

DNA AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This bill modifies provisions of the Public Safety Code relating to the use of the DNA Specimen Restricted Account.

Highlighted Provisions:

This bill:

- ▶ authorizes the Department of Public Safety to reimburse sheriffs for collecting DNA specimens as provided in Sections 53-10-404 and 53-10-404.5.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-10-407, as last amended by Laws of Utah 2010, Chapter 405

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-10-407** is amended to read:

53-10-407. DNA Specimen Restricted Account.

(1) There is created the DNA Specimen Restricted Account, which is referred to in this section as "the account."

(2) The sources of money for the account are:

(a) DNA collection fees paid under Section 53-10-404;

30 (b) any appropriations made to the account by the Legislature; and
31 (c) all federal money provided to the state for the purpose of funding the collection or
32 analysis of DNA specimens collected under Section 53-10-403.

33 (3) The account shall earn interest, and this interest shall be deposited in the account.

34 (4) The Legislature may appropriate money from the account solely for the following
35 purposes:

36 (a) to the Department of Corrections for the costs of collecting DNA specimens as
37 required under Section 53-10-403;

38 (b) to the juvenile court for the costs of collecting DNA specimens as required under
39 Sections 53-10-403 and 78A-6-117;

40 (c) to the Division of Juvenile Justice Services for the costs of collecting DNA
41 specimens as required under Sections 53-10-403 and 62A-7-104; and

42 (d) to the Department of Public Safety for the costs of:

43 (i) storing and analyzing DNA specimens in accordance with the requirements of this
44 part; ~~and~~

45 (ii) DNA testing which cannot be performed by the Utah State Crime Lab, as provided
46 in Subsection 78B-9-301(8)~~[-]; and~~

47 (iii) reimbursing sheriffs for collecting the DNA specimens as provided under Sections
48 53-10-404 and 53-10-404.5.

49 (5) Appropriations from the account to the Department of Corrections, the juvenile
50 court, the Division of Juvenile Justice Services, and to the Department of Public Safety are
51 nonlapsing.