HOUSE DOCKET, NO. 919 FILED ON: 1/14/2015

HOUSE . . . . . No. 1353

The Commonwealth of Massachusetts

PRESENTED BY:

Danielle W. Gregoire

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the expansion of the state DNA database.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Danielle W. Gregoire	*4th Middlesex*

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HOUSE . . . . . No. 1353

By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 1353) of Danielle W. Gregoire for legislation to require persons arraigned on felony charges to submit a DNA sample. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1370* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to the expansion of the state DNA database.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 3 of chapter 22E of the General Laws, as appearing in the 2004 official edition, is hereby amended by striking the text thereof, and inserting in place thereof following: -

"Any person who is arrested by virtue of process, or is taken into custody by an officer and charged with the commission of a felony, and who upon arrest has been arraigned pursuant to the applicable court rules under the Massachusetts Rules of Criminal Procedure, shall submit a DNA sample to the department. The sample shall be collected by a person authorized under section 4 of this chapter subsequent to arraignment, in accordance with regulations or procedures established by the director. The results of such sample shall be made part of the state DNA database.

11 Section 2. Section 12 of chapter 22E of the General Laws, as appearing in the 2004
12 offical edition, is hereby amended in line 6 by striking out the words “$1,000” and inserting in its
13 place thereof the folllowing words:- $2,000. Said section is further amended in line 7 by
14 striking out the words “six months” and inserting in place thereof the folllowing words: - one
15 year.

16 Section 3. Section 13 of chapter 22E of the General Laws, as appearing in the 2004
17 offical edition, is hereby amended by striking in line 4 the words “$1,000” and inserting in its
18 place thereof the folllowing words:- $2,000. Said section is further amended in line 5 by
19 striking out the words “six months” and inserting in place thereof the folllowing words: - one
20 year.

21 Section 4 . Section 15 of chapter 22E of the General Laws, as appearing in the 2004
22 offical edition, is hereby amended in line 3 by adding after the word “expunged” the following: -

23 “ if the original offense upon which the collection of DNA is based does not result in a
24 conviction; or”