

1 A bill to be entitled
 2 An act relating to evidence collected in sexual
 3 assault investigations; creating s. 943.326, F.S.;
 4 requiring that DNA evidence collected in sexual
 5 assault investigations be submitted to a member of the
 6 statewide criminal analysis laboratory system within a
 7 specified period; providing for a demand by an alleged
 8 victim for earlier submission; requiring that an
 9 alleged victim be informed of the right to demand
 10 earlier submission; requiring rulemaking and providing
 11 requirements for rules; requiring the Department of
 12 Law Enforcement to report on how it will analyze the
 13 unanalyzed forensic evidence in sexual assault cases
 14 currently held in the statewide criminal analysis
 15 laboratory system by a specified date; providing an
 16 effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Section 943.326, Florida Statutes, is created
 21 to read:

22 943.326 DNA evidence collected in sexual assault
 23 investigations.—

24 (1) Any DNA evidence collected in a sexual assault
 25 investigation must be submitted to a member of the statewide
 26 criminal analysis laboratory system for forensic testing within

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27 the earlier of 21 days after the forensic evidence is received
28 by a law enforcement agency or a request to have the evidence
29 tested is made by:

30 (a) The alleged victim;

31 (b) The alleged victim's parent or guardian, if the
32 alleged victim is a minor; or

33 (c) The alleged victim's personal representative, if the
34 alleged victim is deceased.

35 (2) An alleged victim must be informed of the purpose of
36 the submission of the medical forensic evidence and the right to
37 demand testing as provided in subsection (1).

38 (3) The department shall adopt rules for forensic medical
39 evidence collected in connection with an alleged sexual assault.
40 The rules must include the requirements of this section and
41 standards for what evidence must be submitted to a member of the
42 statewide criminal analysis laboratory system and timeframes for
43 when the evidence must be submitted, analyzed, and compared to
44 DNA databases.

45 Section 2. By October 1, 2016, the Department of Law
46 Enforcement must submit a plan to the Governor, the President of
47 the Senate, and the Speaker of the House of Representatives
48 setting out the plan that the department will follow to analyze
49 the unanalyzed sexual assault forensic evidence currently held
50 in the statewide criminal analysis laboratory system by June 30,
51 2017.

52 Section 3. This act shall take effect July 1, 2016.