

(1) Have a DNA sample collected upon intake to any prison or detention facility; or

(2) If not sentenced to a term of imprisonment, [be ordered by the court to] provide a DNA sample as a condition of sentence OR PROBATION.

~~(D) EACH PERSON CONVICTED OF A QUALIFYING CRIME OF VIOLENCE SHALL BE REQUIRED TO HAVE ONE DNA SAMPLE COLLECTED, EXCEPT THAT A SECOND DNA SAMPLE SHALL BE TAKEN IF ORDERED BY THE COURT FOR GOOD CAUSE SHOWN.~~

(E) IF A PERSON IS NOT SENTENCED TO A TERM OF IMPRISONMENT, FAILURE TO PROVIDE A DNA SAMPLE WITHIN 90 DAYS OF NOTICE BY THE DIRECTOR SHALL BE CONSIDERED A VIOLATION OF PROBATION.

[(d)](F) A person who has been convicted of a qualifying crime of violence prior to October 1, [1994] 1999, and who remains incarcerated on that date shall submit a DNA sample to the [Department of Public Safety and Correctional Services] DEPARTMENT OF STATE POLICE.

[(e)](G) (1) To the extent fiscal resources are available, DNA samples shall be tested for the following purposes:

(i) To analyze and type the genetic markers contained in or derived from DNA samples;

(ii) In the furtherance of an official investigation into a criminal offense;

(iii) To assist in the identification of human remains;

(iv) To assist in the identification of missing persons; and

(v) For research and administrative purposes, including:

1. Development of a population data base after personal identifying information is removed;

2. Support of identification research and protocol development of forensic DNA analysis methods; and

3. Quality control purposes.

(2) (i) Only DNA records that directly relate to the identification of individuals shall be collected and stored.

(ii) These records may not be used for any purposes other than those specified in this section.

[(f)](H) (1) The DNA record of identification characteristics resulting from the DNA testing shall be stored and maintained by the Crime Laboratory in the statewide DNA data base system.

(2) The DNA sample shall be stored and maintained by the Crime Laboratory in the statewide DNA repository.