

HB1251\_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB13-1251 be amended as follows:

1 Amend printed bill, page 2, strike line 3 and substitute "(1) (g) and (5) as  
2 follows:".

3 Page 3, after line 8, insert:

4 "(5) (a) The Colorado bureau of investigation shall conduct the  
5 chemical testing of the biological substance samples obtained pursuant to  
6 this section. The Colorado bureau of investigation shall file and maintain  
7 the results thereof and shall furnish the results to a law enforcement  
8 agency upon request. The Colorado bureau of investigation shall store  
9 and preserve all biological substance samples obtained pursuant to this  
10 section.

11 (b) IF AN OFFENDER'S SAMPLE IS COLLECTED, ANALYZED, AND  
12 MAINTAINED BY THE COLORADO BUREAU OF INVESTIGATION BASED  
13 SOLELY ON A CLASS 1 MISDEMEANOR CONVICTION PURSUANT TO  
14 PARAGRAPH (g) OF SUBSECTION (1) OF THIS SECTION, THE COLORADO  
15 BUREAU OF INVESTIGATION MAY ONLY FILE AND MAINTAIN THE SAMPLE  
16 AND RESULTS AND FURNISH THE RESULTS TO LAW ENFORCEMENT FOR A  
17 PERIOD OF FIVE YEARS FROM THE DATE OF THE OFFENDER'S CONVICTION.  
18 AFTER THE FIVE-YEAR PERIOD EXPIRES, THE COLORADO BUREAU OF  
19 INVESTIGATION SHALL DESTROY THE SAMPLE AND EXPUNGE THE RESULTS  
20 OF THE SAMPLE FROM THE FEDERAL COMBINED DNA INDEX SYSTEM AND  
21 ANY STATE INDEX SYSTEM. THIS PARAGRAPH (b) SHALL NOT APPLY IF THE  
22 PERSON HAS BEEN ARRESTED FOR, CHARGED WITH, OR CONVICTED OF  
23 SOME OTHER OFFENSE ON THE BASIS OF WHICH A BIOLOGICAL SUBSTANCE  
24 SAMPLE WAS OR COULD HAVE BEEN COLLECTED UNDER STATE STATUTE."

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