



Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

Drafting Number: LLS 11-0482**Date:** January 13, 2011**Prime Sponsor(s):** Rep. Swerdfefer**Bill Status:** House Judiciary**Fiscal Analyst:** Marc Carey (303-866-4102)

TITLE: CONCERNING CLARIFICATION THAT A DNA SAMPLE EXPUNGEMENT IS NEVER AVAILABLE FOR A FELONY CONVICTION.

Summary of Legislation

Current law provides that the DNA records based on a sample taken at arrest are expunged if the person is convicted of an offense that is not a felony under title 18, Colorado Revised Statutes. The bill clarifies that the records are expunged if the person is convicted of any non-felony offense, not just a felony under title 18, Colorado Revised Statutes. The bill will become effective upon signature of the Governor, or upon becoming law without his signature.

Assessment

This bill restricts the population of offenders who qualify for DNA expungement. However, the incremental cost of the expungement of a DNA record is negligible. Thus, the bill will not affect state or local revenue or expenditures and is assessed as having no fiscal impact.

Departments Contacted

Corrections

Judicial

Public Safety