

**2004 DNA Database Expansion Legislation**  
**Prepared by Smith Alling Lane on behalf of Applied Biosystems**  
*(As of December 2004)*

CA	HB 1444	Benoit	Expands DNA database to include all levels of sex offenders.	See CA Prop 69
CA	SB 284	Brulte	Expands DNA database to include all convicted felons.	See CA Prop 69
CA	SB 883	Margett	Expands DNA database to include misdemeanor sex offenders, or anyone required to register as a sex offender. Includes those found not guilty by reason of insanity and juveniles. Effective January 1, 2007.	See CA Prop 69
CA	SB 1737	Speier	Expands DNA database to include all felons, except for non-violent drug felons who are eligible for diversion treatment. Includes juveniles, all sentences, and applies retroactively.	See CA Prop 69
CA	Prop 69	Voters Initiative	Expands DNA database to include all felons. Includes juveniles, all sentences, and applies retroactively. After 5 years, expands to include all felony arrests	<b>ENACTED</b>
DE	HB 426	Smith	Expands DNA database to include anyone arrested for a crime for which fingerprints are required.	Passed Policy Committee. Died in Fiscal Committee.
HI	HB 1804	Marumoto	Expands DNA database to include all convicted felons. Retroactive to include probationers and parolees.	Died in Committee
HI	HB 2754	Pendleton	Expands DNA database to include all convicted felons. Retroactive to include probationers and parolees.	Died in Committee
HI	HR 66-4	Marumoto	Forms an interim committee to study issues of expanding the state DNA database and improving the collection and analysis of DNA samples.	Died in Fiscal Committee.
HI	HR 97-4	Marumoto	Forms an interim committee to study issues of expanding the state DNA database and improving the collection and analysis of DNA samples.	Died in Fiscal Committee.
ID	HB 520	State Police Request	Expands DNA database to include burglary and felony domestic violence.	<b>ENACTED</b>
ID	HB 796	State Affairs Committee	Adds statutory rape to the DNA database.	See HB 520
IL	HB 4825	LaVia	Expands offender DNA database to include felony arrests.	Passed House. Died in Senate.
IL	HB 6884	Millner	Expands offender DNA database to persons found not guilty by reason of insanity for felony crimes (current statute requires all felony convictions).	Died in Committee.
IN	SB 17	Zakas	Expands DNA database to include residential entry and incest, and attempts to commit crimes. Includes probation sentences, and retroactive to include those currently incarcerated.	Died in House Fiscal Committee
KY	HB 119	Meeks	Expands DNA database to include all convicted felons. Includes juveniles and retroactive to include probation and parole.	Died in Committee
MD	SB 426	McFadden	Expands offender DNA database to include persons charged with a crime of violence.	Withdrawn
MO	HB 931	Bivins	Expands DNA database to include all convicted felons. Includes juveniles and no contest pleas. Retroactive to include probation and parole.	See SB 1000

MO	HB 1094	Jolly	Expands DNA database to include all convicted felons. Includes no contest pleas. Retroactive to include probation and parole. Establishes \$160 offender fee.	See SB 1000
MO	SB 1000	Bartle	Expands DNA database to include all convicted felons. Includes no contest pleas. Retroactive to include probation and parole. Establishes \$30 felony offender fee, and \$15 misdemeanor fee.	<b>ENACTED</b>
MO	SB 1026	Mathewson	Expands DNA database to include all convicted felons. Limits collection from county jail inmates to only violent and sex offense convictions.	See SB 1000
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.	<b>VETOED</b> <i>(due to unrelated provision)</i>
NE	LB 662	Beutler	Expands DNA database to include all convicted felons and juvenile felony adjudications. Retroactive to include persons currently incarcerated.	See LB 139
NJ	HB 2747	Johnson	Expands offender DNA databases to include violent felony arrests and for disorderly conduct convictions.	Committee (Carry over to 2005)
NJ	SB 1513	Sacco	Expands offender DNA databases to include violent felony arrests and for disorderly conduct convictions.	Committee (Carry over to 2005)
NM	HB 475	Foley	Expands DNA database to include anyone who registers as a sex offender.	Died in Committee
NM	SB 104	Carraro	Expands DNA database to include anyone who registers as a sex offender.	Died in Committee
NY	HB 2131	McLaughlin	Requires DNA samples from any person arrested for an offense for which fingerprints are taken, and from any defendant in a criminal action.	See HB 11721
NY	HB 5271	Ferrara	Expands offender DNA database to include attempts at felonies currently required to submit DNA to the state database.	See HB 11721
NY	HB 9356	Kolb	Expands offender DNA database to include felony and misdemeanor convictions. Includes juveniles, jailed offenders, and probation sentences. Retroactive to include non-completed sentences. Eliminates statute of limitations for certain sex offense. Includes post conviction DNA testing provisions.	See HB 11721
NY	HB 10543	Lentol	Expands offender DNA database to include crimes of terrorism	See HB 11721
NY	HB 11721	Lentol	Expands offender DNA database to all convicted sex offenders, plus a long list of other offenses including identity theft, patronizing a prostitute, criminal possession of a weapon, unlawful surveillance, and criminal trespass.	<b>ENACTED</b>
NY	SB 138	Maltese	Requires DNA samples from any person arrested for an offense for which fingerprints are taken.	See HB 11721
NY	SB 5099	Volker	Requires DNA samples from any person arrested for an offense for which fingerprints are taken.	See HB 11721
NY	SB 5554	Skelos	Expands offender DNA database to include felony and misdemeanor convictions. Includes juveniles, jailed offenders, and probation sentences. Retroactive to include non-completed sentences. Eliminates statute of limitations for certain sex offense. Includes post conviction DNA testing provisions.	See HB 11721
NY	SB 6928	Sampson	Expands offender DNA database to include felony and misdemeanor convictions. Includes juveniles.	See HB 11721

OH	SB 372	Strahorn	Expands offender DNA database to include all felony convictions. Includes juveniles, and misdemeanor convictions that arose out of specified felony charges. Retroactive upon notification that the lab is ready for additional samples.	See HB 525
OH	SB 525	Latta	Expands offender DNA database to include all felony convictions. Includes juveniles. Retroactive.	<b>ENACTED</b>
OK	HB 1853	Turner	Expands offender DNA database to include all assault with intent to kill and bombing.	<b>ENACTED</b>
OK	SB 1362	Gumm	Expands offender DNA database to include all felony convictions. Includes juveniles. Retroactive to include currently incarcerated.	Died in Committee
OK	SB 1417	Nichols	Expands offender DNA database to include all felony convictions and felony arrests.	Died in Committee
OK	SB 1447	Helton	Expands offender DNA database to all violent offenders. Include persons receiving deferred judgment or suspended sentences.	<b>VETOED</b>
PA	HB 835	Maitland	Expands DNA database to include all convicted felons. Retroactive to include currently incarcerated.	<b>ENACTED</b>
PA	HR 585	Weber	Urges the US Congress to allow DNA samples of “other persons whose DNA samples are collected under applicable legal authority” into the national DNA database.	<b>ADOPTED</b>
RI	HB 7290	Dennigan	Expands DNA database to include all convicted felons.	See HB 7290
RI	SB 2921	Damiani	Expands DNA database to include all convicted felons.	<b>ENACTED</b>
SC	HB 3517	Owens	Expands DNA database to include all convicted felons. Retroactive to include currently incarcerated, probation and parole.	See HB 3594
SC	HB 3594	Jennings	Expands offender DNA database to include all felonies, includes juveniles.	<b>ENACTED</b>
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.	See HB 3594
VA	HB 776	McDougle	Expands offender DNA database to include persons arrested for attempted violent felonies (violent felony arrestees already included under current law)	<b>ENACTED</b>
VT	HB 133	Kainen	Expands DNA database to include all convicted felons, and misdemeanor offenses related to sexual abuse by a caregiver and possession of child pornography. Retroactive to include incarcerated, probation and parole.	Died in Committee
WA	HB 2847	Miloscia	Expands offender DNA database to include persons arrested on criminal charges.	Died in Committee
WA	HB 2969	O’Brien	Expands offender DNA database to include prostitution and patronizing a prostitute, and persons charged with a database offense but who pled guilty to another offense. Includes persons found not guilty by reason of insanity.	Passed Policy Committee. No further action taken.
WV	HB 2693	Stemple	Expands offender DNA database to include all convicted felons. Language is permissive.	See HB 4156

WV	HB 4156	Webster	Expands offender DNA database to include all convicted felons. Language is permissive. Provides a right to post conviction DNA testing.	<b>ENACTED</b>
WV	SB 312	Kessler	Expands offender DNA database to include all convicted felons. Language is permissive. Provides a right to post conviction DNA testing.	See HB 4156
US	HB 89	Jackson-Lee	Creates a separate DNA database for violent predators against children.	See HB 5107
US	HB 537	Andrews	Authorizes \$100 million per year through 2007 for the offender DNA grant program.	See HB 5107
US	HB 1046	Green	Authorizes additional funding for DNA backlog elimination. Contains elements of the "Debbie Smith Act."	See HB 5107
US	HB 1705	Schiff	To expand and improve the use of DNA analysis in criminal investigations	See HB 5107
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.	See HB 5107
US	HB 3214	Sensenbrenner	Advancing Justice Through DNA Technology Act of 2003. Enacts provisions of the President's DNA Initiative. Includes funding for DNA grants to state and local labs, training for criminal justice professionals, expands federal and military DNA databases to include felony convictions.	See HB 5107
US	HB 5107	Sensenbrenner	Justice for All Act of 2004. Enacts provisions of the President's DNA Initiative. Includes funding for DNA grants to state and local labs, training for criminal justice professionals, expands federal and military DNA databases to include felony convictions.	<b>ENACTED</b>
US	SB 22	Daschle	"Justice Enhancement and Domestic Security Act." Includes the Sexual Assault Justice Act in its entirety (see SB 152).	See HB 5107
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. Creates a grant program for training for criminal justice professionals. Adjusts the statute of limitations for certain crimes.	See HB 5107
US	SB 152	Biden	"Sexual Assault Justice Act." Reauthorizes funding for federal DNA grant programs. Creates a grant program for training for criminal justice professionals. Establishes quality assurance protocols, requires timely analysis of DNA cases, authorizes John Doe warrants, and implements DNA privacy safeguards.	See HB 5107
US	SB 1700	Hatch	Advancing Justice Through DNA Technology Act of 2003. Enacts provisions of the President's DNA Initiative. Includes funding for DNA grants to state and local labs, training for criminal justice professionals, expands federal and military DNA databases to include felony convictions.	See HB 5107
US	SB 1828	Kyl	Advancing Justice Through DNA Technology Act of 2003. Enacts provisions of the President's DNA Initiative. Includes funding for DNA grants to state and local labs, training for criminal justice professionals, expands federal and military DNA databases to include felony convictions.	See HB 5107