

HOUSE BILL 1523

E4

3lr3390

By: **Delegates Carter, Anderson, Branch, Braveboy, Glenn, Mitchell, Oaks, Pena–Melnyk, B. Robinson, Swain, and Wilson**

Rules suspended

Introduced and read first time: March 5, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – DNA Samples and Records – Collection, Use, Storage, and**
3 **Expungement**

4 FOR the purpose of requiring a governmental unit that collects DNA samples or
5 maintains DNA records for certain purposes to comply with certain provisions of
6 law governing the collection, use, and expungement of DNA samples and
7 records; prohibiting a DNA sample from being stored unless it is required to be
8 collected or stored under certain provisions of law; and generally relating to the
9 collection, use, storage, and expungement of DNA samples and records.

10 BY adding to

11 Article – Public Safety

12 Section 2–502.1

13 Annotated Code of Maryland

14 (2011 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Public Safety

17 Section 2–505(b)

18 Annotated Code of Maryland

19 (2011 Replacement Volume and 2012 Supplement)

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

22 **Article – Public Safety**

23 **2–502.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **A GOVERNMENTAL UNIT THAT COLLECTS DNA SAMPLES OR MAINTAINS**
2 **DNA RECORDS FOR LAW ENFORCEMENT PURPOSES SHALL COMPLY WITH THE**
3 **REQUIREMENTS OF THIS TITLE GOVERNING THE COLLECTION, USE, AND**
4 **EXPUNGEMENT OF DNA SAMPLES AND RECORDS.**

5 2-505.

6 (b) (1) Only DNA records that directly relate to the identification of
7 individuals shall be collected and stored.

8 (2) DNA records may not be used for any purposes other than those
9 specified in this subtitle.

10 **(3) A DNA SAMPLE MAY NOT BE STORED UNLESS IT IS REQUIRED**
11 **TO BE COLLECTED OR STORED UNDER THIS SUBTITLE.**

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