

HOUSE BILL 292

E4

3lr0095

By: **Chair, Judiciary Committee (By Request – Departmental – State Police)**

Introduced and read first time: January 23, 2013

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2013

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Statewide DNA Data Base System – DNA Sample Collection**
3 **on Arrest – Reporting Requirement and Repeal of Sunset**

4 FOR the purpose of altering a certain reporting requirement to require law
5 enforcement agencies and the Department of State Police to report certain
6 information regarding DNA collection and analysis to the Governor’s Office of
7 Crime Control and Prevention instead of the Office of Legislative Audits;
8 requiring the Governor’s Office of Crime Control and Prevention to compile
9 certain information and submit the information to the Office of Legislative
10 Audits; repealing the termination date for certain provisions of the statewide
11 DNA data base law applicable to the collection, analysis, and reporting of
12 certain information relating to DNA; and generally relating to the statewide
13 DNA data base system.

14 BY repealing and reenacting, with amendments,
15 Article – Public Safety
16 Section 2–514
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2012 Supplement)

19 BY repealing and reenacting, with amendments,
20 Chapter 337 of the Acts of the General Assembly of 2008
21 Section 4

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 Article – Public Safety

4 2-514.

5 (a) On or before April 1, 2010, and on or before April 1 of every
6 even-numbered year thereafter, each local law enforcement unit shall report to the
7 [Office of Legislative Audits] GOVERNOR’S OFFICE OF CRIME CONTROL AND
8 PREVENTION on the status of crime scene DNA collection and analysis in its
9 respective jurisdiction for the preceding calendar year, and the Department shall
10 report to the [Office of Legislative Audits] GOVERNOR’S OFFICE OF CRIME
11 CONTROL AND PREVENTION on the status of crime scene DNA collection statewide
12 for the preceding calendar year, including:

13 (1) the crimes for which crime scene DNA evidence is routinely
14 collected;

15 (2) the approximate number of crime scene DNA evidence samples
16 collected during the preceding year for each category of crime;

17 (3) the average time between crime scene DNA evidence collection and
18 analysis;

19 (4) the number of crime scene DNA evidence samples collected and not
20 analyzed at the time of the study;

21 (5) the number of crime scene DNA evidence samples submitted to the
22 statewide DNA data base during the preceding year; and

23 (6) the number of crime scene DNA evidence samples, including
24 sexual assault evidence, collected by hospitals in the county during the preceding year.

25 (b) (1) The [Office of Legislative Audits] GOVERNOR’S OFFICE OF
26 CRIME CONTROL AND PREVENTION shall compile [and evaluate] the information
27 reported by the local law enforcement units and the Department under subsection (a)
28 of this section and submit [an] THE INFORMATION TO THE OFFICE OF
29 LEGISLATIVE AUDITS.

30 (2) THE OFFICE OF LEGISLATIVE AUDITS SHALL EVALUATE THE
31 INFORMATION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND
32 SUBMIT AN annual summary report to the Governor and, in accordance with § 2-1246
33 of the State Government Article, the General Assembly.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 January 1, 2009. [It shall remain effective for a period of 5 years and, at the end of
3 December 31, 2013, with no further action required by the General Assembly, this Act
4 shall be abrogated and of no further force and effect.]

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.