SENATE DOCKET, NO. 650 FILED ON: 1/19/2011

# SENATE . . . . . No. 875

## The Commonwealth of Massachusetts

PRESENTED BY:

***Bruce E. Tarr***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the expansion of the state DNA database..

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Bruce E. Tarr* | ☐ *[District]* ☐ |
| *Robert L. Hedlund* | ☐ *[District]* ☐ |
| *Richard J. Ross* | *Norfolk, Bristol, and Middlesex* |
| *Bradley H. Jones, Jr.* | *20th Middlesex* |
| *Michael R. Knapik* | ☐ *[District]* ☐ |

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# SENATE . . . . . No. 875

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 875) of Bruce E. Tarr, Robert L. Hedlund, Richard J. Ross, Bradley H. Jones, Jr. and others for legislation to the expand the state DNA database. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1832* OF 2009-2010.]

## The Commonwealth of Massachusetts

An Act relative to the expansion of the state DNA database..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 3 of chapter 22E of the General Laws, as appearing in the 2008 official edition, is hereby amended by striking the text thereof, and inserting in place thereof following: - "Any person who is arrested by virtue of process, or is taken into custody by an officer and charged with the commission of a felony, and who upon arrest has been arraigned pursuant to the applicable court rules under the Massachusetts Rules of Criminal Procedure, shall submit a DNA sample to the department. The sample shall be collected by a person authorized under section 4 of this chapter subsequent to arraignment, in accordance with regulations or procedures established by the director. The results of such sample shall be made part of the state DNA database.

Section 2. Section 12 of chapter 22E of the General Laws, as appearing in the 2008 offical edition, is hereby amended in line 6 by striking out the words "$1,000" and inserting in its place thereof the folllowing words:- $2,000. Said section is further amended in line 7 by striking out the words "six months" and inserting in place thereof the folllowing words: - one year.

Section 3. Section 13 of chapter 22E of the General Laws, as appearing in the 2008 offical edition, is hereby amended by striking in line 4 the words "$1,000" and inserting in its place thereof the folllowing words:- $2,000. Said section is further amended in line 5 by striking out the words "six months" and inserting in place thereof the folllowing words: - one year.

18 Section 4. Section 15 of chapter 22E of the General Laws, as appearing in the 2008
19 offical edition, is hereby amended in line 3 by adding after the word “expunged” the following: -
20 “if the original offense upon which the collection of DNA is based does not result in a
21 conviction; or”