

Chapter 831

(Senate Bill 549)

AN ACT concerning

**Criminal Procedure – Forensic Genetic Genealogical DNA Analysis and Search –
Applicability for Deceased and Missing ~~Children~~ Individuals**

FOR the purpose of providing that certain provisions of law regarding the use of a certain forensic genetic genealogical DNA analysis and search (FGGS) do not apply when the FGGS is conducted solely for the purpose of identifying an individual ~~under a certain age~~ who is deceased or the subject of a certain missing person report and whose whereabouts are unknown; and generally relating to the use of FGGS.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 17–101(a) and (e)
Annotated Code of Maryland
(2018 Replacement Volume and 2023 Supplement)

BY adding to
Article – Criminal Procedure
Section 17–101.1
Annotated Code of Maryland
(2018 Replacement Volume and 2023 Supplement)

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

Article – Criminal Procedure

17–101.

(a) In this title the following words have the meanings indicated.

(e) “Forensic genetic genealogical DNA analysis and search” or “FGGS” means:

(1) the forensic genetic genealogical DNA analysis of biological material using SNP or other sequencing techniques to develop an FGG profile;

(2) a subsequent search using the FGG profile in a publicly available open–data personal genomics database or a direct–to–consumer genetic genealogy service to find individuals related to the source of the FGG profile; and

(3) a genealogical search using public records and other lawful means to obtain information in accordance with this title.

17-101.1.

THIS TITLE DOES NOT APPLY TO FGGS CONDUCTED SOLELY FOR THE PURPOSE OF IDENTIFYING AN INDIVIDUAL ~~UNDER THE AGE OF 18 YEARS~~ WHO IS:

(1) DECEASED; OR

(2) THE SUBJECT OF A MISSING PERSON REPORT FILED WITH A LAW ENFORCEMENT AGENCY IN THE STATE AND WHOSE WHEREABOUTS ARE UNKNOWN.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, May 16, 2024.