

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.

Approved May 26, 2005.

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**CHAPTER 448**

**(Senate Bill 213)**

AN ACT concerning

**Department of State Police – Collection of DNA Samples**

FOR the purpose of authorizing the collection of certain DNA samples at the time of sentencing and at a certain location following the imposition of sentence; and generally relating to the collection of DNA samples by the Department of State Police.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2-504

Annotated Code of Maryland

(2003 Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Public Safety**

2-504.

(a) (1) In accordance with regulations adopted under this subtitle, and if adequate funds for the collection of DNA samples are appropriated in the State budget, an individual who is convicted of a felony or a violation of § 6-205 or § 6-206 of the Criminal Law Article shall:

(i) have a DNA sample collected EITHER AT THE TIME OF SENTENCE OR on intake to a correctional facility, if the individual is sentenced to a term of imprisonment; or

(ii) provide a DNA sample as a condition of sentence or probation, if the individual is not sentenced to a term of imprisonment.

(2) If adequate funds for the collection of DNA samples are appropriated in the State budget, an individual who was convicted of a felony or a violation of § 6-205 or § 6-206 of the Criminal Law Article on or before October 1, 2003 and who remains confined in a correctional facility on or after October 1, 1999, shall submit a DNA sample to the Department.