

# BDR 14-1007 SB 451

## EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 10, 2017

Agency Submitting: Nevada Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Effect on Future Biennia
Total	0	0	0	0

### Explanation

(Use Additional Sheets of Attachments, if required)

The Nevada Department of Corrections (NDOC) has reviewed BDR 14-1007, which makes proposed revisions to NRS 176 related to persons requesting the court to order a genetic marker analysis. The NDOC has determined that there is no fiscal impact.

See attached Word document entitled Exhibit 1 14-1007 Narrative for further information.

Name Scott Ewart

Title Chief of Fiscal Services

### GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Wednesday, March 29, 2017

The agency's response appears reasonable.

Name Paul Nicks

Title Exec. Branch Budget Officer

## DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: 14-1007

Name of Agency: Department of Corrections

Division/Department: \_\_\_\_\_

Date: March 31, 2017

The Nevada Department of Corrections (NDOC) has reviewed BDR 14-1007, which makes proposed revisions to NRS 176 related to persons requesting the court to order a genetic marker analysis. Section 2 of this bill eliminates the requirement for a hearing on the petitioner's request. Section 14 compels the court to order such analysis upon the filing by the petitioner. Section 15 of this bill requires the petitioner to pay for the cost of such analysis before it is performed. A section 5 of this bill does propose to create the Nevada Sentencing Commission with membership, duties, and provisions prescribed in Section 6 which also authorizes the Nevada Sentencing Commission to issue subpoenas. Section 9 requires the NDOC to provide the proposed Sentencing Commission with any available statistical information and to assist the Sentencing Commission in the compilation and development of information requested; and to provide the Sentencing Commission with use of computers and programs owned by NDOC; and to provide an independent contractor retained by the Department of Administration pursuant to NRS 176.0129 with any available statistical information requested. Section 12 of this bill repeals certain duties of the existing Advisory Commission on the Administration of Justice, re-enacting and replacing those duties in Section 6 through the newly created Nevada Sentencing Commission. Section 17 authorizes the Nevada Sentencing Commission to request the drafting of not more than 1 legislative measure each regular session.

The NDOC has determined that there is not a fiscal impact.

Section 2 of this bill would require the offender to pay the cost of the genetic marker analysis but relative to the size of the prison population, none of the sections of this bill proposed significant impact. Section 9 of this bill requires NDOC to provide available statistical information or research to the Nevada Sentencing Commission and to an independent contractor for the Department of Administration, but does not appear that it would require significant NDOC resources as the statistical and programmatic information described in the bill is already available. NDOC staff time and resources for any data or research other than what is described in the bill are undeterminable. Section 15, subsection 4, of the BDR establishes that incarcerated petitioners deemed indigent pursuant to NRS 171.188 are not required to pay for the genetic marker analysis. The NDOC is currently responsible for the cost of the genetic marker analysis for incarcerated persons deemed to be indigent, thus there is no fiscal impact as a result of Section 15, subsection 4.