

# STATE OF UTAH

## Fund Information

**FINET Name:** (DPS) DNA Specimen Restricted Account

**FINET Fund:** 1250

**Legal Name:** DNA Specimen Restricted Account

**Legal Authorization:** UCA 53-10-407, -404

**Earns Interest:**  Yes  No **Earns Interest Authority:** UCA 53-10-406.5(3)

**Revenue Source(s):**

- 1) Fees assessed against convicted persons
- 2) Interest income

**Description:**

Created by HB 154 (2002 GS), this account will receive a \$75 fee charged against certain convicted persons who are required to submit a DNA sample to the state crime lab (DPS). Appropriations are made to Courts, Corrections, Youth Corrections, and Public Safety to cover costs of collecting, storing, and analyzing DNA samples.

HB 212 (2006 GS) Broadens the group of offenders that must provide a DNA specimen. Previously only those convicted of class A misdemeanor burglary or sex abuse of minor must provide a sample; now all persons convicted of class A misdemeanor will be required. Increases from \$75 to \$100 the fee charge to an offender for the collection and processing of felony and class A misdemeanor offenders' saliva DNA specimens. Also change the allocation to the county sheriffs from \$15 to \$20 of the total fee amount, to reflect the fee increase.

HB 356 (2007 GS) Provides that when a convicted person requests a DNA analysis to prove innocence, the test will be paid from monies appropriated to this account if the court has ordered the test and the state crime lab does not have resources to the test, and the defendant is incarcerated and indigent.

SB 16 (2008 GS) Provides that a person convicted of a felony may file a petition for post conviction DNA testing and the test will be paid for from funds appropriated to the Dept. of Corrections from the DNA Specimen Restricted Account: 1) if the court ordered the testing; 2) if the defendant is indigent; 3) the State Crime Lab cannot do the test due to conflict of interest or is otherwise incapable. If the result is not favorable, the petitioner shall reimburse the state for the costs of testing.

SB 277 (GS 2010) Modifies public safety laws regarding collection of DNA specimens to include collection from persons booked for any violent felony. (Current law provides only those convicted of felony or class A misdemeanor, excluding minors, or where such charges were pled down or held in abeyance.) Increases the fee for the specimen from \$100 to \$150, with the agency collecting the fee allowed to keep no more than \$25. Requires that agencies that collect the fee develop a system for: 1) tracking the fees they collect, and 2) accounting for the fee collections.

SB 230 (2011 GS) Authorizes the Department of Public Safety to reimburse sheriffs for collecting DNA specimens as provided in Sections 53-10-404 and 53-10-404.5.

HB 170 (2013 GS) Adds specified felony offenses to the list of felonies for which the state collects DNA from an offender at the time of booking.

**Fund Balance History:**

<u>Fund</u>	<u>Year</u>	<u>Beg Balance</u>	<u>Revenues</u>	<u>Expenses</u>	<u>Transfers</u>	<u>End Balance</u>
1250	2002	\$0	\$0	\$0	\$0	\$0
1250	2003	\$0	\$488,037	\$0	(\$140,000)	\$348,037
1250	2004	\$348,037	\$372,048	\$0	(\$617,321)	\$102,765
1250	2005	\$102,765	\$441,166	\$0	(\$479,338)	\$64,593
1250	2006	\$64,593	\$438,159	\$0	(\$501,423)	\$1,329
1250	2007	\$1,329	\$507,922	\$0	(\$509,251)	\$0
1250	2008	\$1	\$558,625	\$0	(\$556,198)	\$2,427
1250	2009	\$2,427	\$541,803	\$0	(\$544,230)	\$0
1250	2010	\$0	\$400,922	\$0	(\$400,251)	\$671

This report presents unofficial, unaudited information that is subject to change.

For audited financial statements, see the State of Utah Comprehensive Annual Financial Report at <http://finance.utah.gov/cafr.html>

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1250	2011	\$671	\$412,634	\$0	\$185,591	\$598,896
1250	2012	\$598,896	\$412,918	\$0	(\$762,158)	\$249,656
1250	2013	\$249,656	\$384,855	\$0	(\$430,570)	\$203,941