
By: **Delegate Rosenberg**
Introduced and read first time: February 11, 2000
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Mandatory Retention and Storage of Evidence**

3 FOR the purpose of requiring State and local law enforcement agencies who have
4 collected certain types of evidence to retain and properly store that evidence;
5 prohibiting destruction of certain types of evidence without a court order;
6 defining a term; and generally relating to retention and storage of evidence.

7 BY adding to
8 Article - Courts and Judicial Proceedings
9 Section 10-915.1
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 1999 Supplement)

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

14 **Article - Courts and Judicial Proceedings**

15 10-915.1.

16 (A) IN THIS SECTION, "DNA" MEANS DEOXYRIBONUCLEIC ACID.

17 (B) ALL EVIDENCE SUBJECT TO DNA TESTING, FINGERPRINTING, HAIR
18 ANALYSIS, OR ANY OTHER FORENSIC TESTING, COLLECTED BY A STATE OR LOCAL
19 LAW ENFORCEMENT AGENCY IN CONNECTION WITH AN INVESTIGATION OR
20 SUBSEQUENT TO A CRIMINAL CONVICTION, MUST BE RETAINED AND PROPERLY
21 STORED BY THE AGENCY THAT COLLECTED THE EVIDENCE.

22 (C) EVIDENCE COLLECTED AND RETAINED UNDER THIS SECTION MAY NOT BE
23 DESTROYED WITHOUT AN ORDER FROM A COURT OF COMPETENT JURISDICTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2000.