

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 991a, as last amended by Section 1 of Enrolled Senate Bill No. 1374 of the 2nd Session of the 49th Oklahoma Legislature, which relates to powers of the court and DNA samples; modifying language; increasing certain victim impact panel fee; deleting certain provisions for DNA testing; renaming certain database; creating the OSBI Combined DNA Index System (CODIS) Database; amending 57 O.S. 2001, Section 530.1, as amended by Section 2 of Enrolled Senate Bill No. 1374 of the 2nd Session of the 49th Oklahoma Legislature, which relates to duties of assessment and reception of inmates; clarifying language; authorizing collection of DNA specimens; providing for DNA testing of person not incarcerated; setting procedures for submission to DNA testing for certain persons; providing time period in which to submit for DNA testing; requiring testing and payment of certain fee as condition of sentence for certain persons; providing for testing upon incarceration or release from incarceration; exempting certain persons from additional DNA testing; requiring certain rule for determination of whether a valid DNA profile or sample is on file; allowing DNA samples to be taken by certain employees or contractors; granting immunity from civil liabilities for taking certain sample; requiring mailing of certain samples within certain period of time; directing use of certain kits provided by the OSBI to take DNA samples; mandating payment of certain fee to certain agency for DNA testing; directing deposit of certain fee collected by the Department of Corrections into certain account; amending 74 O.S. 2001, Sections 150.27, as last amended by Section 3 of Enrolled Senate Bill No. 1374 of the 2nd Session of the 49th Oklahoma Legislature, which relates to DNA Offender Database; authorizing the OSBI to make certain DNA profiles of certain specimens; allowing certain DNA profiles to be placed in the DNA population database; deleting language; amending 74 O.S. 150.27a, as last amended by Section 4 of Enrolled Senate Bill No. 1374 of the 2nd Session of the 49th Oklahoma Legislature, which relates to DNA laboratory; renaming certain DNA database; specifying offenses to be included in certain DNA database; including deferred and suspended sentences required to register as sex offenders; requiring DNA sample of certain incarcerated persons; including persons convicted of certain violent offenses for DNA testing and inclusion in certain database; authorizing secondary databases; specifying types of indexes and databases allowed; exempting offender database from public disclosure; modifying language; limiting use of offender database for certain purposes; prohibiting other use of certain offender information; authorizing certain DNA samples to be maintained whether or not in strict compliance with certain provisions of law; repealing 74 O.S. 2001, Section 150.27a, as last amended by Section 1 of Enrolled Senate Bill No. 1190 of the 2nd Session of the 49th Oklahoma Legislature, which relates to DNA laboratory and is a duplicate section; providing an effective date; and declaring an emergency.