

HOUSE BILL 21

E2, E4

8lr0974

(PRE-FILED)

By: **Delegate Conaway**

Requested: October 25, 2017

Introduced and read first time: January 10, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Sexual Assault Evidence Collection Kit – Reporting to**
3 **CODIS**

4 FOR the purpose of requiring certain regulations to include a requirement that results from
5 certain testing obtained from a sexual assault evidence collection kit be submitted to
6 a certain national database within a certain period of time after the evidence has
7 been tested; and generally relating to sexual assault evidence.

8 BY repealing and reenacting, without amendments,
9 Article – Criminal Procedure
10 Section 11–927(a)
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Criminal Procedure
15 Section 11–927(f)
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2017 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article – Public Safety
20 Section 2–501(a) and (c)
21 Annotated Code of Maryland
22 (2011 Replacement Volume and 2017 Supplement)

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

25 **Article – Criminal Procedure**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-927.

2 (a) In this section, "Committee" means the Maryland Sexual Assault Evidence
3 Kit Policy and Funding Committee.

4 (f) (1) The Attorney General, in consultation with the Committee, shall adopt
5 regulations based on the Committee's recommendations providing for the collection,
6 testing, and retention of sexual assault evidence collection kits in the State.

7 (2) **THE REGULATIONS SHALL INCLUDE A REQUIREMENT THAT**
8 **RESULTS FROM DNA TESTING OBTAINED FROM A SEXUAL ASSAULT EVIDENCE**
9 **COLLECTION KIT BE SUBMITTED TO CODIS, AS DEFINED IN § 2-501 OF THE PUBLIC**
10 **SAFETY ARTICLE, WITHIN 6 MONTHS AFTER THE DNA HAS BEEN TESTED.**

11 **Article – Public Safety**

12 2-501.

13 (a) In this subtitle the following words have the meanings indicated.

14 (c) (1) "CODIS" means the Federal Bureau of Investigation's "Combined DNA
15 Index System" that allows the storage and exchange of DNA records submitted by federal,
16 state, and local forensic DNA laboratories.

17 (2) "CODIS" includes the national DNA index administered and operated
18 by the Federal Bureau of Investigation.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2018.