
By: **Delegates Petzold, King, Lawton, Stern, and Vallario**

Introduced and read first time: February 8, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Statewide DNA Data Base System**

3 FOR the purpose of providing that a finding that a DNA record or profile was
4 included in the statewide DNA data base system by mistake does not invalidate
5 a data base match or the detention, arrest, or conviction of a person based on a
6 data base match; and generally relating to the statewide DNA data base system.

7 BY repealing and reenacting, with amendments,
8 Article - Public Safety
9 Section 2-510
10 Annotated Code of Maryland
11 (2003 Volume and 2005 Supplement)

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

14 **Article - Public Safety**

15 2-510.

16 (A) A match obtained between an evidence sample and a data base entry may
17 only be used as probable cause and is not admissible at trial unless confirmed by
18 additional testing.

19 (B) (1) A FINDING THAT A DNA RECORD OR PROFILE WAS INCLUDED IN THE
20 STATEWIDE DNA DATA BASE SYSTEM BY MISTAKE DOES NOT INVALIDATE:

21 (I) A DATA BASE MATCH; OR

22 (II) THE DETENTION, ARREST, OR CONVICTION OF A PERSON
23 BASED ON A DATA BASE MATCH.

24 (2) INFORMATION IN THE STATEWIDE DNA DATA BASE SYSTEM IS NOT
25 INVALIDATED BECAUSE A SAMPLE WAS OBTAINED OR PLACED IN THE DATA BASE BY
26 MISTAKE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2006.