

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/29/2007

**REVISION**

Bill/Resolution No.: SB 2358

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill allows a victim of a sexual offence under chapter 12.1-20 to request a human immunodeficiency virus (HIV) test be administered to the defendant.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

It is estimated that if every defendant received an HIV test the department of health laboratory division would provide 843 additional tests per year. The costs for these tests would be minimal and would be absorbed in our budget. The department currently receives federal funds to provide HIV testing at no cost to recipients.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The department currently receives federal funds for a Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. We have been notified that the department will received a 5% reduction in our funds if a law does not exist that requires testing of offenders within forty eight hours of the date the complaint or information is filed with the courts. This fiscal impact for the department would be a one time reduction in our federal grant of \$25,658. The department must be in compliance with this requirement by the end of the 2007 session.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

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