

(b) In accordance with regulations adopted under this subtitle, each DNA sample required to be collected under this section shall be collected:

(1) at the correctional facility where the individual is confined, if the individual is confined in a correctional facility on or after October 1, 2003, or is sentenced to a term of imprisonment on or after October 1, 2003; [or]

(2) at a facility specified by the Director, if the individual is on probation or is not sentenced to a term of imprisonment; OR

(3) AT A SUITABLE LOCATION IN A ~~COURTHOUSE~~ CIRCUIT COURT FOLLOWING THE IMPOSITION OF SENTENCE.

(c) A DNA sample shall be collected by an individual who is:

(1) [appointed] DESIGNATED by the Director; and

(2) trained in the collection procedures that the Crime Laboratory uses.

(d) A second DNA sample shall be taken if needed to obtain sufficient DNA for the statewide DNA data base or if ordered by the court for good cause shown.

(e) Failure of an individual who is not sentenced to a term of imprisonment to provide a DNA sample within 90 days after notice by the Director is a violation of probation.

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

Approved May 26, 2005.

CHAPTER 449

(House Bill 240)

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)