

2-510. USE OF MATCH AS EVIDENCE.

A MATCH OBTAINED BETWEEN AN EVIDENCE SAMPLE AND A DATA BASE ENTRY MAY ONLY BE USED AS PROBABLE CAUSE TO OBTAIN A BLOOD SAMPLE FROM THE SUBJECT AND IS NOT ADMISSIBLE AT TRIAL UNLESS CONFIRMED BY ADDITIONAL TESTING.

REVISOR'S NOTE: This section formerly was Art. 88B, § 12A(n).

The only change is in style.

2-511. EXPUNGEMENT OF DNA INFORMATION.

(A) IN GENERAL.

AN INDIVIDUAL WHOSE DNA RECORD OR PROFILE IS INCLUDED IN THE STATEWIDE DNA DATA BASE SYSTEM AND WHOSE DNA SAMPLE IS STORED IN THE STATEWIDE DNA REPOSITORY MAY REQUEST THAT INFORMATION BE EXPUNGED ON THE GROUNDS THAT THE CONVICTION THAT RESULTED IN THE INCLUSION MEETS THE EXPUNGEMENT CRITERIA SPECIFIED IN § 10-105 OR § 10-106 OF THE CRIMINAL PROCEDURE ARTICLE.

(B) PROCEEDINGS.

EXPUNGEMENT PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH § 10-105 OR § 10-106 OF THE CRIMINAL PROCEDURE ARTICLE.

(C) PURGE OF DNA INFORMATION.

ON RECEIPT OF AN ORDER OF EXPUNGEMENT, THE DIRECTOR SHALL PURGE ANY DNA RECORD, DNA SAMPLE, OR OTHER IDENTIFIABLE INFORMATION COVERED BY THE ORDER FROM THE STATEWIDE DNA DATA BASE SYSTEM AND THE STATEWIDE DNA REPOSITORY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88B, § 12A(o).

In subsection (a) of this section, the reference to an "individual" is substituted for the former reference to a "person" because only an individual, and not the other entities included in the defined term "person", can give a DNA sample.

Defined terms: "Director" § 2-501

"DNA record" § 2-501

"DNA sample" § 2-501

"Statewide DNA data base system" § 2-501

"Statewide DNA repository" § 2-501

2-512. PROHIBITED ACTS; PENALTY.

(A) DISCLOSURE OF DNA INFORMATION TO UNAUTHORIZED PERSONS PROHIBITED.