

~~2003, the Department shall forward a copy of the written award within 5 days of receipt to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.~~

~~SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this Act, this Act shall take effect October 1, [2002] 2003. It shall remain effective for a period of [1 year] 2 YEARS and, at the end of September 30, [2003] 2006, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

Article - Criminal Procedure

8-201.

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

(2) "DNA" means deoxyribonucleic acid.

(3) "LAW ENFORCEMENT AGENCY" MEANS ANY OF THE FOLLOWING:

(I) A MUNICIPAL OR COUNTY POLICE DEPARTMENT;

(II) SHERIFF'S OFFICE;

(III) THE MARYLAND STATE POLICE;

(IV) ANY PROSECUTING AUTHORITY;

(V) ANY STATE, UNIVERSITY, COUNTY, OR MUNICIPAL POLICE UNIT OR POLICE FORCE; AND

(VI) ANY HOSPITAL, MEDICAL FACILITY, OR PRIVATE ENTITY THAT IS CONDUCTING FORENSIC EXAMINATIONS AND SECURING BIOLOGICAL EVIDENCE RELATED TO CRIMINAL INVESTIGATIONS.

(4) "BIOLOGICAL EVIDENCE" INCLUDES, BUT IS NOT LIMITED TO, ANY BLOOD, HAIR, SALIVA, SEMEN, EPITHELIAL CELLS, BUCCAL CELLS, OR OTHER BODILY SUBSTANCES FROM WHICH GENETIC MARKER GROUPINGS MAY BE OBTAINED.

[(3)] (5) "Scientific identification evidence" means evidence that:

(i) is related to an investigation or prosecution that resulted in a judgment of conviction;

(ii) is in the actual or constructive possession of [the State under subsection (i) of this section] A LAW ENFORCEMENT AGENCY OR AGENT OF A LAW ENFORCEMENT AGENCY; and

(iii) contains BIOLOGICAL EVIDENCE FROM WHICH DNA MAY BE RECOVERED that may produce exculpatory or mitigating evidence relevant to a claim of a convicted person of wrongful conviction or sentencing if subject to DNA testing.

(b) Notwithstanding any other law governing postconviction relief, a person who is convicted of a violation of § 2-201, § 2-204, § 2-207, or §§ 3-303 through