

Chapter 431

(House Bill 292)

AN ACT concerning

Public Safety – Statewide DNA Data Base System – DNA Sample Collection on Arrest – Reporting Requirement and Repeal of Sunset

FOR the purpose of altering a certain reporting requirement to require law enforcement agencies and the Department of State Police to report certain information regarding DNA collection and analysis to the Governor's Office of Crime Control and Prevention instead of the Office of Legislative Audits; requiring the Governor's Office of Crime Control and Prevention to compile certain information and submit the information to the Office of Legislative Audits; repealing the termination date for certain provisions of the statewide DNA data base law applicable to the collection, analysis, and reporting of certain information relating to DNA; and generally relating to the statewide DNA data base system.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2-514

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Chapter 337 of the Acts of the General Assembly of 2008

Section 4

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

Article – Public Safety

2-514.

(a) On or before April 1, 2010, and on or before April 1 of every even-numbered year thereafter, each local law enforcement unit shall report to the [Office of Legislative Audits] GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION on the status of crime scene DNA collection and analysis in its respective jurisdiction for the preceding calendar year, and the Department shall report to the [Office of Legislative Audits] GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION on the status of crime scene DNA collection statewide for the preceding calendar year, including:

- (1) the crimes for which crime scene DNA evidence is routinely collected;
- (2) the approximate number of crime scene DNA evidence samples collected during the preceding year for each category of crime;
- (3) the average time between crime scene DNA evidence collection and analysis;
- (4) the number of crime scene DNA evidence samples collected and not analyzed at the time of the study;
- (5) the number of crime scene DNA evidence samples submitted to the statewide DNA data base during the preceding year; and
- (6) the number of crime scene DNA evidence samples, including sexual assault evidence, collected by hospitals in the county during the preceding year.

(b) (1) The [Office of Legislative Audits] GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION shall compile [and evaluate] the information reported by the local law enforcement units and the Department under subsection (a) of this section and submit [an] THE INFORMATION TO THE OFFICE OF LEGISLATIVE AUDITS.

(2) THE OFFICE OF LEGISLATIVE AUDITS SHALL EVALUATE THE INFORMATION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND SUBMIT AN annual summary report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

Chapter 337 of the Acts of 2008

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2009. [It shall remain effective for a period of 5 years and, at the end of December 31, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

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

Approved by the Governor, May 16, 2013.