Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 1202									
Bill #: SB 131 SCS									
Document ID #: 4972									
Bill Subject/Title: AN ACT relating to DNA evidence.									
Sponsor: Senator Danny W. Carroll									
Unit of Government: x City x County x Urban-County Unified Local total:x Charter County x Consolidated Local x Government									
Office(s) Impacted: Local law enforcement									
Requirement: x Mandatory Optional									
Effect on Powers & Duties: x Modifies Existing x Adds New x Eliminates Existing									

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

The fiscal impact of SB 131 SCS is indeterminate and minimal. SB 131 SCS amends KRS 524.140 to define "biological evidence" and replaces "evidence" with "biological evidence". Thus, the Act limits the applicability of requirements for retention of evidence and allows retention of representative samples of items containing biological evidence. In effect, the provisions of this Act may reduce the amount of non-biological evidence that must be retained. SB 131 SCS also makes explicit that biological evidence in is to be retained "in order to assist federal, state, and local criminal justice and law enforcement agencies within and outside the Commonwealth in the identification detection, or exclusion of individuals who are subjects of investigation or prosecution" for at least 50 years (with exceptions).

Part III: Differences to Local Government Mandate Statement from Prior Versions

SB 131 SCS retains the provisions of SB 131 and replaces the purpose of retained biological evidence for use "in an unsolved investigation" with "in order to assist federal, state, and local criminal justice and law enforcement agencies within and outside the Commonwealth in the

identification	detection,	\mathbf{or}	exclusion	of	individuals	who	are	subjects	of	investigation	or
prosecution".	This change	e do	es not affe	ct t	the fiscal impa	act ide	entifi	ed for SB	13	1.	

The fiscal impact of SB 131 SCS is the same as for SB 131.

Data Source	ee(s):	Kentucky	Sheriffs	Association;	Kentucky	Association of	of Chiefs of	of Police
Preparer:	H. Mar	ks		Reviewer:	KHC		Date:	2/26/19