

# The Commonwealth of Massachusetts

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*House of Representatives,*

*The committee on Bills in the Third Reading, to whom was referred the*

Engrossed Bill relative to sexual assault evidence kits (see House, No. 4013) being sections 74 and 119 contained in the bill making appropriations for the fiscal year 2022 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4002), which was returned by His Excellency the Governor pursuant to Article LVI with recommendation of amendment specified by him, (see Attachment M of House, No. 4019)

***Reports recommending that the amendment recommended by His Excellency, the Governor, be considered in the following form:***

By striking all after the enacting clause and inserting in place thereof the following:

SECTION 1. Section 2A of chapter 5 of the acts of 2019 is hereby amended by striking out item 8100-1014, as amended by section 40 of chapter 142 of the acts of 2019, and inserting in place thereof the following item:-

8100-1014. For costs associated with the collection and testing of all previously untested investigatory sexual assault evidence kits by the crime laboratory within the department of state police or by an accredited private crime laboratory designated by the secretary of public safety and security; provided further that the testing of the sexual assault evidence kit shall be in accordance with the state police crime laboratory regulations for exhaustive testing; provided further, that no post-conviction sexual assault evidence kit shall be tested and such evidence kits

shall instead be tested only in accordance with and subject to the requirements of chapter 278A of the General Laws; provided further, that for the purposes of this item, “previously untested investigatory sexual assault evidence kits” shall mean any sexual assault evidence kit or additional evidence collected contemporaneously with such kit, prior to April 13, 2018 that has not been subjected to a forensic DNA analysis intended to develop an autosomal DNA profile that is eligible for entry into CODIS, as defined in section 1 of chapter 22E of the General Laws, and the state DNA databases; and provided further, that any unexpended funds in this item shall not revert but shall be made available for the purposes of this item until June 30, 2022.....\$8,000,000

SECTION 2. All previously untested investigatory sexual assault evidence kits provided for under item 8100-1014 of section 2A of chapter 5 of the acts of 2019 shall be sent for testing not later than June 30, 2022.

SECTION 3. This act shall take effect as of July 1, 2021.”.

*And that when so amended the same will be correctly drawn.*

.....,  
*For the Committee.*