

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Require the Collection of DNA from Persons Who Committed Felonies Prior to 1996 Who Then Reoffend by Committing Offenses for Which They Would Not Otherwise Have To Submit to a DNA Test'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'**Sec. 1. 25 MRSA §1574-A** is enacted to read:

**§ 1574-A. Collection from person convicted prior to January 1, 1996 who reoffends**

**1. Collection.** A person who is convicted of a Class D or E crime for which the person is not otherwise required to submit to having a DNA sample taken shall submit to having a DNA sample taken if that person has a conviction for an offense committed prior to January 1, 1996 that if committed on January 1, 1996 or after would require that the person submit to having a DNA sample taken.

**2. Penalty.** A person who fails to submit to having a DNA sample taken as required in subsection 1 after receiving notice from the State Bureau of Identification to do so commits a Class E crime. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.'

## SUMMARY

This amendment is the majority report of the Joint Standing Committee on Criminal Justice and Public Safety and replaces the bill. The amendment requires a person who commits an offense that does not currently require the person to submit a DNA sample to submit a DNA sample if that person was convicted of an offense prior to January 1, 1996 that is an offense that would require submitting a DNA sample if committed on or after that date. A person who fails to submit a DNA sample after receiving notice from the Department of Public Safety, State Bureau of Identification commits a Class E crime.

**FISCAL NOTE REQUIRED**  
(See attached)