

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: 4  
 Bill Version: SB 95  
 (S) Publish Date: 2/28/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title Use of Force for DNA Collection RDU Statewide Support  
 Component Criminal Records & ID  
 Sponsor Senator Bunde  
 Requester Senate State Affairs Component No. 1190

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:**

Section 1 amends AS 44.41.035(b) by expanding the types of convictions that require deoxyribonucleic acid (DNA) registration. Under this bill, upon conviction in this state of crimes similar to crimes against persons, or felonies under AS 11 or AS 28.35, DNA must be collected. "Similar crimes" will include municipal misdemeanors, and preliminary estimates, based on the Uniform Offense Citation Table, are that this would include convictions under approximately 35 municipal misdemeanors from six municipalities – Anchorage, Juneau, Fairbanks, Ketchikan, Sitka, and Petersburg. In FY 2004 there were 680 persons with convictions under those municipal offenses. This number excludes duplicates (persons who were convicted of more than one qualifying municipal offense) and persons for whom DNA has already been collected for prior convictions (for whom subsequent collections will not be necessary).

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Prepared by: Director David Schade Phone 269-0202  
 Division Statewide Services Date/Time 2/22/05 3:00 PM  
 Approved by: Commissioner William Tandeske Date 2/22/2005  
 Agency Department of Public Safety

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**ANALYSIS CONTINUATION**

Collecting DNA for municipal misdemeanors will mean that when some defendants are subsequently convicted of other qualifying offenses, their DNA will already be on file, so this does not mean the numbers are absolute additions to the DNA database overall. Basically, this bill will shift the collection of DNA to earlier in a defendant's criminal career. "Similar crimes" will also include federal or military convictions, for which no preliminary numbers are available. Adding "similar crimes" will have an impact on Statewide Services Records & Identification and Information Services due to the increase in clerical and technical tasks, such as confirming fingerprints and modifying tables in the Alaska Public Safety Information Network (APSIN). This increase in the workload can be absorbed at present, although there is a cumulative impact on the APSIN staff workload. Similarly, the crime lab can absorb the increase in DNA submissions, although there is a cumulative impact on the crime lab workload as well.

Section 2 provides that reasonable force may be used in the collection of oral DNA samples. This section will have no impact on the workload of Statewide Services.