

SENATE No. 1832

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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:

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

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

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

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

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

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

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