

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1702

By: Denney of the House

and

Halligan of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to criminal procedure; creating the
12 DNA Collection, Storage and Analysis Task Force;
13 providing for membership; providing for appointment
14 of chair; requiring organizational meeting; providing
15 for selection of cochair and other officers;
16 prescribing quorum requirement; outlining areas of
17 study; providing for travel reimbursement; specifying
18 reimbursement method for legislative members;
19 providing for staff assistance; requiring final
20 written report; specifying date of report; providing
21 for termination of Task Force; providing for
22 codification; and providing an effective date.

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24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1381 of Title 22, unless there
is created a duplication in numbering, reads as follows:

1 A. There is hereby created the DNA Collection, Storage and
2 Analysis Task Force.

3 B. The Task Force shall be composed of twelve (12) members as
4 follows:

5 1. The Governor or a designee;

6 2. The Attorney General or a designee;

7 3. The Presiding Judge of the Oklahoma Court of Criminal
8 Appeals or a designee;

9 4. Two members of the Oklahoma House of Representatives
10 appointed by the Speaker of the Oklahoma House of Representatives;

11 5. Two members of the Oklahoma State Senate appointed by the
12 President Pro Tempore of the Oklahoma State Senate;

13 6. The Director of the Oklahoma State Bureau of Investigation
14 or a designee;

15 7. The Director of the Department of Corrections or a designee;

16 8. The Commissioner of Public Safety or a designee;

17 9. The Executive Coordinator of the District Attorneys Council
18 or a designee; and

19 10. One member who represents the county sheriffs to be
20 appointed by the Governor.

21 C. Members of the Task Force shall serve at the pleasure of the
22 appointing authority. Vacancies in a position shall be filled in
23 the same manner as the original appointment.

1 D. The chair shall be appointed by the Speaker of the Oklahoma
2 House of Representatives on or before November 1, 2011. The Task
3 Force shall hold an organizational meeting not later than December
4 1, 2011. The Task Force shall select from among its membership a
5 cochair and any other officers. Meetings of the Task Force shall be
6 held at the call of the chair of the Task Force. A quorum of the
7 members present at a meeting of the Task Force shall be sufficient
8 to conduct any business or to take any action authorized or
9 required.

10 E. The Task Force may study the following topics:

11 1. Policies and procedures regarding the collection, storage
12 and analysis of DNA;

13 2. Costs and feasibility of collecting DNA from persons
14 arrested for misdemeanor and felony criminal offenses;

15 3. Improvements to the system of collection, submission,
16 documentation and tracking of DNA samples; and

17 4. Policies and procedures for the proper expungement or
18 sealing of records upon exoneration or dismissal of charges.

19 F. The Task Force shall be authorized to meet as necessary in
20 order to perform the duties imposed upon it.

21 G. Staff assistance for the Task Force shall be provided by the
22 staff of the Oklahoma House of Representatives and the Oklahoma
23 State Senate.

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1 H. The Task Force shall produce a final written report of its
2 findings and any recommendations regarding the issues studied by the
3 Task Force. The report shall be submitted to the Governor, the
4 Speaker of the Oklahoma House of Representatives and the President
5 Pro Tempore of the Oklahoma State Senate not later than December 31,
6 2012.

7 I. The Task Force shall terminate by operation of law on
8 January 1, 2013.

9 SECTION 2. This act shall become effective September 1, 2011.

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11 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03-02-2011 - DO PASS,
12 As Amended and Coauthored.

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