



Amendment No.1

16           2. Proof that the private laboratory is designated by the  
17 Federal Bureau of Investigation as possessing an accreditation  
18 that includes DNA testing and the laboratory is compliant with  
19 Federal Bureau of Investigation quality assurance standards  
20 adopted in accordance with 34 U.S.C. s. 12591.

21           3. Verification by the Department of Law Enforcement that  
22 the private laboratory's operating procedures, testing kits, and  
23 instrumentation meet CODIS requirements and submission standards  
24 for inclusion in the statewide DNA database. The Department of  
25 Law Enforcement must comply with a court order to verify private  
26 laboratory eligibility under this section.

27           (k) If the court orders forensic analysis in the form of  
28 DNA testing and the resulting DNA sample meets statewide DNA  
29 database submission standards established by the Department of  
30 Law Enforcement, the Department of Law Enforcement must perform  
31 a DNA database search. A private laboratory ordered to perform  
32 forensic analysis under paragraph (i) must cooperate with the  
33 prosecuting authority and the Department of Law Enforcement for  
34 the purpose of carrying out this requirement.

35           1. The Department of Law Enforcement shall compare any DNA  
36 profiles obtained from the testing to:

37           a. DNA profiles of known offenders maintained in the  
38 statewide DNA database under s. 943.325.

39           b. DNA profiles from unsolved crimes maintained in the  
40 statewide DNA database under s. 943.325.

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41           2. If the testing complies with Federal Bureau of  
42 Investigation requirements and the data meets national DNA index  
43 system criteria, the Department of Law Enforcement shall request  
44 the national DNA index system to search its database of DNA  
45 profiles using any profiles obtained from the testing.

46           (1)(i) The results of the forensic analysis and the  
47 results of any search of the combined DNA index system and  
48 statewide DNA databases ~~DNA testing~~ ordered by the court shall  
49 be provided to the court, the petitioner ~~sentenced defendant,~~  
50 and the prosecuting authority. The petitioner or the state may  
51 use the information for any lawful purpose.

52           (4)(3) RIGHT TO APPEAL; REHEARING.-

53           (a) An appeal from the court's order on the petition for  
54 postsentencing forensic analysis ~~DNA testing~~ may be taken by any  
55 adversely

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58                                   **T I T L E   A M E N D M E N T**

59           Remove line 12 and insert:  
60 providing an exception; requiring the Department of Law  
61 Enforcement to