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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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02/23/2016 10:55 AM

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Senator Sobel moved the following:

**Senate Amendment (with title amendment)**

Between lines 87 and 88

insert:

Section 2. Section 943.3261, Florida Statutes, is created to read:

943.3261 Forensic Medical Evidence Kit Task Force.—The Forensic Medical Evidence Kit Task Force is created within the department and shall:

(1) Develop a plan to establish a system that tracks and manages forensic medical evidence kits, from the time they are



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12 collected until they are disposed of, to further enhance  
13 accountability, transparency, and information sharing among all  
14 stakeholders in the processing of such kits. Such a system may  
15 not include victims' personal identifying information. At a  
16 minimum, the plan must provide for:

17 (a) The development and implementation of a statewide,  
18 integrated information management system to track the location,  
19 lab submission status, testing, completion, and storage of  
20 forensic medical evidence kits.

21 (b) The recording of logistical information regarding the  
22 collection of forensic medical evidence kits at health care  
23 facilities in a manner that ensures that kits that have been  
24 reported to a law enforcement agency are differentiated from  
25 those that have not been reported.

26 (c) Creation and maintenance of a log that identifies the  
27 dates and times that forensic medical evidence kits are  
28 submitted to the crime laboratory for analysis.

29 (d) Notification by a health care facility to a law  
30 enforcement agency that a forensic medical evidence kit is ready  
31 to be picked up from the facility.

32 (e) Electronic interface with current laboratory  
33 information management systems in which processing results of  
34 forensic medical evidence kits are recorded.

35 (f) Generation of statewide and jurisdiction-specific  
36 reports on any existing backlog of forensic medical evidence  
37 kits, the number of new kits collected and submitted for  
38 testing, and the amount of time required for processing all  
39 kits.

40 (g) Secure electronic access by the victim to information



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41 on the current status of the forensic medical evidence kit  
42 collected from him or her, including an option by which the  
43 victim may elect to receive automatic updates if it is  
44 determined by the law enforcement agency that the disclosure  
45 will not impede or compromise an ongoing investigation.

46 (2) Develop a plan to safeguard the confidentiality of  
47 information in the statewide forensic medical evidence kit  
48 tracking system and to place limits on the disclosure of such  
49 information.

50 (3) Recommend sources of public and private funding to  
51 implement the system.

52 (4) Recommend changes to law or policy needed to support  
53 implementation of the system.

54  
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete lines 2 - 18

58 and insert:

59 An act relating to forensic medical evidence; creating  
60 s. 943.326, F.S.; requiring that a sexual offense  
61 evidence kit or other DNA evidence be submitted to a  
62 member of the statewide criminal analysis laboratory  
63 system within a specified timeframe after specified  
64 occurrences; requiring a medical provider or law  
65 enforcement agency to inform an alleged victim of a  
66 sexual offense of certain information relating to  
67 sexual offense evidence kits; requiring the retention  
68 of specified evidence; requiring adoption and  
69 dissemination of guidelines and procedures by certain



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70 entities by a specified date; requiring the testing of  
71 sexual offense evidence kits within a specified  
72 timeframe after submission to a member of the  
73 statewide criminal analysis laboratory; providing  
74 requirements for such guidelines and procedures;  
75 providing construction; creating s. 943.3261, F.S.;  
76 creating the Forensic Medical Evidence Kit Task Force;  
77 requiring the task force to develop a plan to  
78 establish a system that provides comprehensive  
79 forensic medical evidence kit tracking and inventory  
80 management; prohibiting a victim's personal  
81 identifying information from being included in the  
82 system; specifying elements that must be included in  
83 the plan; requiring the task force to develop a plan  
84 to safeguard information; requiring the task force to  
85 make specified recommendations; providing an