

HOUSE BILL 1117

E2

5lr0949

By: **Delegates Sydnor and Vallario**

Introduced and read first time: February 18, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Statewide DNA Data Base System – Admissibility of DNA**
3 **Match Evidence**

4 FOR the purpose of altering a certain provision of law to provide that a match obtained
5 between a certain evidence sample and a certain data base entry may be used as
6 probable cause and is not admissible at a criminal trial to prove the guilt of the
7 defendant who is the subject of the prosecution unless confirmed by additional
8 testing; and generally relating to the statewide DNA data base system.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 2–510
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2014 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Public Safety**

17 2–510.

18 A match obtained between [an] **A DNA** evidence sample and a **DNA** data base entry
19 may be used [only] as probable cause and is not admissible at **A CRIMINAL** trial **TO PROVE**
20 **THE GUILT OF THE DEFENDANT WHO IS THE SUBJECT OF THE PROSECUTION** unless
21 confirmed by additional testing.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2015.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

