

HOUSE No. 1501

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relating to DNA Samples..

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

1 SECTION 1: Chapter 22E of the General Laws, as appearing in the 2006 Official Edition,
2 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

3 Section 3. Any person convicted of an offense that is punishable by imprisonment in the
4 state prison and any person adjudicated as a youthful offender by reason of an offense that would
5 be punishable by imprisonment in a state prison if committed by an adult shall submit a DNA
6 sample which shall be collected by a person authorized pursuant to section 4, to the department
7 within 90 days of such conviction or adjudication or, if incarcerated, before release from
8 custody, whichever occurs first, pursuant to regulations or procedures established by the director.
9 The results of such sample shall become part of the state’s DNA database. The submission of
10 such sample shall not be stayed pending a sentence appeal, motion for new trial, appeal to an
11 appellate court or other post conviction motion or petition. Said sample shall also be used for
12 cross referencing with both state and national crime database files.