

**DNA AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: J. Stuart Adams**

House Sponsor: Ryan D. Wilcox

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**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

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*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."



- 28 (2) The sources of money for the account are:
- 29 (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)[~~7~~]; 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.

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**Legislative Review Note**  
**as of 2-7-11 9:21 AM**

**Office of Legislative Research and General Counsel**