

SENATE BILL 717

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6lr2871
CF 6lr2272

By: **Senator Folden**

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Victims of Sexual Assault Offenses – Test Kit Submission**
3 **Requirements**

4 FOR the purpose of altering the deadline by which a certain law enforcement agency must
5 submit a certain sexual assault evidence collection kit and associated reference
6 standards to a forensic laboratory for analysis; and generally relating to sexual
7 assault evidence collection kits.

8 BY repealing and reenacting, without amendments,
9 Article – Criminal Procedure
10 Section 11–926(a)(1) and (5) and (e)
11 Annotated Code of Maryland
12 (2025 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Criminal Procedure
15 Section 11–926(g)
16 Annotated Code of Maryland
17 (2025 Replacement Volume)

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 11–926.

22 (a) (1) In this section the following words have the meanings indicated.

23 (5) (i) “Sexual assault evidence collection kit” means physical evidence
24 collected:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1. by a qualified health care provider;
2. from the body or clothing of a living or deceased person;
3. following an allegation or suspicion of sexual assault; and
4. for the purpose of preserving the physical evidence.

(ii) “Sexual assault evidence collection kit” does not include a self-administered sexual assault evidence collection kit.

(e) A sexual assault evidence collection kit shall be submitted to a forensic laboratory for analysis unless:

- (1) there is clear evidence disproving the allegation of sexual assault;
- (2) the facts alleged, if true, could not be interpreted to violate a provision of Title 3, Subtitle 2, Title 3, Subtitle 3, Title 3, Subtitle 6, or Title 11, Subtitle 3 of the Criminal Law Article;
- (3) the victim from whom the evidence was collected declines to give consent for analysis; or
- (4) the suspect’s profile has been collected for entry as a convicted offender for a qualifying offense in the Combined DNA Index System (CODIS) maintained by the Federal Bureau of Investigation and the suspect has pleaded guilty to the offense that led to the sexual assault evidence collection kit.

(g) Except as provided in subsection (e) of this section, an investigating law enforcement agency that receives a sexual assault evidence collection kit shall:

- (1) submit the kit and all requested associated reference standards to a forensic laboratory for analysis within 30 days of receipt of the kit [and all requested associated reference standards]; and
- (2) make use of certified sexual assault crisis programs or other qualified community-based sexual assault victim service organizations that can provide services and support to survivors of sexual assault.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.