

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Appropriations, to which was referred House Bill No. 1241, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 14 begin a new paragraph and insert:
2 "SECTION 1. IC 10-13-6-8 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) The
4 superintendent may establish a data base of DNA identification records
5 of:
6 (1) convicted criminals;
7 (2) crime scene specimens;
8 (3) unidentified missing persons; and
9 (4) close biological relatives of missing persons.
10 (b) The superintendent shall maintain the Indiana DNA data base.
11 (c) The superintendent may contract for services to perform DNA
12 analysis of convicted offenders under section 10 of this chapter to assist
13 federal, state, and local criminal justice and law enforcement agencies
14 in the putative identification, detection, or exclusion of individuals who
15 are subjects of an investigation or prosecution of a sex offense, a
16 violent crime, or another crime in which biological evidence is
17 recovered from the crime scene.
18 **(d) The superintendent:**
19 **(1) may perform or contract for performance of testing,**
20 **typing, or analysis of a DNA sample collected from a person**
21 **described in section 10 of this chapter at any time; and**
22 **(2) shall perform or contract for the performance of testing,**

1 **typing, or analysis of a DNA sample collected from a person**
 2 **described in section 10 of this chapter if federal funds become**
 3 **available for the performance of DNA testing, typing, or**
 4 **analysis.**

5 ~~(d)~~ (e) The superintendent shall adopt rules under IC 4-22-2
 6 necessary to administer and enforce the provisions and intent of this
 7 chapter.

8 **(f) The detention, arrest, or conviction of a person based on a**
 9 **data base match or data base information is not invalidated if a**
 10 **court determines that the DNA sample was obtained or placed in**
 11 **the Indiana DNA data base by mistake."**

12 Page 2, delete lines 39 through 42.

13 Delete pages 3 through 12.

14 Renumber all SECTIONS consecutively.

(Reference is to EHB 1241 as printed March 18, 2005.)

and when so amended that said bill do pass .

Committee Vote: Yeas 11, Nays 0.

Senator Meeks, Chairperson