

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

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7618

BILL NUMBER: HB 1726

NOTE PREPARED: Feb 22, 2007

BILL AMENDED: Feb 19, 2007

SUBJECT: Missing Children.

FIRST AUTHOR: Rep. Dembowski

FIRST SPONSOR:

BILL STATUS: As Passed House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires the Clearinghouse for Information on Missing Children to accept and make available to a law enforcement agency DNA profiles and fingerprints of missing children, including DNA profiles or fingerprints that are voluntarily submitted to the Clearinghouse by the parent, guardian, or custodian of a child. The bill requires the Clearinghouse to submit fingerprints and DNA profiles to: (1) the Indiana Data and Communication System (IDACS); (2) the National Crime Information Center (NCIC); and (3) the Integrated Automated Fingerprint Identification System (IAFIS). The bill also permits the State Police Department to charge a reasonable fee to defray the Clearinghouse's expenses for receiving, processing, and submitting fingerprints and DNA profiles.

It establishes the Missing Children's Fund to receive fees for receiving, processing, and submitting fingerprints and DNA profiles, as well as gifts, grants, and other donations. It also requires the Criminal Justice Institute to pursue federal funds to support the Missing Children's Fund. The bill continuously appropriates money in the fund for purposes of the fund.

Effective Date: July 1, 2007.

Explanation of State Expenditures: *Collection of DNA Profiles and Fingerprints:* This bill requires the Clearinghouse for Information on Missing Children to permit a parent, guardian, or custodian of a child to voluntarily submit the fingerprints and DNA profile of a child to the Clearinghouse. The Clearinghouse is then required to submit the information to the Indiana Data and Communication System, National Crime Information Center, and the Integrated Automated Fingerprint Identification System.

The bill allows the Indiana State Police (ISP) to charge a reasonable fee for processing and transmitting a

DNA profile and fingerprints. However, the fee may not exceed actual expenses of the Clearinghouse for receiving, processing, and submitting the fingerprints and DNA profile. The fees are to be deposited in the Missing Children's Fund.

As proposed, the administrative duties of the Clearinghouse would increase. Actual increases would be dependent on the number of DNA profiles and fingerprints submitted. The Clearinghouse should be able to complete the requirements of the bill within its existing level of resources.

In addition, the administrative duties of the ISP would increase. The ISP would be responsible for inputting DNA profiles and fingerprints for children provided from the Clearinghouse. The ISP should be able to do so within its existing level of resources.

Removal of Information: The bill requires the ISP to, upon receipt of a written request from a parent, guardian, or custodian of a missing child who has been located or who is not missing, remove all fingerprint and DNA profile records submitted from computerized and other record keeping systems operated by the ISP, including the IDACS, and request the removal of all fingerprints and DNA profile records submitted to the NCIC and IAFIS.

The ISP reports that information would need to be deleted from IDACS and the Combined Offender Data Indexing System (CODIS). As proposed the ISP would experience an increase in administrative duties. Actual increases would be dependent on the number of DNA profiles and fingerprints for which a parent, guardian, or custodian, requests information be removed.

(Revised) *Missing Children's Fund:* The bill establishes the Missing Children's Fund for the purpose of defraying expenses related to the location of missing children. The Fund is to be administered by the ISP. The Fund consists of fees deposited in the Fund. The expenses of administering the Fund are to be paid from money in the Fund. Money in the Fund does not revert to the state General Fund at the end of a state fiscal year.

The bill requires the Indiana Criminal Justice Institute (ICJI) to pursue federal grants to be placed in the Fund. The ICJI should be able to do so within its existing level of resources.

Explanation of State Revenues: See *Explanation of State Expenditures*.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana State Police; Indiana Criminal Justice Institute.

Local Agencies Affected:

Information Sources: Andre Clark, Indiana Missing Children's Clearinghouse; Ed Littlejohn, Indiana State Police; Paul Misner, Indiana State Police; Vivien Nowaczewski, Indiana State Police.

Fiscal Analyst: Sarah Brooks, 317-232-9559.