

shall be made available by a party seeking to introduce the evidence of a DNA profile; altering the definition of "DNA profile"; providing that provisions of law relating to the admissibility of DNA profile evidence do not preclude discovery under the Maryland Rules of Criminal Procedure relating to discovery, under certain circumstances; providing for the application of this Act; and generally relating to criminal procedure and DNA profiles.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 10-915

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)

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

Article - Courts and Judicial Proceedings

10-915.

(a) (1) In this section the following words have the meanings indicated.

(2) "Deoxyribonucleic acid (DNA)" means the molecules in all cellular forms that contain genetic information in a [patterned] chemical structure of each individual.

~~(3) "DNA profile" means an analysis that utilizes the restriction fragment length polymorphism analysis OR POLYMERASE CHAIN REACTION of DNA resulting in the identification of an individual's [patterned] chemical structure of genetic information.~~

(3) "DNA PROFILE" MEANS AN ANALYSIS OF GENETIC LOCI THAT HAVE BEEN VALIDATED ACCORDING TO STANDARDS ESTABLISHED BY:

(I) THE TECHNICAL WORKING GROUP ON DNA ANALYSIS METHODS (TWGDAM); OR

(II) THE DNA ADVISORY BOARD OF THE FEDERAL BUREAU OF INVESTIGATION.

(B) A STATEMENT FROM THE TESTING LABORATORY SETTING FORTH THAT THE ANALYSIS OF GENETIC LOCI HAS BEEN VALIDATED BY STANDARDS ESTABLISHED BY TWGDAM OR THE DNA ADVISORY BOARD IS SUFFICIENT TO ADMIT A DNA PROFILE UNDER THIS SECTION.

~~(b)~~ (C) In any criminal proceeding, the evidence of a DNA profile is admissible to prove or disprove the identity of any person, if the party seeking to introduce the evidence of a DNA profile:

(1) Notifies in writing the other party or parties by mail at least 45 days before any criminal proceeding; and