

SENATE BILL 413

E2, E4

8lr2166
CF HB 8

By: **Senator Robinson**

Introduced and read first time: January 25, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Sexual Assault Evidence Collection Kit – Testing**
3 **Requirement**

4 FOR the purpose of requiring certain regulations to include a requirement that certain
5 items collected in a certain sexual assault evidence collection kit be tested within a
6 certain period of time after the items were collected; and generally relating to sexual
7 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 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Criminal Procedure**

21 11–927.

22 (a) In this section, “Committee” means the Maryland Sexual Assault Evidence
23 Kit Policy and Funding Committee.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 **(2) THE REGULATIONS SHALL INCLUDE A REQUIREMENT THAT ANY**
5 **SWAB, SLIDE, OR OTHER DNA COLLECTION ITEM INCLUDED IN A SEXUAL ASSAULT**
6 **EVIDENCE COLLECTION KIT BE TESTED WITHIN 1 YEAR AFTER THE ITEM WAS**
7 **COLLECTED.**

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