



August 22, 2023

SUMMARY OF BILL: Requires any arresting authority to collect a DNA sample from a person arrested for any felony offense. Requires the arresting authority to send the DNA sample to the Tennessee Bureau of Investigation (TBI) for the purposes of DNA analysis. Requires the court or magistrate to make the collection of the DNA sample a condition for which the person may be released on bond or recognizance, if such is granted. Effective October 1, 2023.

FISCAL IMPACT:

**Increase State Expenditures - \$2,783,000/FY23-24
\$3,604,000/FY24-25 and Subsequent Years**

Other Fiscal Impact – Increasing DNA sample testing will result in an increase in the total number of individuals incarcerated in state and local facilities as well as the length of time an individual is housed within a state or local facility. The extent and timing of any increases in state or local expenditures cannot reasonably be determined with any certainty but could be significant.

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-35-321(e)(1), DNA sample collection requirements as described above apply to violent felony offenses; the provisions of the proposed legislation expand existing DNA collection procedures to include all felony offenses.
- Based on information reported by 44 counties, there were 52,264 individuals booked on felony charges in 2022. These 44 counties account for 4,920,111 individuals, or 69.775 percent of the total 2022 estimated population of the state of Tennessee. (4,920,111 / 7,051,339).
- Applying this same ratio to the remaining 51 counties, it is assumed the total number of individuals booked on felony charges in 2022 was 74,903 (52,264 / 69.775%).
- Based on information provided by the TBI, the average number of DNA samples collected for those arrested for a violent felony is 15,161 over the past five years.
- The proposed legislation is estimated to increase DNA sample collections by at least 59,742 (74,903 – 15,161). For purposes of this analysis, it is assumed that DNA samples will be increased annually by an average of 60,000 into perpetuity.
- The TBI currently outsources the processing of the DNA sample testing. Outsourcing these test results in the following expenditures:
 - \$8.80 per sample collection kit;
 - \$5,500 per year in shipping per 15,000 kits;

- \$34.25 per sample testing;
- \$20,000 per 15,000 samples for RapidDNA verification.
- The increase in recurring expenditures to test the additional sample kits is estimated to be \$2,685,000:

Expenditure	Total Cost
Sample Collection Kit	\$ 528,000
Shipping Costs	\$ 22,000
Sample Testing	\$ 2,055,000
RapidDNA Verification	\$ 80,000
Total	\$ 2,685,000

- The TBI will require eight additional positions (6 Forensic Tech positions, 2 Forensic Scientist positions) beginning in FY23-24.
- There will be a recurring increase in state expenditures of \$918,986 {[((\$80,380 salary + \$20,677 benefits) x 6 Forensic Tech positions) + [(\$127,777 salary + \$28,545 benefits) x 2 Forensic Scientist positions]}.
- There will be additional one-time expenditures of approximately \$10,000 per position resulting in an increase of \$80,000 in FY23-24.
- Due to the effective date of October 1, 2023, it is assumed recurring expenditures will be for nine months of the FY23-24 fiscal year.
- Increase in state expenditures in FY23-24 are estimated to be \$2,782,990 [(((\$2,685,000 + \$918,986) / 12 months x 9 months) + \$80,000)].
- The increase in state expenditures in FY24-25 and subsequent years will be \$3,603,986 (\$2,685,000 + \$918,986).
- Local law enforcement is estimated see an increase in the number of persons required to provide DNA samples which could lead to increase in personnel and operation costs. Any increase is considered to be not significant for each individual local law enforcement agency.
- Increasing the number of DNA samples collected by 60,000 annually will result in significant fluctuations in individuals housed in state and local facilities. It may also increase the length of time an individual could be housed within a facility. Due to a number of unknown factors, this increase cannot be reasonably quantified but could result in significant costs in out years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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