

**2003 DNA Database Expansion Legislation**  
 Prepared by Smith Alling Lane on behalf of Applied Biosystems  
 (As of December 2003)

ST	Bill #	Sponsor	Summary	Status
AK	HB 49	Anderson	Expands DNA database to include all convicted felons and juveniles adjudicated delinquent on felony charges. Also includes most misdemeanor sex crimes. Retroactive to include those currently incarcerated, on probation and on parole, and anyone who is registered as a sex offender.	<b>ENACTED</b>
AR	HB 1074	Verkamp	Expands DNA database to include all convicted felons, misdemeanor sex offenses, and repeat violent misdemeanor offenders. Includes community sentences, retroactive to include those currently incarcerated. Removes all juvenile delinquent adjudications.	<b>ENACTED</b>
AR	HB 2310	Pate	Limits qualifying offenses for juvenile adjudications to only serious sexual assaults, murder, kidnapping, and aggravated robbery, and terrorist acts.	<b>ENACTED</b>
AZ	SB 1252	Brotherton	Requires DNA samples upon arrest or after being charged for felony offenses beginning in 2005, and for an arrest or after a charge for any offense beginning in 2006.	Died in Committee
CA	HB 1444	Benoit	Expands DNA database to include all levels of sex offenders.	Died in Committee
CA	SB 284	Brulte	Expands DNA database to include all convicted felons.	Died in Committee
CA	SB 883	Margett	Expands DNA database to include any sex offense conviction.	Died in Committee
CO	SB 128	Grossman	Local law enforcement may take DNA samples from felony arrestees, but must pay for crime lab analysis.	Passed Senate. Died in House.
CT	HB 5022	Berger	Expands DNA database to include all convicted felons. Applies retroactively to probationers and parolees.	<b>ENACTED</b>
CT	HB 5251	Farr	Expands DNA database to include all convicted felons.	See HB 5022
CT	HB 5353	Keeley	Expands DNA database to include all convicted felons and misdemeanants.	See HB 5022
CT	SB 227	Smith	Expands DNA database to include convictions of murder, manslaughter, kidnapping and certain felonious assaults, burglaries and robberies.	See HB 5022
CT	SB 868	Judiciary Committee	Expands DNA database to include convictions of murder, manslaughter, kidnapping and certain felonious assaults, burglaries and robberies.	See HB 5022
FL	HB 725	Holloway	Allows blood or other specimen to be collected for the offender DNA database	See SB 1648
FL	SB 1648	Criminal Justice	Clarifies that the local sheriff is responsible for collecting DNA from offenders who are not sentenced to incarceration. Further clarifies that the sheriff shall secure, process and transmit the specimens to FDLE in a timely manner.	<b>ENACTED</b>
HI	HB 1065	Mindo	Expands DNA database to include all convicted felons. Retroactive to include probationers and parolees.	Died in Committee
HI	HCR214	Marumoto	Requests an interim study on expanding the DNA database to include all Class A and Class B felons.	Died in Committee

HI	SB 304	Espero	Expands DNA database to include all convicted felons. Retroactive to include probationers and parolees.	Died in Committee
ID	HB 48	State Police Request	Expands DNA database to include burglary.	Died in Committee
IN	HB 1531	Goodin	Expands DNA database to include all convicted felons. Includes felons not sentenced to incarceration, and retroactive to include currently incarcerated.	Died in Committee
LA	HB 66	Cazayoux	Expands DNA database to include all convicted felons and felony arrests. Retroactive to include currently incarcerated, probation and parole. Requires collection to begin immediately and analysis to begin when funding is available.	See SB 346
LA	HB 67	Baldone	Expands DNA database to include all convicted felons and felony arrests. Retroactive to include currently incarcerated, probation and parole. Requires collection to begin immediately and analysis to begin when funding is available.	See SB 346
LA	HB 80	Farrar	Expands DNA database to include all convicted felons and felony arrests. Retroactive to include currently incarcerated. Requires collection to begin immediately and analysis to begin when funding is available.	See SB 346
LA	HB 290	Schnieder	Expands DNA database to include all convicted felons and felony arrests. Retroactive to include currently incarcerated. Requires collection to begin immediately and analysis to begin when funding is available.	See SB 346
LA	HB 374	Faucheux	Expands DNA database to include all convicted felons and felony arrests. Retroactive to include currently incarcerated. Requires collection to begin immediately and analysis to begin when funding is available.	See SB 346
LA	HB 710	Downer	Expands offender DNA database to include all felony convictions and arrestees. Also expands the DNA database to include samples from juveniles adjudicated of felony-grade delinquent acts.	See SB 346
LA	HB 1956	Welch	Requires a DNA sample from new police applicants, and permits voluntary samples from current officers. Analysis not completed without written consent, or a court order. May also be tested to determine identification in death.	<b>ENACTED</b>
LA	SB 346	Dardenne	Expands offender DNA database to include all felony convictions and arrestees, as well as prostitution and soliciting prostitution. Also expands the DNA database to include samples from juveniles adjudicated of felony-grade delinquent acts.	<b>ENACTED</b>
LA	SB 384	Schedler	Expands offender DNA database to include all felony convictions and arrestees, as well as prostitution and soliciting prostitution. Also expands the DNA database to include samples from juveniles adjudicated of felony-grade delinquent acts.	See SB 346
MA	HB 3301	Jones	Expands DNA database to include persons convicted of breaking and entering at night and breaking and entering a dwelling.	See SB 187
MA	SB 187	Jacques	Expands DNA database to include all convicted felons. Retroactive to include currently incarcerated, probationers, and parolees.	<b>ENACTED</b>
MA	SB 1079	Melconian	Expands DNA database to include all convicted felons, including attempts and conspiracies to commit felonies. Excludes juveniles.	See SB 187
MD	HB 326	Doory	Removes provisions requiring federal funding from the 2002 all felons expansion Act. Extends the effective period of the Act.	See SB 363
MD	HB 934	Judiciary Committee	Makes permanent the 2002 expansion to all convicted felons. Makes a variety of other changes to the database statute.	See SB 363

MD	SB 343	McFadden	Removes provisions requiring federal funding from the 2002 all felons expansion Act. Extends the effective period of the Act.	See SB 363
MD	SB 363	Miller	Removes temporary provisions of the 2001 DNA database expansion to all convicted felons. Implementation is contingent on receipt of funding in the state budget. Includes post conviction testing provisions.	<b>ENACTED</b>
ME	HB 300	Fairecloth	Expands the DNA database requirement to include juveniles adjudicated delinquent of most violent felonies, burglary, causing a catastrophe, aggravated criminal mischief, and arson. Allows “biological” samples.	<b>ENACTED</b>
MN	HB 382	Smith	Makes permanent last year’s DNA database expansion to include all convicted felons.	See SB 239
MN	SB 239	Kleis	Extends for two years the DNA database statute that requires DNA from all convicted felons.	<b>ENACTED</b> (in budget bill)
MO	HB 54	Jolly	Expands DNA database to include all convicted felons. Includes pleas of guilty and nolo contendere. Retroactive to include probation and parole.	Died in Committee
MO	HB 313	Dougherty	Expand DNA database to include all convicted felons, all types of pleas and convictions, and all class A misdemeanors. Retroactive to include probation and parole.	Died in Committee
MO	SB 198	Caskey	Expands DNA database to include all convicted felons. Includes pleas of guilty and nolo contendere. Retroactive to include probation and parole.	Died in Committee
MS	HB 64	Whittington	Expands DNA database to include all convicted felons. Retroactive to include those currently incarcerated but specifically excludes probationers.	See SB 2348
MS	HB 286	Chism	Expands DNA database to include all convicted felons. Retroactive to include those currently incarcerated but specifically excludes probationers.	See SB 2348
MS	HB 953	Fillingane	Expands DNA database to include all convicted felons. Retroactive to include those currently incarcerated but specifically excludes probationers.	See SB 2348
MS	HB 1181	Mitchell	Expands DNA database to include all convicted felons.	See SB 2348
MS	HB 1283	Rushing	Expands DNA database to include all convicted felons. Retroactive to include those currently incarcerated but specifically excludes probationers.	See SB 2348
MS	SB 2308	Hamilton	Expands DNA database to include “every individual in the custody of the Department of Corrections...before release from or transfer to a state correctional facility or county jail or other detention facility.”	See SB 2348
MS	SB 2348	Carlton	Authorizes the Department of Corrections to collect DNA from “every individual convicted of a felony or in its custody before release from or transfer to a state correctional facility or county jail or other detention facility.”	<b>ENACTED</b>
MS	SB 2455	Stogner	Expands DNA database to include all convicted felons (regardless of sentence), felony juvenile adjudications. Retroactive to include those currently incarcerated. Requires DNA from violent felony arrestees. Establishes a fee to pay for testing.	See SB 2348
NC	HB 27	Rhodes	Expands DNA database to include all convicted felons.	See HB 79
NC	HB 79	Alexander	Expands DNA database to include all convicted felons, including community sentences. Includes persons found not guilty by reason of insanity. Retroactive to persons still in the penal system. Requires the state to supply sheriffs with supplies for collections.	<b>ENACTED</b>

NC	SB 7	Rand	Expands DNA database to include arrests for A-E felonies (excluding larceny and embezzlement), stalking and assaults on handicapped persons.	See HB 79
NC	SB 11	Pittenger	Expands DNA database to include all convicted felons. Retroactive.	See HB 79
ND	HB 1235	Klemin	Removes a sunset provision in current statute which would have had the effect of shrinking the state DNA database to only sex offenders.	<b>ENACTED</b>
NE	LB 139	Johnson	Clarifies that the state DNA database can be used for forensic casework related to missing persons, relatives of missing persons and unidentified human remains.	Died in Committee
NE	LB 662	Beutler	Expands DNA database to include all convicted felons and juvenile felony adjudications. Retroactive to include persons currently incarcerated.	Died in Committee
NE	LR 169	Brashear	Directs on interim study on forensic DNA, to include issues of database expansion, missing persons, storage, training, and federal funding	Died in Committee
NJ	HB 2617	Johnson	Expands DNA database to include all persons convicted of a "crime", including those found not guilty by reason of insanity. "Crime" is defined as "an offense for which a sentence of imprisonment in excess of 6 months is authorized." (1 <sup>st</sup> through 4 <sup>th</sup> degree crimes.) Includes a \$2 fine for all vehicle and traffic violations to pay for DNA testing. Includes community sentences and is retroactive to currently incarcerated, probationers and parolees.	<b>ENACTED</b>
NJ	HR 286	Van Drew	Memorializes Congress and President to enact legislation addressing backlog in processing of DNA rape kits.	Died in Committee
NJ	SB 1741	Codey	County prosecutors may have a DNA sample taken from an inmate or anyone under community supervision on probation, parole, furlough, work release or a similar program based on a reasonable suspicion the person has committed a serious crime -- murder, aggravated manslaughter, manslaughter, vehicular homicide, aggravated assault, disarming a law enforcement officer, kidnaping, and certain other crimes relating to sexual assault, robbery, car jacking, aggravated arson, burglary, and extortion.	Died in Committee
NJ	SB 2066	Sacco	Expands DNA database to include all persons convicted of a "crime", including those found not guilty by reason of insanity. "Crime" is defined as "an offense for which a sentence of imprisonment in excess of 6 months is authorized."	See HB 2617
NV	HB 55	Anderson	Expands offender DNA database to include failure to register with law enforcement as required for a crime against a child or for sex offenses.	<b>ENACTED</b>
NY	HB 2131	McLaughlin	Requires DNA samples from any person arrested for an offense for which fingerprints are taken.	Died in Committee
NY	HB 5271	Ferrara	Expands offender DNA database to include attempts at felonies currently required to submit DNA to the state database.	Died in Committee
NY	SB 138	Maltese	Requires DNA samples from any person arrested for an offense for which fingerprints are taken.	See SB 5099
NY	SB 5099	Volker	Requires DNA samples from any person arrested for an offense for which fingerprints are taken.	Passed Senate. Died in House.
NY	SB 5554	Skelos	Expands offender DNA database to include all felony and misdemeanor convictions.	Passed Senate. Died in House.

OR	SB 729	Minnis	Expands offender DNA database to include all Class A misdemeanors	Died in Committee
PA	HB 835	Maitland	Expands DNA database to include all convicted felons. Retroactive to include currently incarcerated.	Died in Committee
RI	HB 6104	Dennigan	Expands DNA database to include all convicted felons.	Died in House.
RI	SB 739	Damiani	Expands DNA database to include all convicted felons.	Passed Senate. Died in House.
SC	HB 3517	Owens	Expands DNA database to include all convicted felons. Retroactive to include currently incarcerated, probation and parole.	Died in Committee
SC	HB 3594	Jennings	Expands offender DNA database to include certain additional felonies, such as drug trafficking.	Died in Committee
SC	SB 263	Moore	Expands DNA database to include all violent felonies (which includes drug trafficking), and any other offense carrying a maximum sentence of 5 years. Retroactive to include currently incarcerated, probationers and parolees.	Passed Senate. Died in House
SD	HB 1032	Atty General Request	Clarifies that DNA database offenses include convictions, guilty pleas and findings of guilt for the specified offenses (sex offenses and violent offenses only).	See SB 184
SD	SB 184	Abdallah	Expands offender DNA database to include all convicted felons. Retroactive to include currently incarcerated and others still under state supervision.	<b>ENACTED</b>
TX	HB 562	McCall	Requires immediate DNA collection from capital murder ( <i>current statute is for all felons but is awaiting funding for implementation</i> )	<b>ENACTED</b>
UT	HB 107	Adams	Expands DNA database to include immigration violations, and those who commit a felony in another state but are incarcerated or on parole in Utah. ( <i>Amendments removed immigration violations.</i> )	<b>ENACTED</b>
VA	HB 2588	Armstrong	Changes responsibility for assigning the place where DNA samples are to be taken from arrestees (arrested for violent felonies), from the magistrate to the law-enforcement agency that books the arrestee.	Amended into HB 2661
VA	HB 2661	Janis	Clarifies that a DNA sample may be taken upon an arrest after a finding of probable cause by a grand jury or magistrate; DNA samples are not to be destroyed after acquittal if there is another trial that requires the sample; and requires that the sample be taken at the location designated by the arrest booking law-enforcement agency rather than the magistrate.	<b>ENACTED</b>
VT	HB 133	Kainen	Expands DNA database to include all convicted felons, as well as misdemeanor offenses related to sexual abuse by a caregiver and possession of child pornography. Retoractive to include incarcerated, probation and parole.	Died in Committee
WV	HB 2693	Stemple	Expands DNA database to include all convicted felons.	Passed House. Died in Senate.
US	HB 89	Jackson-Lee	Creates a separate DNA database for violent predators against children.	Died in Committee
US	HB 537	Andrews	Authorizes \$100 million per year through 2007 for the offender DNA grant program.	Died in Committee
US	HB 1046	Green	Authorizes additional funding for DNA backlog elimination. Contains elements of the "Debbie Smith Act."	Died in Committee

US	HB 1705	Schiff	To expand and improve the use of DNA analysis in criminal investigations	Died in Committee
US	HB 2110	Vitter	To give priority funding for DNA Backlog Elimination and Self Defense training, prioritizing for States and municipalities that are in the midst of combating a serial killer.	Died in Committee
US	HB 3214	Sensenbrenner	Advancing Justice Through DNA Technology Act of 2003. Includes provisions from President's DNA Initiative, along with section on post conviction DNA testing.	Passed House.
US	SB 22	Daschle	"Justice Enhancement and Domestic Security Act." Includes the Sexual Assault Justice Act in its entirety (see SB 152).	Died in Committee
US	SB 149	DeWine	"Rape Kits and DNA Evidence Backlog Elimination Act." Expands types of federal and military criminals included in the DNA database. Allows states to include state-authorized samples. Reauthorizes funding for federal DNA grant programs and permits local jurisdictions to apply directly for such grants. Creates a grant program for sexual assault nurse examiner training and a grant program for prosecutor DNA training. Adjusts the statute of limitations for certain crimes. "Sense of Congress" language to fund the National Forensic Science Improvement Act.	Died in Committee
US	SB 152	Biden	"Sexual Assault Justice Act." Reauthorizes funding for federal DNA grant programs and permits local jurisdictions to apply directly for such grants. Creates a grant program for sexual assault nurse examiner training and a grant program for law enforcement and prosecutor DNA training. Establishes quality assurance protocols, requires timely analysis of DNA cases, authorizes John Doe warrants, and implements DNA privacy safeguards.	Died in Committee
US	SB 1700	Hatch	Advancing Justice Through DNA Technology Act of 2003. Includes provisions from President's DNA Initiative, along with section on post conviction DNA testing.	Committee
US	SB 1828	Kyl	Advancing Justice Through DNA Technology Act of 2003. Includes provisions from President's DNA Initiative, but no post conviction DNA testing language.	Committee