The bill also provides that a person convicted and/or found not guilty by reason of mental disease or defect, or in institutional care, on or after January 1, 2000, for a felony or certain specified misdemeanors must provide a DNA sample as the result of a conviction, finding, or placement.

Currently, the Department of Health Services (DHS) is required by s. 980.063 to collect DNA samples from all Chapter 980 patients and is also required by s. 971.17 to collect DNA samples from those persons found guilty by reason of insanity in the Mendota Mental Health Institute, the Winnebago Mental Health Institute, the Sand Ridge Secure Treatment Center, and the Wisconsin Resource Center as described under this bill.

DHS does not anticipate a substantial increase in DNA collection under this bill, so no fiscal impact is expected.

This bill would apply to county or municipal jails. DHS does not have data available to determine if there would be a fiscal impact for these entities.

### Long-Range Fiscal Implications