



Legislative Fiscal Office  
 83<sup>rd</sup> Oregon Legislative Assembly  
 2025 Regular Session

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**Bill Title:** Relating to DNA samples; prescribing an effective date.

**Government Unit(s) Affected:** Oregon Youth Authority, Cities, Counties, Department of Justice, Department of Revenue, Department of State Police, District Attorneys, Judicial Department, Public Defense Commission, Criminal Justice Commission

**Summary of Fiscal Impact**

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of State Police		\$ -	\$ 1,956,156	\$ -	\$ 1,956,156	5	4.60
<b>Total Fiscal Impact</b>	\$ -	\$ -	\$ 1,956,156	\$ -	\$ 1,956,156	5	4.60

2027-29 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of State Police		\$ -	\$ 1,994,182	\$ -	\$ 1,994,182	5	5.00
<b>Total Fiscal Impact</b>	\$ -	\$ -	\$ 1,994,182	\$ -	\$ 1,994,182	5	5.00

**Measure Description**

The measure requires law enforcement agencies to collect blood or buccal samples from any person who is arrested for a person felony, sex crime, or burglary in the first degree and transfer it to the Department of State Police (OSP). OSP is authorized to analyze the sample during or immediately following the arrest of the person, or anytime thereafter, and ensure the information is entered into the appropriate databases of the Combined DNA Index System (CODIS). If a prosecution is not commenced within the statute of limitations for the crime of arrest, the District Attorney (DA) is required to provide OSP with a sworn affidavit within 90 days of the expiration of the statute of limitations, stating the authority to retain the sample has been rescinded so the sample can be destroyed. The measure also allows the individual who the sample was taken from to request the destruction of the sample and any criminal identification record in connection with the sample under specific circumstances. Additionally, the measure removes the requirement of OSP to prioritize testing of certain DNA samples when funds are limited. The measure provides the authority for a new statutory allocation from the Criminal Fine Account (CFA) for collection and analysis of blood and buccal samples, as outlined in this measure.

**Fiscal Analysis**

The fiscal impact is estimated to be \$2 million Other Funds and five positions (4.60 FTE) in 2025-27 and \$2 million Other Funds and five positions (5.00 FTE) in the 2027-29 biennium.

Department of State Police

The Forensics Services Division within OSP currently pays for the supplies, assembly, and shipping of the convicted offender oral swab kits that agencies use to collect DNA samples. However, the measure adds the

activities of collecting and analyzing these blood and buccal samples as a priority to allocate funds under the CFA.

Under the measure, OSP anticipates an increase in the number of submissions they will receive and require to be analyzed and stored. To cover the expected increase in workload, OSP anticipates needing three permanent full-time Forensic Scientist 1 positions (2.76 FTE in 2025-27 and 3.00 FTE in 2027-29) to analyze and process the DNA samples, and two permanent full-time Administrative Specialist 2 positions (1.84 FTE in 2025-27 and 2.00 FTE in 2027-29) to maintain the sample profiles and process requests for removal. The estimated costs of these positions, including position-related services and supply costs, is \$2 million Other Funds in the 2025-27 biennium and \$2 million Other Funds in the 2027-29 biennium. Additionally, OSP reports an additional cost of \$85,000 for one-time capital outlay in the 2025-27 biennium, including oral swab kits and funding for storage of the samples.

The Legislative Fiscal Office (LFO) notes that any modifications to statutory revenue streams, existing allocations, the priority of existing allocations, or the establishment of new allocations from CFA could impact state agency budgets that rely on this funding. Any undistributed funds in the CFA are deposited into the General Fund, so any modifications also impact the availability of General Fund revenue. In addition, if CFA revenues are insufficient to support all statutorily eligible allocations, the Legislature may need to prioritize based on available revenues and consider funding some expenditures with a General Fund appropriation.

#### Other entities

There is a minimal impact to District Attorneys, Department of Justice, Oregon Judicial Department, and counties. There is no fiscal impact to the Criminal Justice Commission, Department of Revenue, Oregon Youth Authority, Public Defense Commission, and cities.

#### **Relevant Dates**

The measure takes effect on the 91st day after sine die.

The provisions requiring the collection of blood or buccal samples for specified crimes applies to arrests occurring on or after the effective date.