

~~(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.

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

(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.

(i) Pursuant to regulations adopted by the Secretary, after consultation with the Director: