

**ACT No. 86**

2023 Regular Session

HOUSE BILL NO. 378

BY REPRESENTATIVES DEVILLIER AND STEFANSKI

1 AN ACT

2 To amend and reenact R.S. 15:612(A)(introductory paragraph), (B), and (C), relative to  
3 DNA database exchange; to provide relative to the population database comprised  
4 of DNA samples; to provide relative to the use of the population database comprised  
5 of DNA samples; to provide relative to disclosure prohibitions of the database; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:612(A)(introductory paragraph), (B), and (C) are hereby amended  
9 and reenacted to read as follows:

10 §612. DNA ~~data base~~ database exchange

11 A. The state police shall receive, store, and perform analysis on DNA  
12 samples or contract for DNA typing analysis with a qualified DNA laboratory that  
13 meets the guidelines as established by the state police, and shall classify and file the  
14 DNA record of identification characteristic profiles of DNA samples submitted under  
15 this Chapter and make such information available as provided in this Section. The  
16 state police may enter a contract for the storage of DNA typing analysis and for  
17 DNA typing analysis with a qualified DNA laboratory that meets guidelines as  
18 established by the state police. The results of the DNA profile of individuals in the  
19 state DNA ~~data base~~ database shall be made available:

20 \* \* \*

21 B. The state police shall adopt guidelines governing the methods of  
22 obtaining information from the state DNA ~~data base~~ database and procedures for  
23 verification of the identity and authority of the requestor.

1           C.(1) The state police may create a separate population ~~data base~~ database  
 2           comprised of DNA samples obtained under this Chapter after all personal  
 3           identification is removed. The state police may share or disseminate the population  
 4           ~~data base~~ database with other criminal justice agencies or crime laboratories that  
 5           serve to assist the state police with statistical ~~data bases~~ databases. The population  
 6           ~~data base~~ database may be made available to and searched by other agencies  
 7           participating in the CODIS system. This separate population database may be used  
 8           for the following:

9                   (a) To assist federal, state, and local criminal justice and law enforcement  
 10                  agencies in the identification and detection of individuals in criminal investigations  
 11                  or in declared or non-declared disaster victim identification.

12                   (b) For a population statistics database.

13                   (c) For identification and protocol development purposes.

14                   (d) For quality control purposes.

15                   (e) To reduce the rape kit backlog at the Louisiana State Police crime lab.

16           (2) The state police shall maintain this separate population database, and it  
 17           shall be subject to the same disclosure prohibitions as the state data bank pursuant  
 18           to R.S. 15:617.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_