

**HOUSE . . . . . No. 03153**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Peter J. Koutoujian*

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*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 passage of the accompanying bill:

An Act relating to DNA samples

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PETITION OF:

NAME:

| DISTRICT/ADDRESS:

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# HOUSE . . . . . No. 03153

By Mr. Koutoujian of Waltham, a petition (accompanied by bill, House, No. 3153) of [petitioners] that persons convicted of certain crimes be required to submit DNA samples to be used for cross referencing with crime database files Joint Committee on the Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 1501 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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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, is
- 2 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 state
- 4 prison and any person adjudicated as a youthful offender by reason of an offense that would be
- 5 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.