

~~(2) An individual who was convicted of a felony or a violation of § 6-205 or § 6-206 of the Criminal Law Article on or before October 1, 2003 and who remains confined in a correctional facility on or after October 1, 1999, shall submit a DNA sample to the Department.~~

~~[(3) (i) In accordance with regulations adopted under this subtitle, a DNA sample shall be collected from an individual who is charged with:~~

~~1. a crime of violence or an attempt to commit a crime of violence; or~~

~~2. burglary or an attempt to commit burglary.~~

~~(ii) At the time of collection of the DNA sample under this paragraph, the individual from whom the sample is collected shall be given notice that the DNA record may be expunged and the DNA sample destroyed in accordance with § 2-511 of this subtitle.~~

~~(iii) A DNA sample collected from a crime scene or collected as sexual assault evidence at a hospital that a law enforcement investigator deems relevant to the identification or exoneration of a suspect shall be tested as soon as reasonably possible following collection of the sample.]~~

~~(b) In accordance with regulations adopted under this subtitle, each DNA sample required to be collected under this section shall be collected:~~

~~(1) [at the facility where the charging of the individual is processed by:~~

~~(i) the arresting agency; or~~

~~(ii) the booking facility responsible for processing the arrest;~~

~~(2) at a facility specified by the Secretary, if the individual is charged but not arrested;~~

~~(3) [at the correctional facility where the individual is confined, if the individual is confined in a correctional facility on or after October 1, 2003, or is sentenced to a term of imprisonment on or after October 1, 2003;~~

~~[(4) (2) at a facility specified by the Director, if the individual is on probation or is not sentenced to a term of imprisonment; or~~

~~[(5) (3) at a suitable location in a circuit court following the imposition of sentence.~~