

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

619T0683

HOUSE BILL NO. 1219

Introduced by: Representatives Hickey, Abdallah, Bolin, Boomgarden, Elliott, Fargen, Feickert, Gibson, Hansen (Jon), Hubbel, Hunhoff (Bernie), Kirkeby, Kopp, Lucas, Moser, Nelson (Stace), Perry, Schaefer, Sigdestad, Street, Stricherz, Turbiville, and Willadsen and Senators Peters, Adelstein, Buhl, Cutler, Frerichs, Juhnke, Nelson (Tom), Sutton, and Tieszen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the process of
2 collecting DNA upon arrest for a qualifying offense.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 23-5A-5.2 be amended to read as follows:

5 23-5A-5.2. Any person eighteen years of age or older who is arrested for a qualifying offense
6 shall provide a DNA sample upon booking or ~~as determined by the supervising agency before~~
7 the person is released from custody. If it is determined that the person's DNA sample is included
8 in the State DNA Database, no additional sample is required. Upon receipt of the sample, the
9 supervising agency shall provide the person with written information regarding the legal basis
10 for collecting the sample, as well as an explanation of the process of expungement pursuant to
11 § 23-5A-28.

