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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/27/2023 11:54 AM

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Senator Jones moved the following:

Senate Amendment (with title amendment)

Delete lines 1168 - 1177

and insert:

federal immigration agency may submit a DNA sample when the law enforcement agency having custody of the offender 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 be charged with a criminal offense for refusing to submit a DNA sample.

(7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.—



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12 (f) A law enforcement agency having custody of a person who
13 becomes a qualifying offender solely because of the issuance of
14 an immigration detainer by a federal immigration agency may
15 request that a DNA sample be taken from the qualifying offender
16 immediately after the agency receives the detainer and may
17 secure and transmit the sample to the department in a timely
18 manner. However, a law enforcement agency may not forcibly
19 extract such a DNA sample, and the qualifying offender may not
20 be charged with a criminal offense for refusing to submit a DNA
21 sample.

22
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete lines 160 - 162

26 and insert:

27 issued by a federal immigration agency; providing that
28 certain qualifying offenders may submit DNA samples at
29 a specified time; prohibiting law enforcement agencies
30 from forcibly extracting a DNA sample from such
31 persons; providing that a qualifying offender who
32 refuses to submit a DNA sample may not be charged with
33 a criminal offense for refusing to submit a DNA
34 sample; authorizing law enforcement agencies