

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7601**  
**BILL NUMBER: HB 1826**

**DATE PREPARED:** Jan 10, 2001  
**BILL AMENDED:**

**SUBJECT:** DNA evidence and death sentences.

**FISCAL ANALYST:** Mark Goodpaster  
**PHONE NUMBER:** 232-9852

<b>FUNDS AFFECTED:</b>	<b>GENERAL</b>	<b>IMPACT:</b> Pending
	<b>DEDICATED</b>	
	<b>FEDERAL</b>	

**Summary of Legislation:** Allows a person who has been convicted of murder and sentenced to death to petition the court that convicted the person to require the forensic DNA testing of any biological material that: (1) is related to the investigation or prosecution that resulted in the person's conviction; (2) is in the possession of the court, the state, or a political subdivision of the state; and (3) was not previously subjected to DNA testing or may be subjected to retesting with new DNA techniques that provide a reasonable likelihood of more accurate and probative results. Provides that if the results of DNA testing are favorable to the person, the court must: (1) order a hearing; and (2) enter any order that serves the interests of justice, including an order that vacates and sets aside the judgment against the person, discharges the person if the person is imprisoned, resentsences the person, or grants the person a new trial. Requires the state and all political subdivisions of the state to preserve any biological material secured in connection with a prosecution for murder for the time that any person remains sentenced to death in connection with the case. Provides for exceptions.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:** *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**