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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/25/2009	.	
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The Committee on Criminal Justice (Dean) recommended the following:

**Senate Amendment**

Delete lines 104 - 154

and insert:

(g) "Qualifying offender" means any person, including juveniles and adults, who is:

1.a. Committed to a county jail;

b. Committed to or under the supervision of the Department of Corrections, including persons incarcerated in a private correctional institution operated under contract pursuant to s. 944.105;



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12 c. Committed to or under the supervision of the Department  
13 of Juvenile Justice;

14 d. Transferred to this state under the Interstate Compact  
15 on Juveniles, part XIII of chapter 985; or

16 e. Accepted under Article IV of the Interstate Corrections  
17 Compact, part III of chapter 941; and who is:

18 2.a. Convicted of any felony offense or attempted felony  
19 offense in this state or of a similar offense in another  
20 jurisdiction;

21 b. Convicted of a misdemeanor violation of s. 784.048, s.  
22 810.14, s. 847.011, s. 847.013, s. 847.0135, or s. 877.26, or an  
23 offense that was found, pursuant to s. 874.04, to have been  
24 committed for the purpose of benefiting, promoting, or  
25 furthering the interests of a criminal gang as defined in s.  
26 874.03; or

27 c. Arrested for any felony offense or attempted felony  
28 offense in this state.

29 (3) (a) Each qualified offender shall submit a DNA sample at  
30 the time he or she is booked into a jail, correctional facility,  
31 or juvenile facility.

32 (b) DNA samples collected under paragraph (a) from persons  
33 arrested for any felony offense or attempted felony offense in  
34 this state are subject to sufficient funding appropriations  
35 passed by the Legislature and approved by the Governor according  
36 to the following schedule:

37 1. Beginning January 1, 2011, all felonies defined by  
38 chapters 782, 784, 794, and 800.

39 2. Beginning January 1, 2013, all felonies defined by  
40 chapters 810 and 812.



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41           3. Beginning January 1, 2015, all felonies defined by  
42 chapters 787 and 790.

43           4. Beginning January 1, 2017, all felonies defined by  
44 chapter 893.

45           5. Beginning January 1, 2019, all remaining felony  
46 offenses.

47  
48 The department may reject DNA samples submitted pursuant to this  
49 subsection if submitted before the funding of any phase or if  
50 received before the department issues an official notification  
51 to the submitting agency that the department is sufficiently  
52 prepared to receive the samples.

53           (c) On or before February 1, 2010, and by February 1 of  
54 each even-numbered year thereafter through 2018, the department  
55 shall submit a report to the Legislature listing the funding,  
56 infrastructure, facility, and personnel requirements necessary  
57 to operate the DNA database and DNA evidentiary analysis for the  
58 expansion phase scheduled for the following year.