

Fiscal Note

BILL # HB 2226

TITLE: appropriation; fentanyl prosecution; testing; fund

SPONSOR: Gress

STATUS: As Amended by House JUD

PREPARED BY: Jordan Johnston

Description

The bill would establish the Fentanyl Prosecution and Testing Fund and deposit \$5,000,000 from the General Fund in FY 2024 into the newly created fund.

Estimated Impact

The bill would cost \$5,000,000 from the General Fund in FY 2024.

The Department of Public Safety (DPS) may incur some costs in administering the fund. We have requested an estimate of this cost from DPS.

Analysis

The bill would establish a new non-appropriated fund called the Fentanyl Prosecution and Testing Fund, which would be administered by DPS. The monies from the fund would be allocated on a first-come, first-served basis to local governments to reimburse costs associated with fentanyl prosecution. Monies in the fund may also be used by law enforcement agencies in the state to reimburse costs related to fentanyl testing.

The bill further appropriates \$5,000,000 from the General Fund in FY 2024 to be deposited into the newly created Fentanyl Prosecution and Testing Fund. The department may elect to use monies from the fund to offset current fentanyl testing costs incurred from the DPS Forensics Fund.

Local Government Impact

Monies from the Fentanyl Prosecution and Testing Fund would be used to reimburse local government costs related to fentanyl prosecution and testing in this state. As such, local governments would be eligible to receive up to \$5 million in revenue starting in FY 2024.

As per statutory requirements, DPS conducts evidentiary testing in their crime labs on behalf of local governments throughout the state. The cities of Phoenix, Mesa, Scottsdale, and Tucson have their own accredited crime labs. However, due to workload and other issues, even cities with crime labs may send evidence to DPS to be tested in their crime lab. The new fund may increase the department's workload if more analysis requests are submitted to their crime labs. The department may choose to use monies in the fund to offset the increased fentanyl testing workload.

2/1/23

