

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 91** SLS 24RS 401

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 9, 2024 10:43 AM	Author: DUPLESSIS
Dept./Agy.: Louisiana Public Defender Board	Analyst: Daniel Druilhet
Subject: Extension of Deadline for Post-Conviction DNA Testing	

DNA OR NO IMPACT See Note
Extends the deadline for post-conviction DNA testing. (8/1/24)

Current law provides that prior to 8/31/24, a person convicted of a felony may file an application for post-conviction relief requesting DNA testing of an unknown sample secured in relation to the offense for which he was convicted; provides that on or after 8/31/24, a petitioner may request DNA testing under the rules for filing an application for post-conviction relief; provides that after service of the application on the district attorney and law enforcement agency in possession of the evidence, the clerks of court of each parish and all law enforcement agencies, including district attorneys, sheriffs, state police, local police agencies, and crime laboratories, shall preserve until 8/31/24, all items of evidence in their possession known to contain biological material that can be subjected to DNA testing, in all cases that, as of 8/15/01, have been concluded by a verdict or plea of guilty. Proposed law changes each of the dates in current law listed as 8/31/24 to 8/31/29 and extends the date until which DNA evidence must be preserved to 8/31/29.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
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Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

The proposed law extends the deadline by which a person convicted of a felony may file an application for post-conviction relief requesting DNA testing of an unknown sample secured in relation to the offense for which he was convicted and the date on which evidence within the possession of the respective agencies and subject to DNA testing shall be preserved to August 31, 2029. All relevant agencies included within current law responsible for processing applications for post-conviction relief requiring DNA testing, accepting orders from judges and remitting payments for testing of DNA evidence, and preserving DNA evidence subject to testing indicate that the proposed law will have no fiscal impact on governmental expenditures.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


Patrice Thomas
Deputy Fiscal Officer