

HOUSE BILL 754

E4, E2

5lr1800

By: **Delegates Jalisi, Pena–Melnik, Fennell, Ghrist, McComas, McCray, Moon, Morhaim, Sample–Hughes, Smith, Sydnor, Tarlau, and P. Young**

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Sexual Assault – Survivors’ Right to Know – DNA Analysis of Kit Evidence**

3 FOR the purpose of requiring a health care provider that performs a sexual assault
4 evidence collection kit exam on a victim of sexual assault to provide the victim or the
5 victim’s representative with contact information for a certain law enforcement
6 agency; requiring a law enforcement agency that receives a sexual assault evidence
7 collection kit to provide certain information within a certain period of time after a
8 request by the victim from whom the evidence was collected or the victim’s
9 representative; and generally relating to sexual assault.

10 BY adding to

11 Article – Criminal Procedure

12 Section 11–926

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2014 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Criminal Procedure**

18 **11–926.**

19 **(A) A HEALTH CARE PROVIDER THAT PERFORMS A SEXUAL ASSAULT**
20 **EVIDENCE COLLECTION KIT EXAM ON A VICTIM OF SEXUAL ASSAULT SHALL PROVIDE**
21 **THE VICTIM OR THE VICTIM’S REPRESENTATIVE WITH CONTACT INFORMATION FOR**
22 **THE INVESTIGATING LAW ENFORCEMENT AGENCY THAT THE VICTIM MAY CONTACT**
23 **ABOUT THE STATUS AND RESULTS OF THE KIT ANALYSIS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THE INVESTIGATING LAW ENFORCEMENT AGENCY THAT RECEIVES A**
2 **SEXUAL ASSAULT EVIDENCE COLLECTION KIT, WITHIN 30 DAYS AFTER A REQUEST**
3 **BY THE VICTIM FROM WHOM THE EVIDENCE WAS COLLECTED OR THE VICTIM'S**
4 **REPRESENTATIVE, SHALL PROVIDE THE VICTIM OR THE VICTIM'S REPRESENTATIVE**
5 **WITH:**

6 **(1) INFORMATION ABOUT THE STATUS OF THE KIT ANALYSIS; AND**

7 **(2) ALL AVAILABLE RESULTS OF THE KIT ANALYSIS EXCEPT RESULTS**
8 **THAT WOULD IMPEDE OR COMPROMISE AN ONGOING INVESTIGATION.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2015.