

1 SENATE BILL NO. 262

2 INTRODUCED BY J. COHENOUR

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING RESTRICTIONS FOR THE COLLECTION OF DNA
5 SAMPLES FROM MINORS UNDER 16 YEARS OF AGE; AND PROVIDING EXCEPTIONS."

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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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9 NEW SECTION. **Section 1. Restrictions for collection of DNA from minor under 16 years of age.**

10 A minor under 16 years of age may not have a DNA sample collected unless:

- 11 (1) the minor was found under 41-5-1502 to have committed a sexual or violent offense;
- 12 (2) a parent or guardian has provided written permission; or
- 13 (3) a court of competent jurisdiction has issued an order for the collection of a DNA sample.

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15 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
16 integral part of Title 44, chapter 6, part 1, and the provisions of Title 44, chapter 6, part 1, apply to [section 1].

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