

SENATE No. 00875

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 relative to the expansion of the state DNA database..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol, and Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>

SENATE No. 00875

By Mr. Tarr, petition (accompanied by bill, Senate, No. 875) of Jones, Ross, Hedlund and other members of the General Court for legislation to the expand the state DNA database [Joint Committee on the Judiciary].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 1832 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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 2008
2 official edition, is hereby amended by striking the text thereof, and inserting in place thereof
3 following: - “Any person who is arrested by virtue of process, or is taken into custody by an
4 officer and charged with the commission of a felony, and who upon arrest has been arraigned
5 pursuant to the applicable court rules under the Massachusetts Rules of Criminal Procedure, shall
6 submit a DNA sample to the department. The sample shall be collected by a person authorized
7 under section 4 of this chapter subsequent to arraignment, in accordance with regulations or
8 procedures established by the director. The results of such sample shall be made part of the state
9 DNA database.

10 Section 2. Section 12 of chapter 22E of the General Laws, as appearing in the 2008
11 official edition, is hereby amended in line 6 by striking out the words “\$1,000” and inserting in its
12 place thereof the following words:- \$2,000. Said section is further amended in line 7 by striking
13 out the words “six months” and inserting in place thereof the following words: - one year.

14 Section 3. Section 13 of chapter 22E of the General Laws, as appearing in the 2008
15 official edition, is hereby amended by striking in line 4 the words “\$1,000” and inserting in its
16 place thereof the following words:- \$2,000. Said section is further amended in line 5 by striking
17 out the words “six months” and inserting in place thereof the following words: - one year.

18 Section 4. Section 15 of chapter 22E of the General Laws, as appearing in the 2008
19 official edition, is hereby amended in line 3 by adding after the word “expunged” the following: -
20 “if the original offense upon which the collection of DNA is based does not result in a
21 conviction; or”