

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 1081

(SENATE AUTHORS: JENSEN, Tomassoni, Sheran, Fischbach and Dziedzic)

DATE	D-PG	OFFICIAL STATUS
02/23/2015	400	Introduction and first reading Referred to Judiciary
03/02/2015	507	Author added Fischbach
03/25/2015	1317a	Comm report: To pass as amended
	1353	Second reading
04/13/2015	1518	Author added Dziedzic
04/14/2015	1552	Special Order
	1552	Third reading Passed See SF878, Art. 3, Sec. 37

1.1

A bill for an act

1.2

relating to public safety; accounting for untested sexual assault test kits; requiring

1.3

a report.

1.4

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5

Section 1. **STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

1.6

(a) As used in this section, the following terms have the meanings provided:

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(1) "bureau" means the Bureau of Criminal Apprehension;

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(2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section

1.9

299C.157, subdivision 1, clause (2);

1.10

(3) "rape kit" means a sexual assault examination kit;

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(4) "superintendent" means the superintendent of the bureau;

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(5) "untested rape kit" means a rape kit that has been used to collect evidence and:

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(i) has not been submitted to the bureau for DNA analysis but has been cleared for testing

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through the written consent of the victim; or (ii) has been submitted to the bureau for

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DNA analysis but the analysis has not been completed; and

1.16

(6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01,

1.17

paragraph (b).

1.18

(b) By August 1, 2015, the director of the bureau's forensic science division, each

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executive director of a publicly funded forensic laboratory that tests rape kits, and each

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sheriff and chief of police must prepare and submit a written report to the superintendent

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that identifies the number of untested rape kits in the possession of the official's agency

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or department. The report must be in a form prescribed by the superintendent. At a

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minimum, each untested rape kit must be identified in the report by the date the evidence

2.1 was collected and reasons why each untested rape kit was not tested. This report applies
2.2 only to untested rape kits collected prior to July 1, 2015.

2.3 (c) By December 1, 2015, the superintendent must submit a report to the majority
2.4 leader of the senate, the speaker of the house, and the Office of the Attorney General
2.5 identifying, by agency and date collected, each untested rape kit disclosed in the reports
2.6 required by paragraph (b). The report must also provide a detailed plan to resolve any
2.7 backlog of untested rape kits held by the bureau and other agencies or departments.

2.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.