
By: **Senator Kelley**

Introduced and read first time: February 4, 2005

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 16, 2005

CHAPTER _____

1 AN ACT concerning

2 **Public Safety - Collection of DNA Samples - State Budget**

3 FOR the purpose of repealing a certain requirement that, before a certain individual
4 is required to submit a DNA sample, certain appropriations in the State budget
5 must be available; and generally relating to collection of DNA samples.

6 BY repealing and reenacting, with amendments,
7 Article - Public Safety
8 Section 2-504(a)
9 Annotated Code of Maryland
10 (2003 Volume and 2004 Supplement)

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

13 **Article - Public Safety**

14 2-504.

15 (a) (1) In accordance with regulations adopted under this subtitle, [and if
16 adequate funds for the collection of DNA samples are appropriated in the State
17 budget,] an individual who is convicted of a felony or a violation of § 6-205 or § 6-206
18 of the Criminal Law Article shall:

19 (i) have a DNA sample collected on intake to a correctional facility,
20 if the individual is sentenced to a term of imprisonment; or

1 (ii) provide a DNA sample as a condition of sentence or probation, if
2 the individual is not sentenced to a term of imprisonment.

3 (2) [If adequate funds for the collection of DNA samples are
4 appropriated in the State budget, an] AN individual who was convicted of a felony or
5 a violation of § 6-205 or § 6-206 of the Criminal Law Article on or before October 1,
6 2003 and who remains confined in a correctional facility on or after October 1, 1999,
7 shall submit a DNA sample to the Department.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2005.