Model Legislation

Summary

This Act would require those convicted of sex offenses to submit to a DNA profile test. The DNA profile would be kept on file in the state's criminal records repository.

Model Legislation

{Title, enacting clause, etc.}

Section 1. (Title.) This Act may be cited as the DNA Profiling Act.

Section 2. (DNA testing requirements.)

(A) Any person who is convicted of or who pleads guilty to any of the following offenses shall submit to deoxyribonucleic acid (DNA) testing for law enforcement identification purposes:

1. rape, as provided in section [state's code];
2. sodomy, as provided in section [state's code];
3. sexual assault, as provided in section [state's code];
4. deviate sexual assault, as provided in section [state's code];
5. sexual abuse, as provided in section [state's code];
6. incest, as provided in section [state's code].

(B) As used in this section the term "persons who plead guilty" shall include those persons who receive suspended impositions of sentence or suspended executions of sentence.

(C) Persons who are convicted or persons who plead guilty after the effective date of this Act to any of the offenses listed in Subsection (A) shall submit to deoxyribonucleic acid testing within three days of such conviction or plea of guilty. Persons who were convicted or plead guilty prior to the effective date of this Act shall submit to deoxyribonucleic acid testing prior to and as a condition of eligibility for probation or parole.

Section 3. Reports from tests performed pursuant to Section 2 shall be maintained by the central criminal records repository of [State] criminal records division.

Section 4. (Severability clause.)

Section 5. (Repealer clause.)

Section 6. (Effective date.)

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