

# **One Hundred Third Legislature - First Session - 2013**

## **Introducer's Statement of Intent**

### **LB202**

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**Chairperson: Senator Brad Ashford**

**Committee: Judiciary**

**Date of Hearing:**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 202 is introduced at the request of the Nebraska State Patrol as they are tasked under Nebraska State Statute 81-2010 with the oversight of the only statewide criminalistics laboratory in Nebraska, commonly referred to as the Nebraska State Patrol Crime Lab.

LB 202 proposes changes to Nebraska State Statute 29-4106.01 and 29-4107 of the DNA Identification Information Act and Nebraska State Statute 81-2004.02 in an effort to fulfill a statutory requirement in a more streamlined and cost-saving manner.

- Currently under 29-4106, a person required to submit a DNA sample shall be given the choice of having the sample collected by a blood draw or a buccal cell collection kit. This proposal is to remove the blood draw option and require buccal collection.
- Proposed changes to Nebraska State Statute 81-2004.02 would create the Nebraska State Patrol DNA Cash Fund for funds received by the State Patrol under the DNA Identification Information Act as required by 29-4106. Under 29-4106 a person convicted of a felony offense after July 15, 2010 is to provide a DNA sample at their expense to pay costs associated with the collection of the sample. Currently this \$25 is sent to the Attorney General's Office. An accounting shift will occur which will provide a mechanism for the money to go to the State Patrol DNA fund to help offset the costs of purchasing collection kits and testing which is what the funds were intended for and is the current practice. The State Patrol purchases and provides all test kits to collection agencies.

**Principal Introducer:** \_\_\_\_\_

**Senator Colby Coash**

