

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Benjamin offered the following:

Amendment (with title amendment)

Remove lines 1164-1177 and insert:

(a) Each qualifying offender shall submit a DNA sample at the time he or she is booked into a jail, correctional facility, or juvenile facility. A person who is being held solely because of the issuance of an immigration detainer by a federal immigration agency may submit a DNA sample when the law enforcement agency having custody of the person receives the detainer. However, a law enforcement agency may not forcibly extract a DNA sample from such a person, and he or she may not

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13 be charged with a criminal offense for refusing to submit a DNA
14 sample.

15 (7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.-

16 (f) A law enforcement agency having custody of a person
17 solely because of the issuance of an immigration detainer by a
18 federal immigration agency may request a DNA sample from the
19 person immediately after the agency receives the detainer and
20 may secure and transmit the sample to the department in a timely
21 manner. Such a DNA sample may not be forcibly extracted and the
22 person may not be charged with a criminal offense for refusing
23 to submit a DNA sample.

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

27 Remove lines 160-164 and insert:
28 issued by a federal immigration agency; authorizing certain
29 qualifying persons to submit DNA samples at a specified
30 time; prohibiting the forceful taking of such samples or
31 charging a person with a criminal offense for refusing to
32 provide such a sample; authorizing law enforcement agencies
33 to immediately take DNA samples from certain qualifying
34 persons under certain circumstances; prohibiting the
35 forceful taking of such samples or charging a person with a
36 criminal offense for refusing to provide such a sample;

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