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Senate Bill 276 (Substitute S-1 as reported)  
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Sponsor: Senator Tom Barrett (S.B. 276)  
Senator Stephanie Chang (S.B. 277)  
Committee: Judiciary and Public Safety

### **CONTENT**

Senate Bill 276 (S-1) would enact the "Forensic Science Commission Act", which would do the following:

- Create the Forensic Science Commission within the Legislative Council.
- Prescribe the Commission's membership, and its powers and duties.
- Require the Commission to develop and implement a system for the reporting of professional negligence, misconduct, or nonconformance by or in a forensic laboratory that affected the integrity of forensic science or forensic medicine results.
- Require the Commission to investigate the conduct and operation of a forensic science or forensic medicine method, technique, or analysis used in a criminal case if the Commission received a report from any source alleging professional negligence, misconduct, or nonconformance by or in a forensic laboratory.
- Require the Commission to submit a report detailing the investigation, once completed.
- Require the Commission to develop and implement a defendant notification procedure for investigations.
- Require the Commission to verify the accreditation of forensic laboratories and forensic science service providers, within two years of the bill's effective date.

Senate Bill 277 (S-1) would enact the "Forensic Science Commission Definitions Act" to provide definitions for the proposed Forensic Science Commission Act.

The bills are tie-barred.

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

Senate Bill 276 (S-1) would have an indeterminate fiscal impact on the State's Legislative Council. The bill would create the Forensic Science Commission. Commission members would not receive a salary; however, they would be eligible for reimbursement for necessary expenses incurred in the performance of their duties. The bill would require the Legislative Council to provide the Commission with clerking staff. The bill does not specify the number of staff that would be needed; however, based on information from a similar former commission (the former Michigan Sentencing Commission), that entity was staffed with 2.0 FTE positions: an Administrator and an Administrative Assistant. The estimated annual cost for the proposed Commission is indeterminate, but could range between \$300,000 and \$400,000 annually, based on previous estimates. The previous appropriation covered the costs of the 2.0 FTE positions, office space and equipment, and the reimbursement to Commission members for

necessary costs. The current estimated average annual cost for 1.0 FTE for a classified State employee is \$115,000 gross, \$60,700 General Fund/General Purpose for salary and benefits. These estimates could be higher or lower based on the classification level of the FTEs hired.

The bill's requirement that a forensic science laboratory or a forensic science service provider in the State be accredited would have no fiscal impact on larger, more sophisticated, well-funded, and accredited forensic operations in the State, such as the Michigan State Police Forensic Science laboratories and the Oakland County Forensic Science Laboratory, both of which have funds for the compliance processes and other accreditation costs. Smaller operations in the State, such as those associated with the police departments of Battle Creek, Wyoming, and other local governments, could face costs to achieve accreditation, the amount of which cannot be determined.

Senate Bill 277 (S-1) would have no fiscal impact on State or local government.

Date Completed: 10-14-19

Fiscal Analyst: Bruce Baker  
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