

S.B. 277
DNA MODIFICATIONS

Representative **Brian S. King** proposes the following amendments:

1. *Page 1, Lines 24b through 24d*

Senate 2nd Reading Amendments

3-8-2010:

24b establishing a donor's gender and unique individual identification by DNA analysis; ~~{and}~~

24c ► requires that the DNA analysis be consistent with and not exceed FBI forensic DNA analysis

24d procedures ~~{ }~~ ~~←§~~ ; and

► establishes criminal penalties for possessing or disclosing individually identifiable DNA analysis information and the failure to destroy a DNA specimen, in violation of state law regarding management, storage, and destruction of DNA specimens and DNA analysis.

2. *Page 12, Lines 338 through 339:*

338 available for analysis through state or federal funds.

(11)(a)(i) A person who, due to the person's employment or authority, has possession of or access to individually identifiable DNA information contained in the state criminal identification database or the state DNA specimen repository may not wilfully disclose the information in any manner to any individual, agency, or entity that is not entitled under this part to receive the information.

(ii) A person may not wilfully obtain individually identifiable DNA information from the state criminal identification data base or the state DNA repository other than as authorized by this part.

(iii) A person may not wilfully analyze a DNA specimen for any purpose, or to obtain any information other than as required under this part.

(iv) A person may not wilfully fail to destroy or fail to ensure the destruction of a DNA specimen when destruction is required by this part or by court order.

(b)(i) A person who violates Subsection (11)(a)(i), (ii), or (iii) is guilty of a third degree felony.

(ii) A person who violates Subsection (11)(a)(iv) is guilty of a class B misdemeanor.

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339 Section 7. Section ~~53-10-407~~ is amended to read: