

HOUSE BILL NO. 31

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES TOOHEY, B.Davis, Bunde

Introduced: 1/16/95

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the Department of Public Safety to establish and maintain a
2 deoxyribonucleic acid (DNA) identification registration system and requiring DNA
3 registration by persons convicted of a felony sex offense; and providing for an
4 effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** LEGISLATIVE FINDINGS. The legislature finds that

7 (1) recent developments in molecular biology and genetics have important
8 applications for forensic science; it has been scientifically established that there is a unique
9 pattern to the chemical structure of the deoxyribonucleic acid (DNA) contained in each cell
10 of the human body; the process for identifying this pattern is called "DNA identification"; and

11 (2) the accuracy of identification provided by this method is superior to that
12 of any presently existing technique and recognizes the importance of this scientific
13 breakthrough in providing a reliable and accurate tool for the investigation and prosecution
14 of sex offenses.

1 * **Sec. 2.** AS 44.41 is amended by adding a new section to read:

2 Sec. 44.41.035. DNA IDENTIFICATION SYSTEM. (a) To support criminal
3 justice services in this state, the Department of Public Safety shall establish a
4 deoxyribonucleic acid (DNA) identification registration system.

5 (b) A person convicted in this state of a sex offense shall have a blood sample
6 drawn for purposes of DNA identification analysis. A blood sample taken under this
7 section may be used only for the purpose of providing DNA or other blood grouping
8 tests for identification analysis, for prosecution of a sex offense, or for preparation of
9 statistical blind analysis for use in prosecution of a sex offense.

10 (c) The Department of Public Safety may provide

11 (1) DNA analysis services to law enforcement agencies throughout the
12 state;

13 (2) assistance to law enforcement officials and prosecutors in the
14 preparation and utilization of DNA evidence for presentation in court; and

15 (3) expert testimony in court on DNA evidentiary issues.

16 (d) A local law enforcement agency may contract with private laboratories to
17 perform DNA identification analysis in individual cases to assist law enforcement
18 officials and prosecutors in the preparation and use of DNA evidence for presentation
19 in court.

20 (e) DNA identification data may not be used for any purpose that is not related
21 to a criminal investigation or to improving the operation of the system authorized by
22 this section.

23 (f) In this section, "sex offense" has the meaning given in AS 12.63.100.

24 * **Sec. 3.** This Act takes effect January 1, 1996.