

**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 6785**

**BILL NUMBER:** SB 431

**NOTE PREPARED:** May 11, 2011

**BILL AMENDED:** Apr 28, 2011

**SUBJECT:** Department of Toxicology.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:** Rep. Foley

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill creates the Department of Toxicology as a state agency. (Currently, the Department of Toxicology is part of Indiana University.) It makes conforming changes. The bill also creates the Toxicology Department Advisory Board. It repeals the law pertaining to the Department of Toxicology that is part of Indiana University.

**Effective Date:** Upon passage; July 1, 2011.

**Explanation of State Expenditures:** The bill could impact expenses in the short term, depending on how the transfer from Indiana University to the state is done. The expenditures by the Department are for personnel, supplies, equipment, and travel. The bill transfers the appropriation, property, and obligation to the new state department. The impact on expenses should be minor if there are moving costs due to relocation of the Department but will be covered within the existing level of appropriations.

The bill creates the Toxicology Department Advisory Board to provide oversight and guidance for the development of the department. The Board would consist three members having expertise and experience in toxicology appointed by the Governor. One of the members must be a judge or retired judge who is knowledgeable in the area of toxicology. The members are not eligible for salary per diem but are eligible to receive reimbursement for travel expenses.

*Background:* Established in 1957 within the Indiana University School of Medicine, the Indiana State Department of Toxicology provides science-based support for the impaired and dangerous driving program and other criminal justice efforts for the State of Indiana. The Department of Toxicology inspects and

certifies all evidentiary breath test instruments in the state and certifies every breath test operator in Indiana. The Department also conducts drug and alcohol screening and confirmatory tests for law enforcement agencies and prosecutors in criminal and other cases.

The Department currently has 17 employees (six in the administrative staff, three inspectors, and eight laboratory technicians). The Department of Toxicology spent about \$2.5 M in FY 2010. Approximately \$1.5 M was spent on personnel services, \$571,000 on materials and supplies, \$285,000 on equipment, and \$15,000 on travel. HEA 1001-2011 appropriates approximately \$2.1 M annually to the Department of Toxicology along with a \$10.4 M biennial appropriation for the Toxicology Lab lease.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Toxicology, Indiana University.

**Local Agencies Affected:**

**Information Sources:** Indian State Department of Toxicology, <http://isdt.iusm.iu.edu/> , Higher Education Commission budget recommendations.

**Fiscal Analyst:** Chuck Mayfield, 317-232-4825