A bill for an act

relating to public safety; authorizing familial DNA searches; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Section 1. **[299C.1551] FAMILIAL DNA SEARCHES.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Familial search" means a search of CODIS in which a DNA sample from an unknown source collected from a crime scene is compared to determine if a familial match exists. These searches shall follow the Scientific Working Group on DNA Analysis Methods (SWGDAM) recommendations for the release of information in the event of a "partial match."

(c) "Familial match" is a match that occurs when a scientist employed by the bureau concludes through statistical analysis that there are sufficient genetic similarities to indicate a familial relationship between a DNA profile in the offender index and the source of a DNA sample collected from a crime scene.

(d) "Combined DNA Index System (CODIS)" means the database of DNA samples authorized under section 299C.155.

Subd. 2. **Eligible cases.** A law enforcement officer may request that the bureau conduct a familial search in cases where each of the following criteria are met:

(1) no identical match for the DNA sample collected from a crime scene can be identified in CODIS;

(2) the investigation involves first- or second-degree murder or criminal sexual conduct in the first or second degree;

(3) all other investigative leads have been exhausted; and

(4) the requesting officer has satisfied all other requirements established by the superintendent.

Subd. 3. **Superintendent; rules.** The superintendent shall establish rules and policies to process search requests submitted pursuant to this section. The rules must address, but are not limited to, the standards and procedures for approving a request and releasing the names of potential matches. The uniform procedures and protocols developed under this subdivision are not subject to the rulemaking provisions of chapter 14.

Subd. 4. **Report.** By June 1 of the year following the date of final enactment, and annually thereafter, the superintendent shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety policy and finance. The report must contain:

(1) the number of familial DNA searches requested;

(2) the number of familial DNA searches conducted;

(3) the number of familial matches found as a result of the searches conducted; and

(4) the status of any case in which a familial match was found.