

(c) Pursuant to regulations adopted by the Secretary after consultation with the Director under this section, a person convicted of a [qualifying crime of violence] FELONY OR A VIOLATION OF § 6-205 OR § 6-206 OF THE OF THE CRIMINAL LAW ARTICLE shall:

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

(2) If not sentenced to a term of imprisonment, provide a DNA sample as a condition of sentence or probation.

~~(d) A second DNA sample shall be taken if ordered by the court for good cause shown.~~

(D) A SECOND DNA SAMPLE MAY BE TAKEN IF NEEDED TO OBTAIN SUFFICIENT DNA FOR THE STATE DATABASE OR 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.

(f) A person who has been convicted of a [qualifying crime of violence] FELONY OR A VIOLATION OF § 6-205 OR § 6-206 OF THE CRIMINAL LAW ARTICLE prior to October 1, [1999] 2002, and who remains incarcerated on that date shall submit a DNA sample to the Department of State Police.

(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.